

One Way Trip

Essays on Mediterranean
Migration

Edited by
Valerio De Cesaris

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e globalizzazione 1.



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Introduction

The Mediterranean space, as Fernand Braudel said, are many civilizations piled on each other, thousands of different things in a restricted area, crossroads of complex stories. Civilizations that met and often fought. The Mediterranean is also the cradle of the monotheistic religions, which have in common Abraham, father of all believers. Jews, Christians and Muslims coexisted for many centuries in this space, even if relations between them were often conflicting.

For centuries the model of cohabitation in the Ottoman Empire, with the *millet* system, assured the survival of minorities on the south side of the sea. More difficult was the life of the European minorities, mainly the Jews, with the forced limitations and established ghettos since the 16th century. Nevertheless, these communities could live together until the twentieth century. Today, we have a different view on the Southern Mediterranean, where cohabitation is jeopardized. This area was and still is a theater of conflicts: Israeli and Palestinians, the terrible war in Syria, but also Libya, in the past Lebanon, Algeria, till the Second World War, when the European people were fighting. Is also the place where stands the last wall of Europe, in Cyprus, to apart Greeks from Turks. Even if we don't consider like walls the barriers erected around Europe for stopping the migrants.

This book starts from the migrants, their stories, their attempts to reach Europe. In the last years *mare nostrum* seems to have become a *mare monstrum*. Thousands of desperate people have drowned trying to reach Europe, running away from war and misery. According to the International Organization for Migration, there have been 3,171 dead in the first eight months of 2016. Perhaps 2016 will overcome the sad record of 2015, with 3,771 people dead. The Mediterranean has turned into a cemetery that has swallowed up countless bodies with no name.

Historically, the Mediterranean has long been a place of journey and encounter. People from many different shores moved and often their journeys were one-way trip, at times with migrations occurring from North to South. The French colonized Algeria, thousands of Italians migrated to Tunisia and then Libya. It seems far in time but is not. Yet today many Europeans, sons of emigrants, are suspicious about immigrants. We forget history and the fact that during the last two centuries, nearly 60 million European were migrants.

There are shuts with or without barbed wire. Police are stationed at States borders, the same borders that the project of European integration had banned. A world with no borders, so acclaimed in the 90s, now seems utopist in a time of remaking of the national borders. Police at the frontiers of many European countries stop migrants, creating a negative association between migration and security issues. This leads to Europeans being fearful of migrants and seeing those who are in real danger – refugees, migrants – like threats.

On the other hand, many Europeans are involved in alleviating suffering of migrants and refugees. Many were shocked at seeing the picture of Alan Kurdi, the small Syrian child drowned in the sea, on September 2015, whose body was found on the Turkish beach of Bodrum. That picture became the symbol of the Syrian people's martyrdom. The movement "refugees welcome", born on social media, promoted solidarity events in several cities. However, governments and institutions did little or nothing to promote the legal arrival of refugees in Europe.

The experience of the humanitarian corridors, launched in Italy by the Community of Sant'Egidio in cooperation with the Waldensians and the Federation of the Evangelical Churches in Italy, and implemented through an agreement with the Italian Government, shows that is possible to create safe and legal routes to permit to refugees to reach Europe safely. Although until now the humanitarian corridors have served primarily Syrians and some Iraqi families, the idea is to promote a legal way of reaching Italy even to those who come from Eritrea and other African countries. This model should be adopted by other European States, so to avoid the dangerous crossing of the Mediterranean Sea that many desperate people are forced to make. Safe routes for refugees are possible, but it needs political decision.

This is a history book that analyzes migration through a historic prospective. The words of the great French historian Marc Bloch should always be remembered: "The misunderstanding of the present grows fatally from the ignorance of the past". After a historical overview of migration within Europe after the fall of the Berlin Wall (Minnucci), this collection of essays addresses Mediterranean issues: the case of Ceuta and Melilla (Sagnella), the relationship between Tunisia and the European Union (Gerli), the changes in North Africa from the Arab Spring to the Islamic State (Musso), the Lampedusa case (Strano), some European Models of citizenship (Turco), a focus on female genital mutilation/cutting in the context of migration (Faraca) and another one on the representation of immigrants in Italian Media (Elbreki).

This collection of essays by young researchers analyzes, through various innovative approaches, the role of the Mediterranean and migration experiences. Utilizing a historical approach, the authors demonstrate a scientific and cultural maturity to analyze complex issues. I believe this book offers a way to understand the intricate Mediterranean history of our days. The different essays reveal to us the Mediterranean through the 20th and 21st centuries, and present important lessons in coexistence through challenging times and contexts.

Essays that are like open windows to a space – the Mediterranean Area – and a time – the decades between the 20th and the 21st century – in which everything is difficult and seems like if History get knotted and still trying to dissolve the skein, to find a way for living together between different people, for economic and social development in stuck countries, for dialogue between religions.

Some open windows on this space and time can't permit to understand everything but certainly they help us to see those who cross the Mediterranean, perhaps on a one-way trip, with more awareness and empathy.

Valerio De Cesaris

International migrations in Europe. From the fall of the Berlin Wall to the Mediterranean crisis: an historical overview

Virginia Minnucci

Abstract

Today much attention is devoted to the European migrant crisis. Migration, however, is not an entirely new phenomenon. Starting from a brief historical overview of migration flows of the last twenty years, the article discusses the different steps leading to a common European policy on migration. The article underlines the need to overcome the questionable approach of some European countries and the emergency measures that the European Union as a whole has so far taken in order to face the issue.

1. Introduction

Migration is not a new phenomenon and recently it no longer even occurs occasionally. It is more a reality which is characterising Europe and representing a challenge for European countries. For this reason, it would not be correct to use a term like “crisis” which means something temporary. However, it was decided to use it because that is how the media and the institutions refer to the difficult situation and the human tragedies taking place in the Mediterranean. Although not with the same frequency that we are experiencing today, migration began to involve European countries since the Second World War. In the first half of the 20th century, Europe was still a land of emigration, mainly characterised by flows from Europe to the United States¹. By contrast, with the Second World War many European States became host countries which attracted people moving or emigrating from one country to another because of political crises or in order to work there. The expulsion of German population living in the former Eastern territories of the Reich and the break-up of colonial empires in Asia and Africa were the main causes of international migrations after the Second World War². In this period, the victorious powers attracted people from the colonies and the neighbouring and least developed European countries, such as Italy, Greece, Spain and Portugal, with labour recruitment policies in order to satisfy their need of workers. At this purpose, *ad hoc* institutions and specific agreements were created in order to foster and organise immigration: France, for example, in 1945 established

¹ In the United States there was the highest concentration of European migrants in the period between 1840 and 1915: the 70% of all migrants left Europe to go to there. Paola Corti, *Storia delle migrazioni internazionali*, Laterza, Roma-Bari 2010 (2003), p. 30.

² On this topic: Klaus J. Bade, *L'Europa in movimento. Le migrazioni dal Settecento ad oggi*, Laterza, Roma-Bari 2001 (2000), pp. 322-326; Sebastian Braun-Toman Omar Mahmoud, *The Employment Effects of Immigration: Evidence from the Mass Arrival of German Expellees in Postwar Germany*, “The Journal of Economic History”, Vol. 74, Issue 01 March 2014, pp. 69-108; Heinz Fassmann-Rainer Münz, *European East-West Migration, 1945-1992*, “International Migration Review”, Vol. 28, n. 3 Autumn 1994, pp. 520-538.

the *Office National d'Immigration* and signed preferential migration agreements with Algeria to attract the workforce from that country³. France concluded similar agreements with Italy in 1946 and 1951⁴. Bilateral agreements with the Italian peninsula were also signed by West Germany⁵ and Belgium where many Italians were recruited to work in coal mines⁶. Through the European project of volunteer workers - the "European Voluntary Workers Schemes" - the United Kingdom hired with annual contracts many refugees and prisoners of war in key sectors of its economy. In addition, thanks to foreign policies facilitating migrations to the mainland, the United Kingdom also received a good flow of migrants from the colonies of Africa and Southeast Asia⁷.

The 1973 oil crisis changed things. The end of the post-war reconstruction, the economic depression and the high levels of unemployment reduced the demand for workers from Central and Northern European countries. In fact, these States decided to close their borders introducing restrictive measures which aimed to stop immigration and encourage migrants to return home⁸.

Despite these strict policies, foreign population living in the host countries of Western Europe was still growing: family reunifications, flows of refugees and asylum seekers from the poorest countries of the world contributed to raise the amount of

³ In 1947 France redefined the status of Algeria through the *Statut organique de l'Algérie* (Law n. 47-1853 of 20 September 1947), which defined Algeria as a group of departments with financial autonomy. At the same time it maintained a strong link with the metropolis giving to all Algerians the same citizenship rights as French citizens. See: Sarah Collinson, *Le migrazioni internazionali e l'Europa*, il Mulino, Bologna 1994 (1993), p. 105; *Loi n. 47-1853 du 20 Septembre 1947* available at <http://www.legifrance.gouv.fr/>; Stephen Castles-Mark J. Miller, *L'era delle migrazioni. Popoli in movimento nel mondo contemporaneo*, Odoja, Bologna 2012 (1993), pp. 124-130.

⁴ Paola Corti, op. cit., p. 89.

⁵ The German government began to hire foreign workers in the mid-fifties. In 1955 the government signed a bilateral agreement with Italy in order to foster the Italian labour recruitment. Between 1955 and 1968 similar agreements were signed with Spain, Greece, Turkey, Morocco, Tunisia and Yugoslavia with the aim to recruit guest workers (the so called *Gastarbeiter*). These workers were employed only as temporary workers and through work permits limiting the period and the type of job requested. Therefore, family reunification was discouraged even though it was impossible to avoid it. See Sarah Collinson, op. cit., pp. 105-111.

⁶ Another significant agreement was signed by Belgium and Italy in June 1946. It was a Protocol which provided the transfer of 50,000 Italian workers in exchange for raw materials. Belgium needed working force for the mines and Italy needed raw materials such as coal as well as a reduction of domestic pressures on the labour market. *Legge n. 1663 del 16 Dicembre 1947*, "Gazzetta Ufficiale", n. 42 19 February 1948.

⁷ Thanks to the "British Nationality Act" 1948, the United Kingdom granted British citizenship to all citizens of the colonies. Of course, this favoured the increase in migration flows from the British colonies to the mainland and allowed the United Kingdom to keep its influence over the Commonwealth. See: Sarah Collinson, op. cit., p. 106; *British Nationality Act 1948* available at <http://www.legislation.gov.uk/>; Stephen Castles-Mark J. Miller, op. cit., pp. 124-130; Corrado Bonifazi, *L'immigrazione straniera in Italia*, il Mulino, Bologna 2007 (1998), pp. 62-63.

⁸ In 1977 France launched a financial incentive programme to encourage immigrants to leave the country. The same was decided by Germany in the early eighties but without relevant results. The United Kingdom, instead, opted for a reduction of the rights enjoyed by immigrants as British subjects. See Sarah Collinson, op. cit., pp. 125-127.

regular immigrants⁹. Indeed, it was this kind of measures which caused the increase in irregular immigration. The most affected countries were Italy, Greece, Spain and Portugal because they were so used to export labour that they did not carefully control their borders¹⁰. In the eighties these States definitely shifted from being emigration countries to host States. Like other European immigration countries, the new host States were concerned about the increasing levels of migratory flows, especially the irregular ones¹¹.

A new phase of international migrations began with the fall of the Berlin Wall. In fact, with the end of the Cold War and the removal of barriers to migration flows in the States of Central and Eastern Europe, the geography of international migrations expanded. Despite overcoming the economic crisis in the eighties could have allowed more welcoming migration policies, the new migration flows from the former communist bloc fuelled the fear that they could damage the unstable economic situation. For this reason, Western European States preferred to maintain restrictive policies.

2. The main migratory routes from the fall of the Berlin Wall to the Mediterranean crisis

The fall of the Berlin Wall in 1989 and the political upheaval in Central and Eastern European countries reshaped migration trends in Europe, creating a new route: the East-West migration route. However, this route is not the only one that characterised the period after the Cold War. South-North migration flow of refugees and migrants, already started with the decolonisation process, is the most consistent flow even to-day.

2.1 East-West migrations

Even though it is true that the end of the Cold War and the consequent geopolitical transformations allowed the countries of Central and Eastern Europe to return to the scene of international migrations, it is important that the flows resulting from these

⁹ Tito Boeri-Barry McCormick (a cura di), *Immigrazione e Stato sociale in Europa*, EGEA, Milano 2002 (2001), pp. 20-23; Bülent Kaya, *The changing face of Europe - population flows in the 20th century*, Council of Europe Publishing, Strasbourg 2002, p. 21; Paola Corti, op. cit., pp. 121-122; Klaus J. Bade, op. cit., pp. 327-333.

¹⁰ Saskia Sassen, *Migranti, coloni, rifugiati. Dall'emigrazione di massa alla Fortezza Europa*, Feltrinelli, Milano 1999 (1996), pp. 99-100.

¹¹ In October 1988, 618,000 foreigners were recorded as legally residents in Italy (in addition, it was estimated that there were about 300 to 450,000 irregular residents). In the same year, it was observed that in Spain there were 360,000 regular migrants and almost the same number of illegal immigrants. In Portugal, according to the data collected in 1987, there were 100,000 legal foreigners and 40-50,000 irregular immigrants. In Greece there were 140,000 regular foreign residents and at least 40,000 irregular immigrants in 1988. See Council of Europe, Parliamentary Assembly, *Report on the new immigration countries*, doc. 6211, Strasbourg 1990 and also Id., *People on the move. New migration flows in Europe*, Strasbourg 1992, p. 51.

events are not considered as an invasion. Certainly, there was an increase in migration rates, but most of the movements remained confined to East¹². Among those who moved to Western Europe there were mainly ethnic and religious minorities living in the East, but with historical ties to the West. The *Aussiedler*, for example, were one of these¹³. They are people of German origin who were “repatriated” in Germany especially from the former Soviet Union, Poland and Romania¹⁴. The inclusion of these so-called “ethnic Germans” in German society was greatly facilitated by the German nationality law which follows the tradition of *ius sanguinis*¹⁵ and the post-war German legislation which considered them as refugees. This lasted a while, until the situation became too difficult to be borne by the German government because of the considerable number of arrivals¹⁶. Indeed, after the fall of the Berlin Wall, *Aussiedler* migrating to Germany were about 377,000 in 1989 while 397,000 reached the country the following year¹⁷.

The second largest minority group consisted of Jews who leaving the former Soviet Union headed towards Israel, Germany and the United States. Between 1989 and 2006 about 1,6 million Jews left the former Soviet Union: 61% of these headed towards Israel, while the remaining 39% emigrated to the United States (approximately 325,000) and Germany (approximately 222,000). In 1990 more than 180,000 Jews

¹² Organisation for Economic Co-operation and Development (OECD), *Migration policies and EU enlargement. The case of Central and Eastern Europe*, OECD Publication Service, France 2001, pp. 34-38; Maria Kelo-Bernd Wächter, *Brain Drain and Brain Gain. Migration in the European Union after enlargement*, Academic Cooperation Association, The Hague 2004, pp. 34-36; Klaus J. Bade, op. cit., p. 423; Stephen Castles-Mark J. Miller, op. cit., p. 136; International Organisation for Migration (IOM), *World Migration Report*, IOM and the United Nations, 2000, p. 163.

¹³ *Aussiedler* status was defined by the German Constitution on the basis of historical and ethnic considerations. This status could be requested by every person who had lived within German borders before the period 1938-45; by those who, though living outside the borders, were German citizens in the period 1939-45 and, finally, by ethnic Germans living in Eastern Europe, in the Balkans or in the former Soviet Union territories. See: Piotr Korcelli, *Emigration from Poland after 1945*, in *European Migration in the late twentieth century. Historical patterns, Actual trends and Social implications*, edited by Heinz Fassmann-Rainer Münz, Edward Elgar Publishing Ltd, Aldershot 1994, pp. 179-180. This group of people was called by this name until the end of 1992.

¹⁴ Heinz Fassmann-Rainer Münz, *European East-West Migration ... cit.*, pp. 520-538; Id., *La migration d'Est en Ouest en Europe (1918-1993)*, “Revue européenne des migrations internationales”, Vol. 11, n. 3 1995, pp. 43-66; Klaus J. Bade, op. cit., pp. 453-459.

¹⁵ It is the “German Imperial and State Citizenship Law”, law of 22 July 1913. See *German Imperial and State Citizenship Law. July 22, 1913*, “The American Journal of International Law”, Vol. 8, n. 3, Supplement: Official Documents, July 1914, pp. 217-227. Later this was replaced by the Nationality Act of 23 July 1999 (entered into force on the 1st of January 2000), which introduced important elements of *ius soli*. See Peter Kammerer, *Germania: un secolo di politica migratoria*, in *Gli immigrati in Europa. Diseguaglianze, razzismo, lotte*, a cura di Pietro Basso-Fabio Perocco, FrancoAngeli, Milano 2003, p. 180.

¹⁶ Since 1989, the German government introduced a set of measures discouraging *Aussiedler* from migrating to Germany. In 1990, for example, the German Parliament passed the “*Aussiedler* Reception Law”, which required potential immigrants to make a formal application for entry to the country. In 1992 new legislation established an annual ethnic immigrant quota of 225,000. In 1996 a rigid German language examination to be conducted in the country of origin before filling the application procedures was introduced. In 2000 the annual amount of *Aussiedler* entrances was further reduced to 100,000. See Anthony M. Messina, *The logics and politics of post-WWII migration to Western Europe*, Cambridge University Press, New York 2007, p. 130.

¹⁷ *Ibid.*, pp. 129-130.

left the former Soviet Union in order to reach Israel¹⁸. Their return to Israel was facilitated by the so-called Law of Return (*aliyah*) - Law n. 5710 of 1950 promulgated by the State of Israel and then amended - that establishes the right for every Jew (and since 1970 also for the non-Jewish members of his family) to enter the State of Israel as an immigrant and to automatically obtain citizenship¹⁹. Germany was an important destination too. In fact, in 1990 and 1991 more than 8,000 ex-Soviet Jews migrated to Germany²⁰. Germany recognised refugee status to every person with at least one Jewish relative but, unlike the Law of Return, it did not guarantee the automatic acquisition of citizenship²¹.

Finally, a third minority group consisted of Roma population. After 1989 Romanian revolution, they left Romania, Bulgaria, former Czechoslovakia and Yugoslavia in order to migrate to Germany, France and Austria. However, this group did not receive the friendly welcome they hoped for. Some of the main destination countries, such as Germany and France, concluded bilateral agreements with Romania respectively in 1992 and 1994 in order to repatriate Roma population²². Between 1991 and 1995, after the war in the former Yugoslavia, Roma moved from the territories of today Serbia and Montenegro seeking political asylum in Italy, Sweden, the United Kingdom, Switzerland and Austria, but they were always repatriated as a result of bilateral agreements²³.

The period following the fall of the Berlin Wall is also featured by a considerable increase in the amount of refugees and asylum seekers resulting from the bloody civil wars that sadly characterised the nineties²⁴. Among the usual countries of destination, the most affected by the flow of refugees was Germany. Indeed, as shown by statistics, in 1988 the amount of asylum seekers in Germany exceeded 100,000; the following year it increased to nearly 120,000. In 1990 this figure rose again approximately to

¹⁸ Mark Tolts, *Post-Soviet Aliyah and Jewish Demographic Transformation*, Paper presented at the 15th World Congress of Jewish Studies, Jerusalem 2-6 August 2009, pp. 2-3, available at: <http://www.bjpa.org/Publications/details.cfm?PublicationID=11924>.

¹⁹ Amedeo Giannini, *Le leggi israeliane sulla cittadinanza*, "Oriente Moderno", Anno 34, n. 10 Ottobre 1954, pp. 409-413 and Documenti, *Le leggi israeliane sulla cittadinanza degli anni 1950 e 1952*, ibid., pp. 414-417.

²⁰ See Table 1, in Mark Tolts, op. cit., p. 3.

²¹ In order to obtain German citizenship it was necessary to reside in the country from 6 to 8 years. It was possible to make application for citizenship only after this period of time. See Yinon Cohen-Yitchak Haberfeld-Irena Kogan, *Who went where? Jewish immigration from the Former Soviet Union to Israel, the USA and Germany, 1990-2000*, "Israel Affairs", Vol. 17, n. 1 January 2011, pp. 7-20.

²² Jean-Pierre Liégeois, *Roma in Europe*, Council of Europe Publishing, Strasbourg 2007, p. 118; Klaus J. Bade, op. cit., p. 470; Alain Reyniers, *Gypsy populations and their movements within Central and Eastern Europe and towards some OECD countries*, International Migration and Labour Market Policies occasional paper No. 1, OECD, 1995, p. 13; Helen O'Nions, *Minority Rights Protection in International Law. The Roma of Europe*, Ashgate, Aldershot 2007, p. 12.

²³ Klaus J. Bade, op. cit., pp. 465-472; Stephen Castles-Mark J. Miller, op. cit., pp. 136-137; OECD, *Migration policies and EU enlargement...* cit., p. 35; Nando Sigona, *I rom nell'Europa neoliberale: antiziganismo, povertà e limiti dell'etnopolitica*, in *Razzismo democratico. La persecuzione degli stranieri in Europa*, a cura di Salvatore Palidda, Agenzia X, Milano 2009, pp. 54-65.

²⁴ Heinz Fassmann-Rainer Münz, *Patterns and Trend of International Migration in Western Europe*, "Population and Development Review", Vol. 18, n. 3 September 1992, pp. 457-480.

190,000; while in 1992 the asylum seekers even came close to reach 440,000²⁵. The wars in the former Yugoslavia, precisely in Croatia (1991-1992), Bosnia Herzegovina (1992-1993) and Kosovo (1996-1999) actively contributed to this growth. Between 1991 and 1993 more than 5 million citizens from the former Yugoslavia became refugees or displaced persons²⁶. However, confirming that the feared invasion from the East did not occur, only 700,000 persons out of these 5 million migrated to Western European countries. Approximately 355,000 persons moved to Germany, 80,000 reached Switzerland, 74,000 went to Sweden, and 70,000 arrived in Austria as well as in the United Kingdom, while the remaining population migrated but staying within the Eastern borders²⁷. In addition to these migrations, Western European countries were also involved by flows of migrants from Albania. After the Albanian communist regime had denied any kind of migration for a long time, the liberalisation of issuance of passports in 1990 paved the way to the Albanian migration. That summer about 5 thousand Albanians went to Western countries' embassies seeking asylum, out of these 800 sought refuges in the Italian Embassy in Tirana. Indeed, Italy was one of the countries that, along with Greece, hosted a large number of Albanian migrants²⁸. In 1991 there was the first wave of Albanian migrants moving to Italy: between the 7th and the 10th of March 25,000 Albanians crossed the Strait of Otranto, whereas 20,000 arrived in August, after the first democratic elections were held in Albania. For this reason, the first group of people was welcome but those arrived during the summer were forcibly sent home²⁹. In the same period approximately 30,000 Albanian mi-

²⁵ Klaus J. Bade, op. cit., pp. 405-410. And also: table III.2 "Asylum applications submitted in the European Union, 1990-1994", in United Nations High Commissioner for Refugees (UNHCR), *Asylum application in industrialized countries: 1980 - 1999*, Geneva November 2001, p. 53.

²⁶ According to the Guiding Principles of the United Nations on internal displacement, that were presented to the UN Commission on Human Rights in 1998 by the then Representative of the Secretary-General, Mr. Francis Deng, «internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border», see point 2 "Introduction: scope and purpose", Commission on Human Rights, *Guiding Principles on Internal Displacement*, E/CN.4/1998/53/Add.2, 1998.

²⁷ Heinz Fassmann-Rainer Münz, *European East-West Migration ... cit.*, p. 530.

²⁸ The census conducted in Greece in 2001 shows that 438,000 out of 762,000 legal migrants (57% of the total) are Albanians, see Thanos Maroukis-Eda Gemi, *Circular Migration between Albania and Greece*, METOIKOS Project, European University Institute, Florence 2010, pp. 12-13. On this topic also see: Martin Baldwin-Edwards, *Statistical data on Immigrants in Greece: an analytic study of available data and recommendations for conformity with European Union standards*, A study conducted for IMEPO, Athens 15 November 2004, pp. 5-8. As far as Italy is concerned, three different waves of Albanian migrations can be identified: the first one occurred in 1991, the second in 1997 and the last one in 1998.

²⁹ Clara Fringuello, "La fine della dittatura e gli sbarchi albanesi", in *Rifugiati. Vent'anni di storia del diritto d'asilo in Italia*, a cura di Christopher Hein, Donzelli editore, Roma 2010, p. 104; Franco Pittau-Antonio Ricci, "Gli albanesi in Italia. Oltre vent'anni prima della tranquillità", in *L'Albania indipendente e le relazioni italo-albanesi (1912-2012)*, a cura di Alberto Becherelli-Andrea Carteny, Edizioni Nuova Cultura, Roma 2013, pp. 310-311; Franco Pittau-Antonio Ricci-Giuliana Urso, *Gli albanesi in Italia: un caso di best practice di integrazione e sviluppo*, "Revista Interdisciplinar da Mobilidade Humana", Ano XVII, No. 33 Jul./Dez. 2009, pp. 153-173.

grants reached Greece but even then, many of them were repatriated³⁰. A new wave to Italy occurred in 1997 following the collapse of the so-called “financial pyramids”. Of course, this fraudulent moneymaking scheme only worked for a short period. When it collapsed, those who had invested their money lost everything they had. As a consequence, there was a violent reaction which started a sort of civil war and forced them to leave the country. Between December 1996 and April 1997 approximately 30,000 Albanians reached Italy and 40,000 crossed the border with Greece³¹. A third wave of migration occurred in 1998 as a result of the war in Kosovo when Albanians, which were the majority group in that region, clashed with Serbian government in Belgrade. From the beginning of the conflict in 1998 up to the NATO’s intervention in March 1999, approximately 400,000 Albanians from Kosovo were forced to flee their homes as a result of ethnic cleansing. About a quarter of displaced persons (89,000) sought asylum in Central and Western Europe, especially in Germany, Sweden and Switzerland. Many others fled or were expelled to Albania, the Former Yugoslav Republic of Macedonia and Montenegro. Most of those who migrated to Albania and Macedonia were able to come back to Kosovo by the end of July 1999; whereas many others remained in the neighbouring camps set up by the Government of Macedonia until 2000³².

The nineties also witnessed a significant economic and temporary migration. Once concluded ethnic minorities’ movements and armed conflicts, the kinds of migrations affecting East-West route changed. Permanent migration radically reduced, being replaced by temporary mass mobility of economic migrants looking for work. The main countries of origin of this kind of migrants were Poland, Romania and Hungary. Germany, Austria, France, the Czech Republic and Sweden were the main destinations where they went to work. Germany was again the favourite destination, especially for Poles, because it was the only Western European country, along with Austria, continuing encouraging this kind of immigration. In fact, both Germany and Austria signed bilateral agreements to this end³³. Austria, for example, favoured immigration from Hungary and Slovakia by signing bilateral agreements. In France the largest group of migrants came from the former Yugoslavia and Poland; whereas in Italy and Greece the majority were Romanian and Poles. In Sweden and Netherlands, the largest group was made up of citizens from the former Yugoslavia and Poland, whereas in Finland the predominant community was represented by migrants from the former Soviet

³⁰ Flavia Piperno, *From Albania to Italy. Formation and basic features of a binational migration system*, background paper for the CEME-CeSPI research mission in Italy and Albania (5-9 June 2002), CeSPI, Rome 2002, p. 2.

³¹ IOM, *Return and readmissions. The case of Albania*, Tirana August 2006, pp. 8-10.

³² Id., *World Migration Report...* cit. p. 174.

³³ For more information about German migration policy and bilateral agreements with Poland see: Thomas Liebig, *Recruitment of Foreign Labour in Germany and Switzerland*, in *Migration for Employment. Bilateral agreements at a crossroads*, edited by OECD, OECD Publication Service, Paris 2004, pp. 158-163; Marek Okólski, *Seasonal Labour Migration in the Light of the German-Polish Bilateral Agreement*, *ibid.*, pp. 203-213.

Union³⁴.

Of course, the Eastern enlargement of the European Union in 2004 and 2007 radically changed things. In fact, the candidate countries were requested to fulfil their economic and political conditions in order to adapt to the European system. This also led to a radical change of migration policies restricting visa legislations and strengthening border controls³⁵.

2.2 South-North migrations

Another heavily used route in the nineties is the South-North route. This migratory flow especially moving from Africa, Middle East and Southeast Asia is still very present today³⁶. Migration from Africa to Europe is certainly not new, in the early 20th century the colonial ties and the demand for labour attracted many African migrants to certain European countries. Since the sixties the majority of African migrants in Europe came from North Africa, especially from Morocco, Algeria and Tunisia. They were mostly headed for traditional destinations such as Belgium, France, Germany and the Netherlands also thanks to bilateral agreements aiming at recruiting labour that the countries of origin concluded with these European destinations³⁷. On the other hand, Spain and Italy appeared as host countries only later, when traditional destination countries introduced restrictive policies after the 1973 oil crisis. As a consequence, there was a marked reduction of incoming flows from North African countries into the traditional destinations: only family reunification and conjugal migration were still allowed³⁸. In these years North African migrants started to look towards Southern Europe as a new destination. Driven by high unemployment rates and limited economic opportunities, they moved towards Southern European countries like Italy and Spain. Geographical proximity, demand for cheap labour and permissive national laws on immigration made these countries very attractive for North African migrants³⁹.

³⁴ The OECD Secretariat, *Trends in migration flows in Central and Eastern Europe, in Migration Policies and EU Enlargement. The Case of Central and Eastern Europe*, edited by OECD, OECD Publication Service, Paris 2001, pp. 33-50.

³⁵ In May 2004 Cyprus, Estonia, Latvia, Lithuania, Malta, Poland, the Czech Republic, Slovakia and Slovenia officially became members of the European Union. On the 1st of January 2007, there was the accession of two more countries, Bulgaria and Romania. See Giuseppe Mammarella-Paolo Cacace, *Storia e politica dell'Unione europea*, Laterza, Roma-Bari 2013 (1998), pp. 297-304; and also: *The 2004 enlargement: the challenge of a 25-member EU*, available at <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3Ae50017>.

³⁶ Claudio Marra, *Le migrazioni contemporanee*, in *XXIV Rapporto Immigrazione 2014. Migranti, attori di sviluppo*, a cura di Caritas-Migrantes, Tau Editrice, Todi 2015, pp. 20-63.

³⁷ For example, in 1968 the Algerian and French governments agreed on the quota of 35,000 migrants per year. In 1971, that number was reduced. See Hein de Haas, *North African Migration Systems: evolution, transformations, and development linkages*, in *Migration and developments: Perspectives from the South*, edited by Stephen Castles-Raùl Delgado Wise, IOM, Geneva 2008, pp. 143-174.

³⁸ Id., *Morocco's migration experience: a transitional perspective*, "International Migration", Vol. 45, Issue 4 2007, pp. 39-70.

³⁹ Id., *The myth of invasion. The inconvenient realities of African migration to Europe*, "Third World Quarterly", Vol. 29, n. 7 2008, pp. 1305-1322; Paola Corti, op. cit. pp. 121-125.

However, after the fall of the Berlin Wall, also the new host countries were scared by the “fear of invasion”, for this reason they chose to adopt restrictive measures too. In addition, as part of the Schengen agreements, Italy and Spain had respectively introduced in 1990 and 1991 entry visas for all those citizens coming from outside the European Community, even if they were tourists, while previously tourist visa was not necessary. This made more difficult to legally enter many European countries: as a consequence, illegal immigration increased in the nineties⁴⁰. Over the years the old caravan routes were transformed into real migratory routes connecting the various countries of the African continent to points of entry to Europe. Three main routes for migration across the Mediterranean area can be detected: the Western route, the Central route and the Eastern route⁴¹.

The first one connects the coastal countries of West Africa between Senegal and Benin with Morocco and Spain and follows two possible alternative roads. On the one hand, the way of the coast which starting from Senegal crosses Mauritania and on the other, the way of the Sahara Desert which passes through Algeria starting from Niger or Mali, especially from Agadez and Gao, two important capitals of migrant smuggling business. The way of the coast reached its peak in 2006 when arrivals to the Canary Islands increased by 300% compared to the previous year. However, that route was almost completely abandoned following the intensification of Spanish controls in that area and the Strait of Gibraltar. As a result of this, also the route through the Sahara Desert changed its final destination: migrants began to go to Libya and Tunisia instead of reaching Morocco. The Central route connects North Africa to Italy and Malta through Libya and Tunisia. This itinerary, which for a stretch overlaps the Western route, is mainly crossed by migrants from Nigeria, Niger, Cameroon, the Central African Republic and other West African countries. Instead, the last route that can be identified among the most trafficked routes in Africa is the Eastern route. The harbours in Libya and recently also those in Egypt are the main starting points of entry to Europe, especially for reaching Italy and Greece. Migrants from Uganda, Somalia, Ethiopia, Eritrea, Sudan and South Sudan, Chad and recently also Kenya try to reach these two European countries by crossing the Mediterranean Sea⁴². The flows of migrants that have trodden along the Central and Eastern routes are changed a lot over time. In 2009 the flows of migrants coming from North Africa steeply fell following the bilateral agreements signed by Italy and Libya, whereas a few years later things were quite different. Indeed, following the “Arab Spring” started in Tunisia in late 2010 and spread in 2011 in other North-African countries, the amount of migrants who travelled along these routes approximately reached 64,000 units. The political destabili-

⁴⁰ Odo Barsotti-Michela Casarosa-Moreno Toigo, *Squilibri, migrazioni e sviluppo: i Maghrebini in Italia*, “Boletín de la Asociación de Geógrafos Españoles”, No. 23 1996, pp. 29-59.

⁴¹ On these routes see the interesting maps available at <http://www.imap-migration.org/>.

⁴² *Chi bussa alla nostra porta (Extraeuropei ed ex europei)*, “LIMES Rivista italiana di geopolitica”, n. 6/2015, pp. 17-19; IOM-Altai Consulting, *Migration Trends Across the Mediterranean: Connecting the Dots*, IOM, June 2015; <http://www.imap-migration.org/>.

sation resulting from the fall of autocratic regimes, the resultant wars and the social and economic impact of all these events caused a serious humanitarian crisis. In 2014 more than 170,000 migrants and refugees, especially Eritreans and Syrians, have attempted to cross the Mediterranean Sea moving from Libya along the Central Mediterranean route. In 2015 the most trafficked route by sea was the Eastern Mediterranean route, with more than 739,000 migrants steaming into Europe⁴³. In fact, apart from Africa, South-North migration flow also involves the East side of the Mediterranean Sea, through a route travelled by migrants and refugees from Afghanistan, Iraq, Iran, Pakistan and Syria: it is the so-called "East Mediterranean route". This route crosses Turkey and ends in Cyprus, Greece and Bulgaria, or passes through the Balkans to reach other European Union countries. It is a relatively new route that in the early 21st century became the second most important road to Europe, immediately after the Central African route. In these years, in fact, the wars in Afghanistan (2001-present) and Iraq (2003-2011) caused a huge wave of refugees towards neighbouring countries such as Pakistan, Syria and Iran and some European countries like Germany and the United Kingdom⁴⁴. Since March 2011 the East Mediterranean route has been trodden by Syrians refugees forced to flee because of civil war by undertaking different itineraries: by seeking refuge in neighbouring Turkey, in Lebanon, Jordan and Iraq; by arriving in Greece, Bulgaria and Cyprus via Turkey; by crossing the Balkans in order to reach Northern Europe or even arriving at Libyan harbours to undertake a dangerous journey to Italy⁴⁵. According to calculations by Frontex - the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (EU) - 4,650 illegal migrants were intercepted along this route in 2012; 19,950 in 2013 and 43,360 in 2014⁴⁶. These data, which would appear to be rising year on year, led many States crossed by the Eastern Mediterranean route to adopt extremely restrictive policies. An example is the spread of barriers erected on borders in order to contain migratory flows⁴⁷. In fact, despite the escalating human toll, the European countries seem to be more focused on securing the borders rather than on protecting the rights of migrants and refugees.

However, if on the one hand many States have opted for such restrictive policies,

⁴³ <http://www.migrationpolicycentre.eu/migrant-crisis/>.

⁴⁴ UNHCR, *2008 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, 16 June 2009.

⁴⁵ On this topic: Roberto Cortinovis, *Le migrazioni nel Mediterraneo: dinamiche e questioni di governance*, in *Ventesimo Rapporto sulle migrazioni 2015*, a cura di Fondazione ISMU, FrancoAngeli, Milano 2016, pp. 215-229; <http://www.migrationpolicycentre.eu/migrant-crisis/> and also the official website of Frontex in the section on migratory routes: <http://frontex.europa.eu/trends-and-routes/migratory-routes-map/>.

⁴⁶ See Zsuzsanna Pásztor, *La rotta dei Balcani occidentali: il caso dell'Ungheria*, in *Dossier Statistico Immigrazione 2015*, a cura di Centro Studi e Ricerche IDOS, Roma 2015, pp. 54-55.

⁴⁷ An example is Hungary that have recently erected a fence on the border with Serbia due to the growing number of Syrians and Afghans travelling from Turkey and Greece through Macedonia and Serbia. For the same reason, also Bulgaria and Greece set up barriers on their respective borders with Turkey. Bulgaria is recently building a fence on the border with Turkey where is also taking place a shameful hunting for migrants.

on the other there was also who proposed the opening of humanitarian channels in order to avoid further tragedies at sea and to protect people in vulnerable situation⁴⁸. Also the EU, with a new recent policy - the so-called “hotspot approach” - aims to meet the need for action in response to the human tragedy in the whole of the Mediterranean. Unfortunately, crossing the Mediterranean Sea to reach Europe is causing so a huge number of death that Europe transformed into one of the most dangerous destinations for migrants⁴⁹.

Many tragedies occurred in the attempt to cross the Mediterranean Sea. One of the tragic events that most affected public opinion and the institutions was in October 2013 when a boat carrying hundreds of refugees and migrants from Libya to Italy sank near Lampedusa killing more than 300 people⁵⁰. Since then, many other people are dead during the journey or have put their lives in peril trying to reach the European coasts. Especially what happened in October 2013 gave impetus to the Italian operation *Mare Nostrum* (then replaced by “Triton” and other Frontex Joint operations) and highlighted the EU’s failure of a collective European policy and management of migration.

Indeed, the history of the EU’s policy on migration is very recent.

3. The European policy on immigration: some significant milestones towards a European Agenda on Migration

For a long time migration has not been considered an EU’s responsibility. The reason of this lack of competence could be explained analysing the historical context where the European Community was borne. In the fifties and sixties the majority of foreign workers came from other European countries and the need to deal with migration matters at the Community level was not felt yet. In addition, States did not express their will to delegate fundamental aspects of their sovereignty to the Community.

Indeed, the opposition of some EU Member States to cede part of their sovereignty in matters like immigration and asylum had always impeded migration matters were

⁴⁸ See the project of humanitarian corridors proposed by the Community of St. Aegidius and the Evangelical churches to the Italian Government in 2015 at <http://www.santegidio.org/pageID/1165/langID/it/itemID/756/SCHEDA-Cosa-sono-i-corridoi-umanitari.html>.

⁴⁹ The number of people who died attempting to cross the Mediterranean sea has been documented by the International Organization for Migration in: Tara Brian-Frank Laczko (edited by), *Fatal journeys. Tracking lives lost during migration*, IOM, Geneva 2014.

⁵⁰ The impact this terrible tragedy have had on the European institutions is witnessed by the fact that the European Commission President, José Manuel Barroso and the EU Commissioner Cecilia Malmström, personally visited Lampedusa to pay tribute to the victims. See: Alessia Di Pascale, *Gli orientamenti comunitari*, in *Ventesimo rapporto sulle migrazioni 1994-2014*, a cura di Fondazione ISMU, FrancoAngeli, Milano 2014, pp. 79-95; Id., *Gli orientamenti comunitari*, in *Ventunesimo rapporto sulle migrazioni 2015*, a cura di Fondazione ISMU, FrancoAngeli, Milano 2016, pp. 85-99. For a sad press review on the tragedies at sea, see <http://fortresseurope.blogspot.it/p/la-strage.html>.

managed by European institutions⁵¹. Only later, as a consequence of the difficult economic, political and social situation caused by the 1973 oil crisis, migration started to be seen as a problem. In fact, since the economic crisis impeded internal labour markets to absorb new inflows of workers, many European States decided to adopt more restrictive policies, causing a rise in irregular immigration. The first real attempt to harmonise national migration policies at the European Community level occurred in 1992 with the Maastricht Treaty⁵² and in 1997 with the Amsterdam Treaty⁵³. The achievement of the free movements of persons within the European Single Market envisaged by the 1986 Single European Act⁵⁴ and the increase in migratory flows raised the need for a common European policy on migration in order to efficiently manage an area without borders. Thanks to the two treaties there was a gradual shift of migratory matters within the European Community framework: indeed, matters of asylum

⁵¹ For further information on the reluctance of the States to cede powers, see: Luigino Manca, *L'immigrazione nel diritto dell'Unione Europea*, Giuffrè, Milano 2003, pp. 22-33; Marcos Francisco Massò Garrote, *Il quadro giuridico politico comune in materia di immigrazione nell'Unione Europea*, in *Immigrazione e diritti fondamentali fra Costituzioni nazionali, Unione Europea e Diritto internazionale*, a cura di Silvio Gambino-Guerino D'Ignazio, Giuffrè, Milano 2010, pp. 141-147; Stefano Giubboni, *Immigrazione e politiche dell'Unione Europea: dal Trattato di Roma alla Costituzione per l'Europa*, "Giornale di diritto del lavoro e di relazioni industriali", n. 106-2 2005, pp. 205-250.

⁵² The Maastricht Treaty, formally "the Treaty on European Union" (TEU), was signed in Maastricht on the 7th of February 1992 by Belgium, Denmark, the Federal Republic of Germany, Greece, Spain, France, Ireland, Italy, Luxemburg, Netherlands, Portugal, Great Britain. It entered into force on the 1st of November 1993. See: *Treaty on European Union*, "Official Journal of the European Union", C 191, 29 July 1992. This treaty created a European Union based on three pillars: firstly, the European Community, secondly common foreign and security policy and finally judicial cooperation in criminal matters. For further details on the structure of the Union and the process of "communitarisation" of migration matters, see: Luigino Manca, op. cit., pp. 55-76; Tiziana Lobello, *La politica dell'immigrazione, in L'ordinamento europeo. Le politiche dell'Unione*, a cura di Stelio Mangiameli, Vol. 3^o, Giuffrè, Milano 2008, pp. 1020-1024; Ugo Villani, *Istituzioni di Diritto dell'Unione europea*, Cacucci editore, Bari 2009 (2008), pp. 17-19; Ezio Benedetti, *Il diritto di asilo e la protezione dei rifugiati nell'ordinamento comunitario dopo l'entrata in vigore del Trattato di Lisbona*, Cedam, Padova 2010, pp. 141-148; Stefano Giubboni, op. cit., pp. 215-220.

⁵³ The Amsterdam Treaty, officially "the Treaty of Amsterdam amending the Treaty of the European Union, the treaties establishing the European Communities and certain related acts", was signed on the 2nd of October 1997, and entered into force on the 1st of May 1999. See: *Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts*, "Official Journal of the European Union", C 340, Vol. 40, 10 November 1997. And for further details: Tiziana Lobello, op. cit., pp. 1025-1031; Luigino Manca, op. cit., pp. 163-190; Marco Gestri, *Immigrazione e asilo nel diritto dell'Unione europea, in Il diritto dell'immigrazione. Profili di Diritto Italiano, Comunitario e Internazionale*, a cura di Vittorio Gasparini Casari, Vol. 1^o, V quaderno de "Il diritto dell'economia", Mucchi Editore, Modena 2010, pp. 51-53; Marcos Francisco Massò Garrote, op. cit., pp. 148-152; Ezio Benedetti, op. cit., pp. 148-155.

⁵⁴ The Single European Act revised the 1957 Treaty of Rome and established the European Single Market to be completed by the end of 1992. It was signed in Luxembourg on the 17th of February 1986 by the nine Member States and on the 28th of February 1986 by Denmark, Italy and Greece. It entered into force on the 1st of July 1987. Despite the provision for realising the European market, Member States continued to consider the management of migration flows as a national prerogative. In this regard, see: «Nothing in these provisions shall affect the right of Member States to take such measures as they consider necessary for the purpose of controlling immigration from third countries, and to combat terrorism, crime, the traffic in drugs and illicit trading in works of art and antiques», *General Declaration on Articles 13 to 19 of the Single European Act*, attached to the Single European Act, "Official Journal of the European Union", L 169, 29 June 1987. See also: Luigino Manca, op. cit., p. 38.

and migration policy were gradually “communitised”⁵⁵. Until the nineties the management of migration was almost entirely left to States and their discretion. States preferred to act outside the EU institutional framework on the basis of intergovernmental cooperation because in this way they could maintain control over certain matters⁵⁶. An example of this kind of cooperation is the Schengen Agreement of 1985 that, abolishing all internal borders in lieu of a single external border and establishing common rules and procedures with regard to crossing and entry conditions, was signed by some European States (the Benelux countries, France and the Federal Republic of Germany) outside the EU legal framework. Only later, the so-called Schengen *acquis* had been incorporated into the EU framework by a specific Protocol attached to the 1997 Amsterdam Treaty⁵⁷. The intergovernmental cooperation was formalised by the Treaty of Maastricht that set it in the third of the so-called “pillars” at the basis of the Union. However, it is only with the Amsterdam Treaty that the European Community acquired almost complete competence on visas, asylum and migration issues. With this treaty, which amended the Maastricht Treaty, States parties decided to progressively transfer - after a transition period of five years and long negotiations - policy areas related to immigration and asylum from the “third pillar” which functions on the basis of intergovernmental cooperation to the supranational “first pillar”, the Community one⁵⁸. In addition to the reforms made by the treaties, decisions taken by the European Council influenced the European cooperation on migration matters. Thus, after the Amsterdam Treaty, the European Council of Tampere elaborated a first multiannual programme covering 1999-2004 where policy guidelines and practical goals were outlined. In particular, a central role was attributed to the need for a common policy relating to immigration, asylum and integration⁵⁹. Then, the European Council of 4-5 November 2004 endorsed a new multiannual plan for strengthening the area of freedom, security and justice: the so-called Hague Programme⁶⁰. Affected by the terrorist attacks in New York (2001), Madrid (2004) and London (2005), the Programme listed the EU’s priorities for the period 2005-2009 focusing on regulating migration flows, controlling the external borders of the Union, fighting organised cross-border

⁵⁵ On this process of “communitarisation” see bibliography at footnote n. 52.

⁵⁶ On the intergovernmental cooperation see: Luigino Manca, *op. cit.*, pp. 39-44 and Ezio Benedetti, *op. cit.*, pp. 116-117.

⁵⁷ Luigino Manca, *op. cit.*, pp. 44-51; Ezio Benedetti, *op. cit.*, pp. 117-123; Marco Gestri, *op. cit.*, p. 53 and Stefano Giubboni, *op. cit.* pp. 225-227. See also *The Schengen area and cooperation* available at <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3A133020>.

⁵⁸ On this topic, see bibliography at footnote n. 52.

⁵⁹ European Council, *Presidency conclusions*, European Council meeting, Tampere, 15-16 October 1999, available at http://www.europarl.europa.eu/summits/tam_en.htm. Especially paragraphs I, II and III, in Chapter A “A common EU asylum and migration policy” and also: Marco Gestri, *op. cit.*, p. 55; Ezio Benedetti, *op. cit.*, pp. 155-160; Stefano Giubboni, *op. cit.* pp. 227-228.

⁶⁰ *The Hague Programme: strengthening freedom, security and justice in the European Union*, “Official Journal of the European Union”, 2005/C 53/01, 3 March 2005. For further details: Ezio Benedetti, *op. cit.*, pp. 163-173; Chiara Favilli, *I principali atti adottati dall’Unione europea in dieci anni di politica di immigrazione e asilo*, “Diritto Immigrazione e cittadinanza”, n. 3 2009, pp. 13-28.

crime and repressing the threat of terrorism⁶¹.

Another important step in the harmonisation of European policy on immigration is represented by the 2007 Lisbon Treaty that amends the Treaty on European Union (TEU) and replaces the Treaty establishing the European Community with the Treaty on the Functioning of the European Union (TFEU). One of the most significant changes introduced by the Lisbon Treaty is the increase of EU's powers in the area of freedom, security and justice covered by Title V TFEU: especially the areas of border control, asylum and immigration (Chapter 2, art. 77-80 TFEU); judicial cooperation in civil matters (Chapter 3, art. 81 TFEU) as well as criminal matters (Chapter 4, art. 82-86 TFEU) and police cooperation (Chapter 5, art. 87-89 TFEU)⁶². These matters were previously covered by the third EU pillar, where European institutions did not have any competences because the matters were only governed by intergovernmental cooperation. The Treaty of Lisbon puts an end to the three-pillar structure established under the Maastricht Treaty and allows the EU to intervene in all the matters included in Title V. Therefore, the Lisbon Treaty sets out a more homogeneous legal framework where many immigration issues are addressed according a uniform system for Member States⁶³.

While the Treaty of Lisbon had already entered into force, the European Council endorsed a new multiannual plan to be known as the Stockholm Programme, to develop the EU's agenda for the period 2010-2014⁶⁴. One of the Union's priorities expressed by the Programme is to create «a Europe of responsibility, solidarity and partnership in migration and asylum matters»⁶⁵. Over the years, the EU had made steps towards a more comprehensive migration policy based on solidarity and mobility partnerships with third countries. The so-called "Arab Spring" highlighted the need for a coherent migration policy for the EU's countries. On the 18th of November 2011 the European Commission presented the Communication "The Global Approach to Migration and

⁶¹ The new international scenarios changed the EU's political agenda: matters relating to security and concerning the fight against terrorism become the priorities. This new trend is clearly visible in the European Council meetings following 2001. See: European Council, *Conclusions and Plan of action*, Extraordinary European Council meeting, Bruxelles, 21 September 2001; Id., *Presidency Conclusions*, European Council meeting, Laeken, 14-15 December 2001; Id., *Presidency Conclusions*, European Council meeting, Seville, 21-22 June 2002; Id., *Presidency Conclusions*, European Council meeting, Thessaloniki, 19-23 June 2003. See also: Ezio Benedetti, op. cit., pp. 163-170; Chiara Favilli, *Immigrazione (diritto dell'Unione europea)*, "Enciclopedia del Diritto", Annali V, Giuffrè, Milano 2012, pp. 675-694.

⁶² *Consolidated version of the Treaty on the Functioning of the European Union*, "Official Journal of the European Union", C 326, Vol. 55, 26 October 2012.

⁶³ Chiara Favilli, *Il Trattato di Lisbona e la politica dell'Unione europea in materia di visti, asilo e immigrazione*, "Diritto, immigrazione e cittadinanza", Anno XII, n. 2 2010, pp. 13-35; Bruno Nascimbene, *La politica europea in materia di immigrazione e la lotta al traffico di persone*, in *Nuove tendenze del diritto dell'Unione Europea dopo il Trattato di Lisbona*, a cura di Lorenzo F. Pace, Giuffrè, Milano 2012, pp. 177-203.

⁶⁴ *The Stockholm Programme, an open and secure Europe serving and protecting citizens*, "Official Journal of the European Union", 2010/C 115/01, 4 May 2010.

⁶⁵ See par. 1.1 "Political Priorities", *The Stockholm Programme...* cit.

Mobility” (GAMM)⁶⁶. As part of the external EU’s policy, this new approach is based on a «genuine partnership with non-EU countries and addressing migration and mobility issues in a comprehensive and balanced manner»⁶⁷. It also aims at maximising the mutual benefits of immigration. In this context, many partnerships with third countries have been set up. In particular, the EU has established an important dialogue on migration and development with the neighbouring African countries⁶⁸.

Despite their good intentions, these common European policies were unsuccessful. Until now, the EU demonstrated to be unsure how to deal with the massive flows of migrants and refugees affecting the Mediterranean. It gave an immediate response to the problem, but insufficient because based on emergency measures that cannot be a long-term solution. In the meantime, many other tragedies occurred in the Mediterranean. For this reason, as already mentioned, the EU decided to adopt «a new, more European approach»⁶⁹ which aims to give a concrete response to the human tragedy the Mediterranean is witnessing. At this purpose the European Agenda on Migration 2015 envisages some important actions. Among immediate actions, the Agenda provides for triple the capacities and assets for the Frontex Joint operations “Triton” and “Poseidon” in 2015 and 2016 in order to expand both their capability and geographical scope⁷⁰.

⁶⁶ European Commission, *The Global Approach to Migration and Mobility*, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM (2011) 743 final, Bruxelles 18 November 2011. This Communication updates a previous Communication adopted in 2005.

⁶⁷ *Ibid.*, p. 5.

⁶⁸ EU collaborates with the African continent at bilateral level, with specific bilateral agreements; at regional level, with dialogues with specific countries along migratory routes; and at continental level, with the African Union. See European Commission, *The European Union’s cooperation with Africa on migration*, fact sheet, Bruxelles 22 April 2015, available at http://europa.eu/rapid/press-release_MEMO-15-4832_en.htm. Also see: Roberto Cortinovis, *op. cit.*, pp. 225-229; Nino Sergi-Marco Rotelli-Kostas Moschochoritis-Cesare Fermi-Intersos, *Immigrazione e sviluppo. Europa e Africa nei processi di Rabat e di Khartoum: il Sahel come occasione per unire o come frontiera?*, in *Dossier Statistico Immigrazione 2015*, a cura di Centro Studi e Ricerche IDOS, Roma 2015, pp. 70-76. And the documents available at <http://www.africa-eu-partnership.org/en/key-documents>: *Rabat Action Plan*, Euro-African Ministerial Conference on Migration and Development, Rabat 10-11 July 2006; *Paris Cooperation Programme*, Second Euro-African Ministerial Conference on Migration and Development, Paris 25 November 2008; *Dakar Strategy*, Third Euro-African Ministerial Conference on Migration and Development, Dakar 23 November 2011; *Declaration of the Ministerial Conference of the Khartoum Process*, EU-Horn of Africa Migration Initiative, Rome 28 November 2014. And also: *Cairo Declaration and Cairo Plan of Action*, United Nations Conference on Trade and Development, D/B/EX(24)/2, 5 May 2000; *First Action Plan (2008-2010) for the implementation of the Africa-EU Strategic Partnership*, Lisbon 8-9 December 2007; *Tripoli Declaration and Action Plan (2011-2013)*, Third Africa-EU Summit, Tripoli 29-30 November 2010, 17452/10, Bruxelles 3 December 2010; *EU-Africa Declaration on migration and mobility*, Fourth EU-Africa Summit, Bruxelles 2-3 April 2014; *Action Plan and Political Declaration*, Valletta Summit on migration, La Valletta 11-12 November 2015.

⁶⁹ See “Introduction”, European Commission, *A European Agenda on Migration*, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2015) 240 final, Bruxelles 13 May 2015, p. 2.

⁷⁰ *Ibid.* p. 3 and *European Agenda on Migration 2015 - four pillars to better manage migration*, available at http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/index_en.htm.

In addition, it has been established that:

the Commission will set up a new “Hotspot” approach, where the European Asylum Support Office (EASO), Frontex and Europol will work on the ground with frontline Member States to swiftly identify, register and fingerprint incoming migrants. The work of the agencies will be complementary to one another. Those claiming asylum will be immediately channelled into an asylum procedure where EASO support teams will help to process asylum cases as quickly as possible. For those not in need of protection, Frontex will help Member States by coordinating the return of irregular migrants. Europol and Eurojust will assist the host Member State with investigations to dismantle the smuggling and trafficking networks⁷¹.

Therefore, the aim of this new approach is to save lives at sea, to grant protection to migrants who can have it and to fight against irregular migration, traffickers and smugglers⁷². But, the “Hotspot” is not only an approach. It is also a physical location: an external border place affected by high migratory pressure, where Member States need the support of the European institutions to better cope with the situation. In these specific areas of frontline Member States first reception facilities where the European agencies can operate together with the national institutions has been opened. Italy and Greece are the first two Members States where the Hotspot approach is currently being implemented⁷³.

Recently, there have been further developments in facing today’s migratory pressure. However, due to the extent and the novelty of these solutions, a more specific and detailed analysis would be required⁷⁴.

4. Conclusions

Despite this new political commitment, many European States are still building walls and fences to keep migrants out and prevent the entry into their territories of refugees and individuals who could enjoy international protection. Of course the recent terrorist attacks in France and Belgium caused a reaction, but the fears fuelled by ignorance and xenophobic attitudes are leading Europe to a dangerous closure. The construction of walls should sound as an alarm bell for the Europeans and remind us

⁷¹ European Commission, *A European Agenda on Migration...* cit., p. 6.

⁷² For more on the “Hotspot” approach see: *ibid.*, and the documents available at http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/index_en.htm.

⁷³ In Italy first reception facilities can be found in Lampedusa, Pozzallo, Porte Empedocle, Augusta, Trapani and Taranto; while in Greece they are in Lesbos, Chios, Samos, Leros and Kos. See: European Commission, *The hotspot approach to managing exceptional migratory flows* and the press release *Implementing the European Agenda on Migration: Commission reports on progress in Greece, Italy and the Western Balkans*, 10 February 2016, as well as the documents available at http://ec.europa.eu/cyprus/news/20160210_en.htm.

⁷⁴ See the EU-Turkey agreement: *EU-Turkey statement*, 18 March 2016 available at <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/>. See also the very recent proposal of the Italian Government: *Migration compact. Contribution to an EU strategy for external action on migration*, available at <http://www.governo.it/articolo/immigrazione-la-proposta-dellitalia-alla-ue/4509>.

especially the Berlin Wall and the feelings of hope that when it fell everybody experienced: hope for a new era of freedom. Instead, Europe appears to be abandoning its values and rights in favour of a supposed feeling of safety that only a fence seems able to give. What is really happening is the exact opposite. By building walls we are giving up our freedom. Therefore, we may wonder to what extent we Europeans can renounce to the values of humanity that are the basis of the European Union and the heart of our culture. We should be worried about what will remain of the fundamental rights enshrined in the European Charter of Fundamental Rights and in the European Convention on Human Rights, if we will continue to follow this path. The challenge Europe is tackling is real: we are talking about real people migrating for real reasons and not about numbers without identity. We refer to this challenge as a crisis but we should, by now, have understood that migration is a reality. So not much will change in the situation in the near future if we do not change approach. Long-term solutions are needed and Europe must be united and show solidarity. Nobody can deny that Europe is facing a difficult situation and that the management of such a migratory pressure is a challenge; however there can be no place for walls and fences or other selfish moves. European countries have joined together to tackle problems together and not to take from the Union only what is more useful or to let frontline countries alone in dealing with migration flows. A more comprehensive and coordinated approach would be highly desirable to find a balance between European values, respect of human rights and border protections. More solidarity is urgently needed to face the issue in an appropriate way.

Wall Policy: the case of Ceuta and Melilla

Angela Sagnella

«The tragic events in Ceuta and Melilla also have made it clear that fences - however high these may be - will, under current circumstances, not stop desperate people from trying to enter the EU territory»¹.

Abstract

This paper deals with the hurting and complex situation of migration flows that Europe is going through nowadays. Even though the phenomenon is rooted deeply in the old continent's history, it's only now when it has reached a dimension and complexity that put under question the walling and militarization approach. At its peripheral spots Europe faces its major challenge to the European capability to manage its borders by means of an appropriate policy of connection and openness to the world. Such is the case of Ceuta and Melilla enclaves, where contrast meet and contradictions deepen at human and institutional levels. The particular conditions of the two Spanish blisterings in Moroccan territory depict the encapsulation by which Europe pretends to compensate its failed migration policy. Wired fences in Ceuta and Melilla have proven unable to stop the irregular flux of migrants trying to use the enclaves to bridge unto Europe. The objective of this paper is to expose and analyze the different breakages of a policy that fails at providing community security and human rights. Finally, this work calls for an alternative approach other than geographic and ideological walling in order to rethink Europe as a concept.

1. Introduction

The salient scenario for Europe is migration. This results in a complex condition in which the continent's capacity to comprehend and maintain its *nomos*² is at stake. Sustained fluxes of people both from within and from outside its territory raise the question of how much heteronomy is uprising as institutional practices for the management of resources proves to be unable to face the shaping up of a new order. A lack of preparation to face the many dimensions of the phenomenon seems to try to find its way out by building barriers, thus enhancing differences rather than bridging to a more steady holistic solution.

It is not the intention of the present document to arrive to a detailed plan of specific policies to solve such an extended need. Instead, it aims to a European agenda of thought and discussion on the problem of migration as a present threat to the viability of the continental project. It recognizes there are already institutional instruments that could bring a more sustainable scenario for human interconnection and that should not be displaced by police practices.

This paper is organized in six sections. It starts with the analysis of what has been

¹ European Commission, *Visit to Ceuta and Melilla - Mission Report Technical mission to Morocco on illegal immigration*, 7th October -11th October 2005.

² Pierre Bordieu, *Les règles de l'art*, Seuil, 1992.

called «a forgotten empire»³ (the Spanish North African borderlands). Here, an attempt is made to underline the characteristic features of the two enclaves, Ceuta and Melilla. The second section evaluates the consistency of the European and Spanish approach to manage its borders both in material and human terms. In the third part, a critical description of the heterogeneous and contradictory measures in terms of application of norms and agreements is offered in order to prompt the diverse nature of failures, all of them in need of - at least- some awareness. Later, the paper essays some basic lines calling for a modern approach to arrive to a steady inclusive state of living, rather than building barriers to lock themselves in and keep strangers out. In the concluding part, a call is made to Europe to assume its historic depth and project itself as a plausible model for humankind.

2. The Spanish *perlas* in the North of Africa

Ceuta and Melilla have a long history. Located on the African side of the Strait of Gibraltar, both cities are dated to the Phoenicians, the merchants of the ancient Mediterranean. Ceuta, situated on the site of ancient Abila, which is thought by scholars to be one of the two pillars of Hercules, was a Carthaginian settlement. In the 5th century the city was taken by the Vandals and later by Visigoths, Arabs and Portuguese. Finally, the Spanish set their control in 1668 thanks to the Treaty of Lisbon. Since that time the enclave has remained a jurisdiction of Spain.

From the other side stands Melilla, the ancient Rusadir, placed in the Rif⁴, that was dominated by Phoenicians, Carthaginians and different Berber dynasties until the final Spanish conquest of 1497. The two cities during their colonial history have been important trading points to and from Africa and for this reason they were free port in order to allow an intense commercial activity. By the time the Spaniards «were able to manipulate an increasingly decentralized Moroccan government, and took official control of the Maghreb region surrounding Ceuta and Melilla, creating the Spanish Protectorate of Morocco»⁵. Finally, in 1995 the Spanish government approved statutes of autonomy for both Ceuta and Melilla. Nowadays, their assemblies are similar to those in other Spain's autonomous communities⁶.

³ Barbara Fuchs-Yuen-Gen Liang, *A forgotten empire: the Spanish north African borderlands*, "Journal of Spanish Cultural Studies", Vol. 12, n. 3, September 2011, pp. 261-273.

⁴ The Rif is a mountain range of northern Morocco, extending from Tangier to the Moulouwa River valley near the Moroccan/Algerian frontier. The range licks at the Mediterranean Sea and it has always been a territory rich in ethnic and nationalistic disputes, as happened in the Rif War (1920- 1926) between the Spanish Government, later supported by France, and the Berber population. See Douglas Porch, *Spain's African Nightmare*, "MHQ Journal of Military History", Vol. 18, n. 2, winter 2006, pp. 28-37.

⁵ Xavier Ferrer-Gallardo, *Theorizing the Spanish-Moroccan Border Reconfiguration: Framing a Process of Geopolitical, Functional and Symbolic Rebordering*, "CIBR", Belfast 2006, pp. 1-24, p. 4.

⁶ About the legal status of Ceuta and Melilla see Paloma Requejo Rodríguez, *Ceuta y Melilla: ¿Ciudades con estatuto de autonomía o comunidades autónomas con Estatuto de Heteroorganización?*, "REALA", n.277 may-agost 1998, pp. 55-70.

Even after the independence of Morocco, reached in 1956 after 44 years of French rule, Spain has never wanted to return the territories of Ceuta and Melilla arguing that the last vestiges of Spain's far-flung empire had belonged to the Spanish crown for centuries⁷.

On the other hand, Morocco has never ceased to claim Ceuta and Melilla as its territories basing the request upon historical, geographical and geo-political reasons and «also invoking the principle of territorial integrity and the decolonization laid down in the Charter of UN»⁸.

In the years after Moroccan independence, the issue of the two enclaves began to be strongly associated with that of Gibraltar as pointed out by Rézette: «By an historical paradox, this litigation is exactly analogous to that between Spain and Great Britain with respect to Gibraltar in which Spain, this time, is in the position of the colony and not the colonizer»⁹. This comparison between the situation of Ceuta and Melilla and that of Gibraltar is known as the Hassan II's doctrine even though something changed and in the 1987 he declared: «My attitude towards Ceuta and Melilla is that is a question of an anachronistic situation which cannot be compared to that of Gibraltar, given that Gibraltar is in Europe. Gibraltar is under the control of a European power, allied through the EC and NATO to Spain»¹⁰.

The foundation of the Spanish perception of this dispute, not explicitly recognized by Madrid, rests on the source and origin of the population living Ceuta and Melilla: a predominantly Hispanic and Catholic population. However, it is also true that ethnic, religious and labour composition in both cities has been changing. Muslim communities and, to a lesser extent, Jewish and Hindu (particularly in Ceuta) have marked and still mark the population census and the human arsenal that typify the economy of the two tiny enclaves¹¹. Xavier Ferrer Gallardo underlines that all this features have created «a complex amalgamation of clashes and alliances: Spain and Morocco; Christianity and Islam; Europe and Africa; EU territory and non-EU territory; prosperous north and impoverished south; former colonizer and formerly colonized»¹².

The picture is enhanced even more if, to the ethnic and linguistic composition of the

⁷ Moreover, Spain is still controlling some Moroccan islands: the Chafarine Islands, Badis Peninsula, Nekor Island and the Parsley Island.

⁸ Said Saddiki, *Ceuta and Melilla Fences: a EU Multidimensional Border?*, "82nd Annual Conference of the Canadian Political Science Association", Concordia University, Montreal 2010, Vol. 3, pp. 1-18, p. 7.

⁹ Robert Rézette, *The Spanish Enclaves in Morocco*, Nouvelle Editions Latines, Paris 1978, p. 10.

¹⁰ Robert Aldrich-John Connell, *The Last Colonies*, Cambridge University Press, Cambridge 1998, p. 226.

¹¹ Henk Driessen states that «when Morocco gained its independence in 1956, Ceuta and Melilla remained under Spanish sovereignty, but the vast majority of Berbers and Arabs who continued living in the enclaves were not granted Spanish nationality. The presence of large minorities of ambiguous, stateless inhabitants in the enclaves became an important source of friction, occasionally violent, between Spanish Christian and Moroccan Muslims in the 1980s, as enclave Muslims felt discriminated against, in spite of the fact that many of them had been born and raised in the enclaves» in Bechev Dimitar-Nicolaidis Kalypso, *Mediterranean Frontiers. Borders, conflict and memory in a transnational world*, Tauris Academic Studies, I.B. Tauris Publisher, London - New York 2010, p. 174.

¹² Xavier Ferrer-Gallardo, op. cit., p. 2.

two cities, we add the complexity of the geopolitical landscape that sees Ceuta and Melilla playing the role of a bridge for Europe.

The crucial breakthrough year is 1986 when Spain joined the European Community, since this year all the territories belonging to the Madrid government started to become considered part of European Union¹³. With this historical change, Ceuta and Melilla did no longer represent only the colonial anachronism perpetrated by Spain. Rather, they began to embody the southern border of Europe in Africa. The political landscape is enriched and complicated by the changes that were taking place within the European Union from the nineties onwards and in particular with the implementation of the Schengen Agreement¹⁴ by the Schengen Convention which had the purpose of promoting the abolition of internal borders control and ensure free movement in the European states.

What matters the most to this paper is the consequence of the borders' policy enlargement in relation to a totally anomalous geographical expressions like those of Ceuta and Melilla, considering that:

The Schengen zone creates two kinds of subjects: regular and irregular, and two kind of borders: open and closed. For the irregular migrant, the border becomes a mobility security assemblage consisting of fences, towers, guards, cameras, and sensors, whereas for the regular traveller the border consist of an immigration counter and a rubber stamp on the passport¹⁵.

And this regular / irregular condition, illustrated by Mutlu and Leite, is worsening especially in border areas between one continent and another, such as Europe and Africa¹⁶.

The dismantling of borders started in an attempt to encourage the evolution of the embryonic European formation and to improve the mobility of people and the traffic of goods. However, this had as its flip side a strong feeling of anxiety and underpreparedness in the management of a fairly new phenomenon such as immigration.

In fact, recently, with the escalation of warlike conditions and poverty of many nei-

¹³ In order to get a more accurate scenario of the relationship between Europe Union- Ceuta and Melilla, see Peter Gold, *Europe or Africa? A contemporary study of the Spanish north African enclaves of Ceuta and Melilla*, Liverpool University Press, Liverpool 2000.

¹⁴ Schengen Agreement was signed by the EEC States on 14 June 1985 and enabled citizens to cross internal borders without being subjected to border checks. It is part of a series of treaties that contributed to the political evolution of what we now know as European Union. The legislation of Schengen can be found at: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:l33020&from=EN>.

¹⁵ Can E. Mutlu-Christopher C. Leite, *Dark side of the Rocks: Borders, Exceptionalism and the Precarious Case of Ceuta and Melilla*, "Eurasia Border Review", Vol. 3, n. 2 Fall 2012, pp. 21- 39, p. 21.

¹⁶ However it is important to remind that the Final Act of the Agreement on the Accession of the Kingdom of Spain, signed in Bonn on 25 June 1991, Declaration on the towns of Ceuta and Melilla, establish some exceptions at point a) and c): «The specific arrangements for visa exemptions for local border traffic between Ceuta and Melilla and the Moroccan provinces of Tetuan and Nador shall continue to apply» and «Moroccan nationals who are not resident in the provinces of Tetuan or Nador and who wish to enter the territory of the towns of Ceuta and Melilla exclusively shall remain subject to the visa requirement». The full text of the Final Act can be found at: [http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:42000A0922\(04\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:42000A0922(04)&from=EN).

ghbouring states, a considerable number of floating populations invade nearby cities in a desperate attempt to reach the old continent.

3. The Southern fences of the European Union

As described previously, with the approval of the Schengen Treaty, Spain and consequently Ceuta and Melilla, began to represent *de facto* the southern border of Europe. That is as «the border underwent a form of “Europeization”, the subsequent focus of the cities’ borders shifted from being between solely Spain and Morocco, to becoming representative of larger midpoints or zone of transition between Europe and Africa, as well as Christianity and Islam»¹⁷.

Carling emphasizes what means to be the southern border in reference to the migration flows:

the elimination of border controls within the Schengen area and the relative permeability of the borders further south make migration control decisive to a diverse set of migration flows. When unauthorized migration across the Spanish-African borders first became an issue in the 1980s, the majority of migrants were Moroccans, and their final destination was not Spain, but France and other European countries. [...] At the same time, a growing number of migrants originate not in Morocco, but in Sub-Saharan Africa¹⁸.

Indeed, the condition of relative calm of the two cities was undermined by the fact that at the end of the nineties, migrants coming as we saw and will see from different parts of Africa, recognized in the existence of these two smaller European territories in Africa a benefit for their migration: the enclaves became communicating vessels with the wealthy Europe or vulnerable spots of the Fortress Europe.

In the effort of freezing the spreading arrival of migrants on the outskirts of Ceuta and Melilla, in the late nineties, the Spanish government, supported and financed by the European Union, decided to erect a first line of defence to protect and secure the territory¹⁹. As reported by Saddiki: «a remarkable development of these territories occurred in 1993, when fencing of the enclaves’ perimeters started on the pretext of preventing irregular immigration. [...] the construction of a more secure system started in the autumn 1995»²⁰.

The construction of the barrier around the enclaves occurred in the era of Felipe Gonzalez’s (PSOE) and in 1993 the Ceuta barrier already reached a length of 8.3 km.

¹⁷ Can E. Mutlu-Christopher C. Leite, op. cit., p. 32.

¹⁸ Jørgen Carling, *Migration control and migration fatalities at the Spanish- African borders*, “International Migration Review, Vol. 2, n. 41, pp. 361-343, p. 316.

¹⁹ Stefan Alscher notes that «The cost of this project, finished until the year 2000, came to a total of 48 Mio. Euro - whereas the EU financed about 75% of the costs», in *Knocking at the Doors of ‘Fortress Europe’: Migration and Border Control In Southern Spain and Eastern Poland*, The Center for Comparative Immigrations Studies, San Diego 2005, pp. 1-29, p. 11.

²⁰ Said Saddiki, op. cit., p. 3.

In Melilla:

the construction of a first border fence dates back to 1996. This fence was equipped with some rudimental electronic security devices, which however failed constantly in periods of bad climatic conditions. A more sophisticated border system, similar to the one used in Ceuta, has been erected in 1998²¹.

By analyzing the numbers of *devoluciones*²² [rejections] of Ceuta and Melilla, in the framing time that goes more or less from 1993 to 2004, we can highlight the relative efficiency of the barriers built around the two cities, and particularly:

While in each of the years 1992 and 1993 just around 260 persons were rejected at the Spanish-Moroccan border in Ceuta, this number grew up to 42,071 persons in 1994 and reached a preliminary peak in 1995 with 66,841 rejections. Since the construction of the high security border system the number of rejections oscillated between 40,000 and 60,000 persons per year. [...] From 1991 to 1993 *devoluciones* were rarely existent in Ceuta. In 1994, i.e. during the first stage of construction of the simple border fence, the number of *devoluciones* increased to 1,804 cases. In the following years, a strong increase has been observable (1995: 2,116; 1996: 7,020; 1997: 10,163). In the years from 1998 to 2001 the annual number of *devoluciones* was relatively constant at around 8,150 to 8,350 persons, followed by a decreasing tendency from 2002 (5,754) to 2004 (2,584)²³.

The case of Melilla is more complex to construe because it is a route less arduous for the migrants than the one of Ceuta and because the fences have proven their usefulness:

As in the case of Ceuta, denied entries and *devoluciones* barely played a role until 1993. The number of denied entries and *devoluciones* in Melilla increased dramatically in 1994, i.e. even before the construction of the first fence. The cases of denied entries on the borderline between Melilla and Morocco decreased in the following years from 218,450 in 1994 to around 78,000 persons in 1996, but increased again in the years 1997 to 2002. In 2002 the number of denied entries reached nearly 1 Mio. cases. The high amount of denied entries can be interpreted in several ways: as an evidence for the efficiency of the border fencing system, as a shifting of migration routes (from Ceuta to Melilla), but also as a sign of a higher control density²⁴.

²¹ Stefan Alscher, op. cit., p. 11.

²² The returns are established as an administrative penalty measure realized by the police and are aimed to preserve or restore public order. See the document published by Equipo Nizkor on September 10, 2001: *Los procedimientos de expulsión en España: análisis crítico y medidas urgentes* approved by the Comité Ejecutivo de la Comisión Española de Ayuda al Refugiado (CEAR) in <http://www.derechos.org/nizkor/espana/doc/procedexpul.html>. There is another form of *devolución*, more forced, and is called *devoluciones en caliente* [hot returns], which «consist of handing the foreign citizens who have been intercepted by such authorities in the area under Spanish sovereignty over to Moroccan authorities on a de facto basis without carrying out the legally established procedures or meeting the internationally acknowledged guarantees»: Martínez Escamilla, *Hot returns. When the State acts outside the law. Legal report*, 27 June 2014 available online at: <http://eprints.sim.ucm.es/27221/1/HOT%20RETURNS.%20WHEN%20DE%20STATE%20ACTS%20OUTSIDE%20THE%20LAW.%20Legal%20report.pdf>.

²³ Ivi.

²⁴ Ibid., p. 12.

Moreover, “a selective permeability of the border²⁵” is defined by the nature of the free port that characterizes the two cities: a considerable number of people go to Ceuta and Melilla for trading purposes, since:

under Spanish law the territories have been designated as exempted areas for customs purposes, making them in effect tax-free zones, and there is substantial trading in tax-free goods to non resident, with thousand of Moroccans entering the enclaves every day to buy goods for resale in nearby Moroccan towns at a premium²⁶.

A certain part of the trade that takes place in the two enclaves refers to illegal trades, and concerns the sale of cannabis. An atypical trade is carried out by the *porteadoras* mainly women, also called “mule women” since they carry on their shoulders heavy loads of second-hand clothes, bolts of fabric, toiletries and household items, all of it destined for markets in Morocco and beyond²⁷.

The unstoppable osmosis within the two enclaves and the surrounding territories received a bloody break point in October 2005 when some migrants, coming from the South of Sahel, tried to pass the fences of Ceuta: «caught between the Spanish rubber bullets and Moroccan gunfire, a number of migrants died [...] and more than fifty were injured»²⁸.

The consequences of the 2005 bloodbath lead to increase the height of the *mallas metálicas*, that some Spanish government sources have named «*tercermundistas* [...] *sirven para proteger una finca, pero no una frontera*»²⁹. They were raised from three to six meters and «both fences feature barbed-wire [which in Melilla was removed in 2007], motion sensors, CCTV and infra-red cameras along with control towers»³⁰. Unfortunately, the *avalanches* did not stop and in 2006 three people died in Melilla. According to the report made by European Commission in 2005:

The external land border of Melilla is characterised by an approximately 10.5 km double border fence divided into three sectors. The outer fence has a height of 3.5 metres; the inner fence reaches 6 metres in some places. Both fences are equipped with barbed wire in order to prevent illegal immigrants from climbing the fence. The installed surveillance system consists of 106 fixed cameras for video surveillance and an additional microphone cable as well as infra-red surveillance. In case of alarm, an immediate response is guaranteed by a 24 hrs operations centre at the Guardia Civil HQ. As a reaction to the latest incidents helicopters are used to carry

²⁵ Jaume Castan Pinos, *Building Fortress Europe? Schengen and the Cases of Ceuta and Melilla*, School of Politics, “CIBR”, ed. Belfast 2009, pp. 1-29, p. 16.

²⁶ Peter Gold, op. cit., p. 151.

²⁷ Many humanitarian organizations have raised questions about the treatment suffered by the *porteadoras* and elaborated the *Declaración de Tetuán sobre las mujeres porteadoras en las fronteras de Ceuta y Melilla, Tetuán 2012*, APDHA which aimed to alert the public attention about the plight situation of women carrying goods on the borders of Ceuta and Melilla, while requiring competent authorities at all levels that the necessary measures need to be taken to respect their rights and dignity: http://www.apdha.org/media/declaracion_tetuan_porteadoras2012.pdf.

²⁸ Riley M. Townsed, *The European Migrant Crisis*, Lulu.com 2015, p. 102.

²⁹ “El País”, October 5, 2005..

³⁰ Jaume Castan Pinos, op. cit., p. 19.

out additional border surveillance by air supporting the measures on the ground. In total 331 policemen (273 in 2002) and 676 Guardia Civil officers (579 in 2002) are deployed in Melilla³¹.

In the case of Ceuta fences:

At the external land border of Ceuta (7.8 km of double border fence, divided into three sectors) 316 policemen and 626 Guardia Civil officers are currently deployed. Except for 37 installed movable cameras along this border line, the technical equipment used for border surveillance is the same as in Melilla. In addition, helicopters are used for surveillance of the external border after the recent massive attacks. So far this year around 11,000 attempted illegal border crossings were registered at that border line³².

There are no certain numbers of assaults to the borders of Ceuta and Melilla since 2005. Official sources such as the one of Madrid government and those of some humanitarian organization offer different statistics that make almost impossible to figure out the real trend³³. Even the media coverage on Ceuta and Melilla assault has been mostly fluctuating as exemplified by the little space given to the assault of 2008, while Italy and Spain were at penalties of the quarter-finals match for Eurocup 2008. At that time, 20 Sub-Saharanans tried to pass the Spanish border in Melilla and lately another group of 70 immigrants tried to get to the enclaves³⁴.

By the way, human rights groups and the European Union have been showing concerns about Madrid practices of deportation and treatment of illegal immigrants in the Ceti³⁵.

In a tragic scenario, absolutely new to the public agenda, Ceuta and Melilla have become in a short time the current paradigm of the walling uselessness.

4. The routes to and through the fences

The relentless human movement of migration has recently been marked by political and social changes that have increased the flow and, in some way, diversified the routes. Mediterranean countries such as Italy, Spain and Greece are located in the epicenter of this swirling global migration. Having reached a planetary size, human flows embody the contradiction of globalization: unequal growth and weaknesses derived from all kinds of national conflicts.

Some scholars have defined the migration a sixth continent due to the volume it oc-

³¹ European Commission, op. cit., p. 6.

³² Ivi.

³³ According to the Spanish Government, in 2014 more than 20.000 tried to pass the fences, some of them (2.000) reached their purpose.

³⁴ "El País", June 23, 2008.

³⁵ CETI stands for *Centros de Estancia Temporal de Inmigrantes*. They are temporary holding centres for immigrants. There is one in Ceuta (set up in 2000 by the Spanish government as a response to the tents built by irregular immigrants in the forest of Ceuta in the 1990s and has a reception capacity of 512 persons) and another one in Melilla that holds around 1,150 people but was built for 480.

cupies within the global scenario. Although migratory types, subjects, migrant social groups, routes, destinations and reception policies and *refoulement* have been changing lately, one thing remains certain: the growth of the immigrant population made up of men, women and children crossing deserts and seas while waiting to be citizens of a new world.

In such an intricate and complex situation, the most mobile continent in the world is Africa. There, Ceuta and Melilla, tiny strips of land compared to the vastness of the Sahara bloom as nodal points in the routes of human transhumance.

To go further into the issue that embraces the two enclaves and to understand the reasons for the construction of what has been called «la primera alambrada de Europa»³⁶, we must trace the Western Mediterranean route, meaning the one from North Africa to Spain. It includes a sea crossing through the Strait of Gibraltar from Tangier to Tarifa or to the Canary Island in Spain, and a land passage by the enclaves of Ceuta and Melilla. In terms of numbers, the route is not the largest, however it both holds a steady growth and protrudes as the most dangerous.

According to the International Organization for Migration (IOM), the countries of origin of the irregular flow on the Western Mediterranean route «have traditionally been Senegal, Cameroon, Guinea and Nigeria but since 2013 there has been a shift towards more migrants coming from countries of concern, particularly Eritrea and the Syrian Arab Republic»³⁷.

The presence of Eritrean and Syrian within the route derives from the tragic conditions experienced by both populations in their respective countries. Eritrea is one of the most repressive, secretive and inaccessible countries in the world: its president Isaias Afwerki has imposed a reign of fear in which crimes against humanity are committed, as revealed by Amnesty International and by United Nations Human Rights³⁸. While in Syria the anti-government demonstration started in March 2011, as a part of the Arab Spring, has been contrasted by the violent reaction of the Syrian president Bashar'Al Assad. Since then, over 190,000 men, women and children have been killed. 11.6 million people have fled from violence in Syria, a staggering figure almost three times the population of New Zealand³⁹.

The escalation of violence has generated an incredible number of refugees and asylum seekers «which in the EU rose from 50.000 in 2013 to almost 123.000 in 2014»⁴⁰. Many of them tried to move on to Europe by entering in Ceuta and Melilla even though Syrians who arrived through the enclaves do not tend to apply for asylum in Spain so that they can move to other European countries⁴¹.

³⁶ "El País", May 6, 2016.

³⁷ IOM, *Migration Trends Across the Mediterranean: Connecting the dots*, June 2015, p. 21.

³⁸ See: <https://www.amnesty.org/en/latest/news/2013/05/eritrea-rampant-repression-years-after-independence/> ; United Nation, *Report of the Special Rapporteur on the situation of human rights in Eritrea*, June 2015, p. 1-21.

³⁹ <https://www.amnesty.org.nz/syria-worst-humanitarian-crisis-our-time>.

⁴⁰ IOM, op. cit., p. 102.

⁴¹ Ibid., p. 22.

Within the Western Mediterranean route there are as well those migrants (Syrians, Malians, Ivorians, Cameroonians, Nigerians and Congolese, some of them regular or asylum seekers) who arrive in Morocco with the intention to land in Europe since «there is a perception that it is easier to reach Europe from Morocco»⁴². However, some decide to stay for a few years due to the difficulty in getting through the borders.

In addition to those route features, we have to add a set of both push and pull factors. The most significant push factor tends to be the need to flee from instability⁴³, such as a war, a conflict, a persecution or an economic pressure. It is important to highlight that «even if economic motivations do not constitute the primary reason for which a migrant fled his country, they still play a role in terms of his/her expectations of a host country»⁴⁴. Paradigmatic of the population movements is the fact that while migrants retain the need to escape from totalitarian regimes or bloody wars, they are also fuelled for economic factors due to the gap that has been materializing with the exponential growth of receiving countries. Yet the pull factors, those of attraction of the host country, turn out to be less influential than the push ones.

Previously, we said that there is a substantial flow of sub-Saharan using Morocco as a point of transit to Europe and an internal flow within the same Moroccan territory with the predominance of Senegalese, Guineans and some from Nigeria, Cote d'Ivoire or Benin. The majority of these migrants tries to reach the European states, especially Spain, right through the two enclaves employing different methods such as touring visas or false document, hiding in vehicles on ferries, scaling or swimming around the fences⁴⁵.

Migrants willing to cross the border of Melilla tend to camp in Gougou Mountain⁴⁶ for long periods while waiting for the opportunity to pass the fence. They «usually make the attempted crossings in very large groups (sometimes more than a hundred people and lately even several hundred) who storm the fences together, allowing some migrant to pass through while the majority are stopped by authorities»⁴⁷. The

⁴² Ibid., p. 25.

⁴³ Ibid., p. 26.

⁴⁴ Ibid., p. 28.

⁴⁵ Hein de Haas, *Trans-Saharan Migration to North Africa and the EU: Historical Roots and Current Trends*, "MPI Journal online", 1st November 2006.

⁴⁶ A mountain outside Nador and close to the border of Melilla. The Moroccan authorities have often razed the migrants camps as happened recently in 2015 when Moroccan gendarmes arrested about 300 people that were living in the border camps, mostly from Cameroon and Mali, but also from Ivory Coast. Then, they threw them in several buses to an unknown destination. Many NGOs expressed concerns about the alleged wave of deportations which is not new considering that Morocco forced some 3,300 sub-Saharans to leave the camp in 2005 and that Morocco operate with Spain and the European Union in the border control system; "El Mundo", February 15, 2015. In 2005 the *Asociación Pro Derechos Humanos de Andalucía* had already published an *Informe de Violaciones de los derechos humanos en Marruecos hacia las personas migrantes de origen subsahariano en tránsito* stating that immigrants were victims of serious human rights violations in the North African country and on the borders of Ceuta and Melilla and those violations were carried out directly or with some moral, material and financial complicity between Spanish Government and European Union. APDHA, *Informe de Violaciones de los derechos humanos en Marruecos...* cit., October 2008, pp. 1-8.

⁴⁷ IOM, op. cit., p. 40.

flow into Melilla is bigger than that into Ceuta, where some migrants have tried to enter by boat by sailing around the coast. Nevertheless, the land route continues to be the easier path and generally occurs from Fnediq.

In 2014, the Moroccan authorities built another fence on the Moroccan side of Melilla in order to prevent the increasing number of migrants attempting irregular crossings. In February of the same year, the tragic event of a group of migrant shot by the Spanish Guardia Civil in Ceuta while attempting to reach the enclave by sea⁴⁸. The incident brought into focus the unethical and illegitimate attitude of the Spanish government in which the fear of becoming a new Lampedusa has guided many of its political choices with regard to the illegal immigration⁴⁹.

5. Irregular immigrants in unlawfulness places

According to IOM:

There are a number of civil society organisations in Spain who feel that the Spanish government uses detention arbitrarily and not exceptionally as a last resort [...]. Another issue of concern for civil society organisations in Spain is “express removals” where police issue order and enforce within 72 hours without the right to appeal or the right to speak with a lawyer⁵⁰.

This scenario is even more worrying as migrants are denied the access to the territory for asylum request due to the pushback policies that turn Ceuta and Melilla into some kind of lawless places⁵¹.

Devoluciones violate the art. 14 of the Universal Declaration of Human Rights but also the Convention Relating to the Status of Refugee (1951) and its Protocol of 1967 for which state parties are under obligations to respect some basic refugee rights as the *non refoulement* principle *inter alia*. The right not to be returned belongs not only to refugees but also to asylum seekers. In this respect it is necessary to take note on what the Convention of Refugees states in the introductory note:

The Convention further stipulates that, subject to specific exceptions, refugees should not be penalized for their illegal entry or stay. This recognizes that the seeking of asylum can require refugees to breach immigration rules. Prohibited penalties might include being charged with immigration or criminal offences relating to the seeking of asylum, or being arbitrarily detained purely on the basis of seeking asylum. Importantly, the Convention contains various safeguards against the expulsion of refugees. The principle of *non refoulement* is so fundamental that no

⁴⁸ As reported by Amnesty International: 11 migrants drowned and a group of 23 people who reached the shore were forced back across the border to Morocco without formal procedures; <https://www.amnesty.org/en/latest/news/2014/02/spain-accountability-urged-appalling-migrant-deaths-ceuta/>.

⁴⁹ A representative of the Melilla Government, Abdelmalik el Barkani, answering the question about what would have happened if there was no fence, stated that Spain could have become another Lampedusa, http://politica.elpais.com/politica/2016/04/29/actualidad/1461942940_913389.html.

⁵⁰ IOM, op. cit., p. 47.

⁵¹ ECRE Weekly Bulletin, *Spain's attempt to give legal cover to push back policy in Ceuta and Melilla under fire*, 24 October 2014.

reservations or derogations may be made to it⁵².

Despite the obligation that derives from the international treaties just mentioned, in 2015 Spain approved the new *Código de Extranjería*, which established, in the case of Ceuta and Melilla, the possibility for foreigners caught in the attempt of assaulting the fences to be rejected or returned to their countries⁵³.

It also states that application for international protection can be requested in the asylum border posts as the ones that were inaugurated on march 2015 in Ceuta (Tarañal) and Melilla (Beni Enzar). Problem is, as argued by the Spanish Interior Minister Jorge Fernández Díaz, that those who try to enter illegally to Spain, through the fences, have no right to asylum and therefore many of them are economic or social immigrants and this condition doesn't constitute grounds for seeking asylum⁵⁴.

Another paradoxical element is the fact that the majority of asylum seekers in Spain are Syrians⁵⁵ whereas Sub-Saharaners are unlawfully denied the same right, since they are considered economic immigrants or expelled by the Moroccan police who has converted itself into the gendarme of the Southern of Europe⁵⁶: in the splits of the Hispanic Moroccan border acts as a filter for the entries into Europe. Its role, however, is controversial and is regulated by the *Acuerdo entre el reino de España y el reino de Marruecos relativo a la circulación de personas, el tránsito y la readmisión de extranjeros entrados ilegalmente* signed in Madrid in 1992 but entered into force in 2012⁵⁷. The agreement provides for minimal formalities to facilitate the return of third-country nationals and according to a joint report of Migreurop there is an evident lack of the principles that constitute the international protection law:

Il est clair que cet accord, qui reprend une série d'exigences en matière d'identification et de droits des personnes refoulées, questionnait la pratique des deux pays: la mise en œuvre de refoulements sans respecter aucune procédure légale comme cela s'observe avec les "refoulements à chaud" à la frontière de Melilla, qui impliquent l'aide des forces auxiliaires marocaines, de même que pour les interceptions maritimes⁵⁸.

The cooperation and the management of the Spanish-Moroccan border was helped

⁵² UNHCR, *Convention and protocol relating to the status of refugee*, Geneva 1951, p. 3, <http://www.unhcr.org/3b66c2aa10.pdf>.

⁵³ BOE, *Código de Extranjería*, Madrid November 2015, p. 44.

⁵⁴ "Eldiario.es", March 17, 2015, http://www.eldiario.es/desalambre/Fernandez-Diaz-Guardia-Civil-Ceuta_0_367113503.html.

⁵⁵ In 2015, 5.720 Syrians applied for asylum procedure. See http://ec.europa.eu/eurostat/statistics-explained/images/1/18/Five_main_citizenships_of_%28non-EU%29_asylum_applicants%2C_2015_%28number_of_first_time_applicants%2C_rounded_figures%29_YB16.png.

⁵⁶ UNHCR Spain, *Spain country update*, October 2015.

⁵⁷ The agreement was ratified as a result of the signing of the Treaty of Good-neighbourliness and Friendly Cooperation on 4 July 1991. See the law text at: <http://www.boe.es/buscar/doc.php?id=BOE-A-1992-8976>.

⁵⁸ MIGREUROP, *Ceuta & Melilla, centres de tri à ciel ouvert aux portes de l'Afrique*, December 2015, p. 20.

and financed by EU agencies such as Frontex (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union), which was established in 2004⁵⁹.

The true key point about Morocco role of EU borders' protector refers to a repressive approach that follows a law adopted in 2003⁶⁰ that criminalises both irregular entries and sojourns⁶¹.

As we said lately, International and EU law prohibit *refoulement* and the EU Charter of Fundamental Rights recognizes the right of seeking asylum, which more than a legal notion is an institution of the current democracies.

European Union has adopted the Dublin Regime established by the Dublin Convention signed in Dublin in 1990. It was replaced by the Dublin II Regulation in 2003 and finally by the Dublin III Regulation approved in 2013⁶². The convention determines the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities and is intended to ensure that the rights of refugees under international law are protected in its member states. The system sets out minimum standards and procedures for processing and assessing asylum applications, and for the treatment of both asylum seekers and those who are granted refugee status.

Many criticisms have been addressed to the application of the right of asylum in the Spanish confetti of Africa as «the non-entry policy enforced by Spain in Ceuta and Melilla might soon be declared incompatible with the EHCR by the Strasbourg Court, thus re-opening the Western African route for mixed flows and positioning Spain again in the middle of this hot debate»⁶³.

In Ceuta and Melilla, the applicability of asylum right is associated to the “right color” of the skin and to the prevailing situation of each migrant thus is in total contrast

⁵⁹ Council Regulation (EC) No. 2007/2004 Establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), OJ L 349/1, 25.11.2004.

⁶⁰ Bulletin Officiel, *Loi 02-03 relative à la entrée et au séjour des étrangers au royaume du Maroc, à l'émigration et l'immigration clandestine*.

⁶¹ As highlighted by Khadija Elmadmad, *La nouvelle loi marocaine du 11 novembre 2003 relative à l'entrée et au séjour des étrangers au Maroc, et à l'émigration et l'immigration irréguliers*, “CARIM”, Robert Schuman Centre, January 2004, pp. 1-7, p. 4: «Les articles 42 à 56 de cette loi sont consacrés aux infractions à la réglementation marocaine en matière de migration et plus précisément pour l'entrée et le séjour illégaux, commises par les personnes physique et morales. L'article 42, par exemple, prévoit une amende de 2000 à 20.000 dirhams (DH) et un emprisonnement de 1 à 6 mois ou de l'une des deux peines seulement pour toute personne qui a pénétré ou a tenté de pénétrer sans documents de voyage en cours de validité ou qui s'est maintenue sur le territoire au-delà de la durée autorisée par son visa. La peine est double en cas de récidive».

⁶² All Member States are bound by Dublin III Regulation, with the exception of Denmark. See the entire law text at [http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A41997A0819\(01\)](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A41997A0819(01)).

⁶³ Marcello Di Filippo, *From Dublin to Athens: A Plea for a Radical Rethinking of the Allocation of Jurisdiction in Asylum Procedures*, International Institute of Humanitarian Law, Policy Brief - January 2016, pp. 1-11, p. 5.

with what is established by international standards⁶⁴.

It seems appropriate then to bring in question why should Europe maintain a fencing strategy that has as its sole result the thinning of the already fine line between legal / illegal, Europe / Africa.

Facing with the critic situation described in the previous pages, the border fences have so far manifested their failure as the bilateral plans and the legal mechanism adopted by Spain and European Union, as confirmed by the table “Inmigrantes irregulares llegados a Ceuta y Melilla” available at the Spanish Ministry of Interior’s website⁶⁵ and the table “illegal border crossings on Western Mediterranean route” by Frontex⁶⁶.

Despite the construction of hypermodern barriers, irregular border crossings have not decreased the intense militarization of the boundaries.

It follows the need for the European Union to regulate the issue in a holistic manner by adopting common policies and strategies without transforming the Moroccan cooperation in a mere armed collaboration⁶⁷. The focal point, however, is the free and unfettered exercise of asylum right, which must necessarily be guaranteed regardless of any ethnic or religious factor in order to safeguard human rights.

6. Conclusions

No one can say for sure where the name “Europe” originated. But some theories have linked the origins of the word with the Greek etymology of *eurus* (large) and *ops* (eye). Probably the spirit of a “wide gaze” has guided the creation of a States community such as the European Union aimed to unify, under tough and democratic principles, geographic and historical expressions more or less similar.

The protective essence that the founding fathers desired to the enhancement of Europe has been getting lost, and today we are witnessing a “closed gaze”. Indeed, new

⁶⁴ About this discrimination the Migreurop joint report includes the testimony of a *guardia civil* who said: «Il y a des voies d’entrée utilisées par le Subsahariens: le saut de la barrière, les embarcations en mer, se cacher dans des véhicules. À la différence des Syriens qui passent par le poste de contrôle à la frontière, en général avec des passeports falsifiés ou usurpés. Ici oui, il y a des Blancs et des Noirs, les Subsahariens ne peuvent pas venir en marchant»; MIGREUROP, op. cit., p. 51.

⁶⁵ http://www.interior.gob.es/noticias/detalle/-/journal_content/56_INSTANCE_1YSSI3xiWuPH/10180/3984870/ (Url accessed September 15, 2016).

⁶⁶ <http://frontex.europa.eu/trends-and-routes/western-mediterranean-route/> (Url accessed September 15, 2016).

⁶⁷ Vigorous endeavours were made in 2006 at the *Conferencia sobre Migración y Desarrollo*, fomented by Spain and Morocco in order to create partnership between the countries of origin, transit and destination and to offer a concrete and appropriate response to the fundamental issue of controlling migratory flows. It was based on the strong conviction that the management of migration between Africa and Europe must be carried out within the context of a partnership to combat poverty and promote sustainable development and co-development. See Rabat Declaration at: http://www.realinstitutoelcano.org/materiales/docs/RabatDeclaration_ActionPlan.pdf. See also Alicia Sorroza Blanco, *La Conferencia Euroafricana de Migración y Desarrollo: más allá del “espíritu de Rabat*, Real Instituto Elcano, http://www.realinstitutoelcano.org/analisis/1028/1028_Sorroza_Conferencia_Euroafricana_Migracion_Desarrollo.pdf.

phenomena as immigration, economic and climate changes, as well as terrorism have pushed Europe to retreat into itself, unable to offer new interpretative paradigms. The continent attacks a new problem by means of a medieval solution: the encapsulation of the cities and militarization of the borders.

The fences of Ceuta and Melilla reveal that the utopia of the global village⁶⁸, the small world thought by McLuhan, in which the geographical and physical distances are overcome, is on its way to be aborted. The open and communicated world-to-be has been replaced by an enclosed space: the enclave as main expression of the 21st Century social architecture.

Zygmunt Bauman defined this phenomenon as the end of *era space*, an age in which no place is far enough not to be able to determine changes in another space-time context⁶⁹. Ceuta and Melilla represent the archetypes of the new city-wall, called “the closed city”⁷⁰ by Lieven de Cauter who prefigured a capsular civilization, archaic and hypermodern at the same time, which has as its reference the jail double exclusion and reclusion effects.

The Spanish protective barriers on the African soil have even negatively reshaped the concept of otherness, overlapped with the categories of social antagonism and territorial invasion. This is reproduced in the legal level as all the treaties, agreements or alliances signed by EU, Spain and Morocco tend to reject the migrants through illegal mechanisms such as the *devoluciones en caliente* collective expulsions, the use of force by Moroccan Royale Gendarmerie. As reported by a Cameroonian refugee:

En quatre ans de forêts à Nador, je suis rentré cinq fois à Melilla par la barrière. Mais à chaque fois on nous a pris et jetés au Maroc. C'était très violent, il y a des gens qui sont morts de leurs blessures lors du refoulement. La quatrième fois, je suis entré bien loin dans la ville, j'étais proche du campo [CETI]. Mais la Guardia tournait, tournait pour attraper ceux qui étaient passés à travers les mailles du filet. Je m'étais caché dans des touffes d'herbe, à un moment j'ai vu les phares sur moi, c'était fini. Ils m'ont mis de force dans la voiture et jeté au Maroc, par une des portes de la barrière⁷¹.

Today we are experiencing the construction of new identities marriage where the opposites are woven together and, on the other side, to the creation of spaces where diversity is crystallized and conflicting. Europe, which is the encounter symbol of civilization, is the most active theater about the critical relationship with the migrant. The pivotal role of the fences in Ceuta and Melilla deepened the gap between citizens and migrants, between «what is inside and what is not, what is Europe and what is

⁶⁸ «But certainly the electro-magnetic discoveries have recreated the simultaneous “field” in all human affairs so that the human family now exists under conditions of a “global village”. Marshall McLuhan, *The Gutenberg Galaxy: the making of typographic man*, University of Toronto Press, Toronto 1962, p. 31.

⁶⁹ Zygmunt Bauman, *Society under siege*, Polity Press, Cambridge 2002, p. 88.

⁷⁰ Lieven De Cauter, *The Capsular Civilization. On the city in the age of fear*, NAI Publisher, Rotterdam 2004, p. 49.

⁷¹ Reported in MIGREUROP, op. cit., p. 37.

foreign»⁷².

The metal grids have proven their uselessness in achieving the objective of curbing illegal immigration. Yet the lesson of Ceuta and Melilla does not seem to be enough on the other side of the Mediterranean: in Calais, Greece, Bulgaria and Hungary new walls born in the desperate attempt to stem the flows of migrants and refugees travelling all over the European land. The gated community is an answer too tied to the past, to a medieval logic that erected cultural and geographical barriers. Continuing to gate the problematical spots would signify forgetting the decades of sacrifices hidden in the creation of a common European space.

By means of institutional practices, Europe must undertake a holistic approach to migration. If misapplication of agreements and laws prevails, the continent's self-understanding and self-esteem will continue to erode. The community must put into practice the instruments it already has in order to develop safe and lawful routes for asylum seekers and refugees into the EU. It must improve as well its cooperation with third countries, in particular on regional protection programmes, resettlements and returns. In sum, Europe has to address the root causes of migration and to analyse how Home Affairs funds are spent in migration and development contexts, including emergency funds and, above all, revising the Dublin III Regulation⁷³.

What is at stake in the European project, reaches far beyond its territory into the very essence of human societies of the 21st century. In such a realization, the Mediterranean origin of migration flows should help to reconnect Europe with its neighbours, to mend in general terms the conjugation between migrant and rights in a free space.

⁷² Jaume Castan Pinos, op. cit., p. 22.

⁷³ EP, *Draft report on the situation in the Mediterranean and the need for a holistic EU approach to migration*, January 2016; <http://www.europarl.europa.eu/sides/getDoc.do?type=COMPARL&reference=PE-575.215&format=PDF&language=EN&secondRef=01>.

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Tunisia-EU: common market and migrations

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Abstract

The process of economic liberalization between Tunisia and EU, which has been led so far, is strictly linked to inward migration flows from the North African country towards Europe. While the movement of capital has been encouraged, the one of job-seekers has been discouraged, leading to a lowering in socioeconomic conditions in both EU and Tunisia. This article goes through the economic dependence that Tunisia, and partially the rest of the Maghreb, has developed on EU's demand; this kind of dependence not only affected goods and services, but also low cost Tunisian workforce. It will be therefore possible to understand that both restrictive EU policies on labor market and on migrations are responsible for the increase in illegal migration towards Europe. In this way it has come to the paradox of looking at migration as a problem, although it were the same European institutions that adopted policies that caused migration to increase: the problem are those policies and not immigration, which rather is a consequence.

1. Ben Ali's regime: economy and ideology

Ben Ali's rule began at the end of the eighties with the adoption of a «reform package aimed to liberalize the economy, known as Structural Adjustment Program»¹, which had already been settled by the previous government of Habib Bourguiba.

The reform package included the measures wanted by the International Monetary Fund and the World Bank and imposed on Tunisia in order to sustain the economic and financial situation of the country. This means that, to get a deeper integration into the global economy, Tunisia would have had to reduce public spending and support private investments.

Structural Adjustment Programs had been adopted during the same period and with the same goals by all the North African countries except Libya². More or less all those countries were forced to introduce market-based incentives and promote an export-led growth³.

But in Tunisia those reforms have wisely been adopted in an extremely gradual way by Ben Ali's regime⁴, reducing in this way the risks of social rebellions that could have risen because of the privatization process.

For this reason privatizations first regarded marginal economic sectors and only later they were aimed at key sectors such as transportation and communication. These

¹ Maria Cristina Paciello, *Tunisia: La sfida del cambiamento*, in *L'Africa mediterranea: Storia e futuro*, a cura di Silvia Colombo-Saskia van Genugten-Karim Mezran, Donzelli, Roma 2011, p. 132.

² Libya was the only North African state that did not have to adopt a SAP: at the time it was enjoying its relative freedom in international politics due to its *Rentier State* condition, which is a situation that can allow a state to sustain almost entirely its economy through oil incomes. Marcella Emiliani, *Medio Oriente: Una storia dal 1918 al 1991*, Laterza, Bari 2012, p. 229.

³ Timo Behr, *Il Nord Africa e l'economia globale*, in *L'Africa mediterranea...cit.*, p. 177.

⁴ Steffen Erdle, *Ben Ali's "New Tunisia" (1987 - 2009)*, Klaus Shwarz, Berlin 2010, p. 372.

reforms were adopted because of an overwhelming debt but, during Ben Ali's regime, such debt has never stopped to grow, even though at the same time its percentage on GDP has decreased, meaning that also the latter continued to grow.

Therefore since the very beginning of Ben Ali's rule, Tunisia has constantly pursued the progressive opening of its internal market, freeing imports from quantitative restrictions and gradually eliminating other import barriers especially after the "Uruguay Round" (1986-1994)⁵ and other two agreements signed with the European Union (1995 and 1998)⁶.

Those two latter agreements - which will be further analyzed - maybe represent the only goal reached by the so-called "Barcelona Process".

With the Barcelona Process, Europe tried to boost development of a common policy for the Mediterranean without any achievement, while Ben Ali succeeded in legitimizing his own power by making Europe recognize the worth of his economic and security policies⁷.

The 1995 document especially established a transitional period that was used for the elimination of tariffs: the agreement identified four lists of products for a progressive elimination of the import duties. A free trade zone was subsequently set in 2008 between European Union and Tunisia; during the same period (1995-2007) foreign investments terribly raised⁸.

It is no coincidence that the biggest part of these investments mostly come from EU countries⁹, whose entrepreneurs took advantage of the political stability climate to make long term investments: given that the 85% of foreign companies in Tunisia produce for export¹⁰, which means that thus European companies were relocated to Tunisia to produce almost everything for abroad, and almost everything for the same European market which absorbs the 77% of Tunisian exports¹¹.

All of this led to link even more the destiny of the Northern African country to the trends of the European economies: if in 2007 the economic growth rate was 6.3% - the highest in the first decade of the XXI century and almost two points more than the

⁵ The "Uruguay Round" includes a series of negotiations which, as far as it is concerned here, had led Tunisia to sign a treaty for the abolition of the quota system on textile imports in 1995. The textile sector is an important sector for the country, following the agreement it underwent an heavy blow. Lucilla de Leo, *Il commercio internazionale: approcci teorici e accordi di regolamentazione*, D.U. Press, Bologna 2009, p. 70.

⁶ The agreement signed in 1995 was a free trade agreement, while in 1998 Tunisia was the first non-EU country to ratify the "Association Agreement". Anna Baldinetti, *Società globale e Africa musulmana: aperture e resistenze*, Rubbettino, Catanzaro 2004, p. 106.

⁷ The agreements signed between Ben Ali and the EU in effect included provisions on immigration as well as on economics, as will be further analyzed. Christopher Alexander, *Tunisia: stability and reform in the modern Maghreb*, Routledge, New York 2010, p. 95.

⁸ According to the estimates of the International Monetary Fund, foreign direct investments in Tunisia have even doubled for what concerns their percentage on GDP. *Ibid.*, p. 84.

⁹ Two thirds of foreign investment comes from EU countries, *Ivi*.

¹⁰ *Ibid.*, p. 85.

¹¹ IMF estimates of 2010. Maria Cristina Paciello, *op.cit.*, p. 136.

previous year¹² -, it was because of the European demand growth which consequently drove the export.

But more than a kind of export oriented policy, this was a strategy based on the faith in an unlimited European demand increase¹³. In fact, all the contradictions of a dependency-based economy arose first with the beginning of the financial crisis in 2008, then mostly with the downturn in demand recorded in Europe in 2009; then, contradictions culminated and exploded in the 2011 revolution.

If economic liberalizations were the benchmark of Ben Ali's regime¹⁴, they were also adopted cautiously and selectively¹⁵: these kind of reforms, instead of fostering democratization in Tunisia, they facilitated the rising of some personalities who succeeded in building a real *élite* around themselves¹⁶.

Therefore a new social class had been thriving until economic conditions allowed it to do so, until its private means allowed it to buy its own influence upon the Nation.

The last point of Ben Ali's political economy to be analyzed is its social spending, which was around 19% of the GDP between 1987-2007¹⁷ and still represents a high percentage considering the cuts in public spending imposed by the SAP. This is why welfare spending succeeded in financing important progresses in poverty reduction, giving thus a strong base of consensus to the regime¹⁸ but, in spite of high investments in the instruction field, social spending could not do that much for employment. It contributed to the rising of a new generation almost completely alphabetized, but condemned by the national power elite to live in a chronic condition of underemployment.

2. Migrations from Tunisia and the Maghreb area: an economic dependency matter?

Understanding Tunisian political economy is useful to better focus the analysis on Tunisian population's migrations - specifically in their interaction with Europe - and to compare this analysis to migration flows of the rest of the Maghreb.

What was earlier described as the Tunisian economic dependence on the European demand, it did not only affect goods and services but also low cost Tunisian workfor-

¹² Christopher Alexander, *op. cit.*, p. 83.

¹³ Confidence in the unlimited growth of European demand has also fuelled confidence in an unlimited growth of tourist inflows from Europe: revenue from European tourism accounts for 85% of total touristic revenue according to IMF estimates of 2010. Maria Cristina Paciello, *op. cit.*, p. 136.

¹⁴ Stephen J. King, *Liberalization against democracy: The Local Politics of Economic Reform in Tunisia*, Bloomington, Indiana University Press, 2003, p. 5.

¹⁵ Anna Baldinetti, *op.cit.*, p. 106.

¹⁶ Steffen Erdle, *op. cit.*, p. 372.

¹⁷ Maria Cristina Paciello, *op.cit.*, p. 133.

¹⁸ «Since it is the party of the regime that determines the allocation of social benefits, who is even remotely suspected of being a political opponent, has the access to social services or other benefits precluded», *Ibid.*, p. 134.

ce. More generally, an economic dependence from the European demand regarded the whole Maghreb area for what concerns low cost workforce¹⁹.

Nevertheless, considering what has been analyzed so far, it seems oversimplified looking at the Tunisian workforce emigration as a «pure product of the French colonial system»²⁰. In fact, this phenomenon rather represents the outcome of a series of policies that have been adopted over the past one hundred fifty years, and centralized political and economic power instead of answering the real needs of the country.

3. Historical perspective on migration flows

Numerically speaking²¹, the first considerable migration flows from Tunisia date back to the sixties due to a bilateral agreement with France. The document was signed in 1963 to regulate manpower import from the former Northern African colony²².

During the fifties and sixties, the rapid European economic growth and the following labor force demand, created the perfect climate that allowed the French government to open a national migration office branch in Tunis to recruit workers.

At the same time, a considerable outgoing migration flow from Tunisia developed²³ due to the repatriation of a significant number of Europeans back to their homelands, as well as to the exodus of the Jewish communities towards Palestine. These kind of flows departed also from the rest of the Maghreb.

Generally speaking, «Postwar reconstruction works and the out-migration from Southern Europe in the 1950s and 1960s stimulated a growing demand in foreign labor which stimulated migration streams from Maghreb to France for almost three decades (1945-1975)»²⁴. The 1945-1975 period therefore represents the “golden age” of the Maghrebi emigration of workers towards Europe²⁵, but only during the sixties Maghrebis were «mass-recruited for developing the French, Belgian, Dutch and German industries»²⁶.

¹⁹ A. Zohry, *Migration without Borders: North Africa as a Reserve of Cheap labor for Europe*, Draft Article of the Migration Without Borders Series, Unesco 2005, p. 16, see: unesdoc.unesco.org.

²⁰ Hassen Boubakri, *International migrations in North Africa: political and geographical dimensions*, African Migrations Workshop: *Understanding migrations dynamics on the continent*, Accra, Ghana 2007, International Migration Institute, University of Oxford, p. 8, see: imi.ox.ac.uk.

²¹ The very first migrations from Tunisia towards France, coincided with the outbreak of the First World War. At the time it was not a kind of “permanent” immigration, but it was rather due to the military conflict needs. Hein de Haas, *North African migration systems: evolution, transformations and development linkages*, International Migration Institute, University of Oxford 2007, p. 7.

²² *Ibid.*, p. 9.

²³ Many Europeans settled in Tunisia were forced to return to their home countries due to the expropriation of their lands ordered by Bourguiba. For what concerns the Italian community (particularly constituted by Sicilians), this event is well represented by two interesting documentaries: *Kif kif-siciliani di Tunisia* (www.filmvento.blogspot.it) and *Bastava una notte-siciliani di Tunisi* (film of 2011).

²⁴ A. Zohry, *op. cit.*, p. 5.

²⁵ Hassen Boubakri, *International migrations... cit.*, p. 9.

²⁶ A. Bellagamba, *Quando lo sguardo si sposta sull'Africa*, in *Migrazioni. Dal lato dell'Africa*, a cura di A. Bellagamba, Edizioni Altravista, Lungavilla (PV) 2011, p. 11.

But in the seventies the European and the Western scenario in general changed dramatically²⁷: «the capital accumulation crisis [...] struck in a generalized way with a combination of growing unemployment and acceleration of the inflation»²⁸.

The European unemployment rate began to rise in 1970 and continued to grow until the mid-eighties²⁹, remaining quite high during the entire decade³⁰.

The end of an economic growth that lasted thirty years arrived with the 1973 oil shock, which was followed in 1974 by the closure of the European labor market to immigration³¹. In other words, what European countries tried to do to contain the unemployment increase, was to “close” the labor market: they tried to limit the presence of foreign labor to stem the competition of foreign workforce in the internal market.

It is interesting to notice that this “closure” happened at the same time as the “opening” (*infitah*) of the Tunisian domestic market³².

Generally speaking, in the most industrialized European countries, legislative measures were taken to reduce the market entries of foreign labor and to foster the return towards the countries of origin³³. These measures were adopted as a result of the decline of labor demand in Europe, a drop which was thus considered - under these measures - as a matter of surplus of workers available on the market.

The result of this restrictive change in migration policies was a “diversification” both in types and destinations of Maghrebi immigration towards Europe.

Regarding the first aspect, a new form of “legal immigration” took shape: the family reunion, which represents a more stable and long-lasting type of immigration³⁴.

Alongside this new kind, however, the migration of seasonal workers (the so-called “guestworkers”³⁵) was still lasting and the illegal or irregular migration began to pro-

²⁷ The stagflation that hit Europe, favoured in the short term the Tunisian economy thanks to the increase of private investments, which led to a decrease in unemployment. By the end of the seventies, however, stagflation appeared also in Tunisia with even worse effects than in Europe.

²⁸ D. Harvey, *A Brief History of Neoliberalism*, Il Saggiatore, Milano 2007 (2005), p. 23.

²⁹ *Ibid.*, graphic p. 25.

³⁰ Giovanni Sabbatucci-Vittorio Vidotto, *Storia contemporanea. Il Novecento*, Laterza, Bari 2008, p. 314.

³¹ The European market closure regarded particularly France, Germany and Benelux. Hassen Boubakri, *International migrations...cit.*, p. 9.

³² With the appointment of Hedi Nouria as Prime Minister in 1970, Tunisia was thus «the first Arab country to begin a process of economic liberalization known as “open door policy” (*infitah*)». Maria Cristina Paciello, *op. cit.*, p. 128.

³³ In 1974 - thanks to the economic growth in Tunisia - the Tunisian government officially encouraged the homecoming of its fellow countrymen. M. Baldwin-Edwards, *Between a Rock and a Hard Place: North Africa as a region of emigration, immigration and transit migration*, in “Revue of African Political Economy”, Vol. 33, n. 108, 2006, p. 312.

³⁴ Hassen Boubakri, *International migrations... cit.*, p. 9.

³⁵ Guestworkers are workers who are temporarily allowed to reside and work in a state other than their own, thanks to the signing of an agreement between the country of origin and the one of destination. A classic example of guestworkers, are Turkish workers in Germany. One of the solutions adopted to reduce the presence of guestworkers when there seemed to be too many, is to export capital in areas with low wages instead of importing labor. Goran Rystad, *Immigration History and Future of International Migration*, in “International Migration Review”, Vol. 26, n. 4, 1992, pp. 1177-1185.

sper³⁶.

As concerns the destinations, “diversification” meant that immigration began to involve countries such as Spain or Italy, affected by more liberal policies on immigration and perceived also as transit countries³⁷.

On the other hand, Italy has always had a special relationship with Tunisia due to its colonialist aims and expansionist ambitions³⁸, but also because of the strong presence of the Italian community in the area³⁹, which mainly came from Sicily⁴⁰.

It is important to underline that a large part of North African immigrants - especially Tunisians - had also looked at Libya as a country of destination⁴¹; but that country was beginning to be less attractive⁴² since the mid-eighties⁴³.

Right in the middle of the eighties, the creation of the Schengen area (integrated into the institutional and legal framework of the European Union only in 1999) caused a strengthening of external border controls and a tightening in the visa system⁴⁴.

These measures contributed to foster mass-arrivals of migrants towards Spain and Italy. Those places of transit started thus to become arrival countries, where many of the first North African migrants became black-workers⁴⁵ or - thanks to the increasing segmentation of the market - found a precarious, dangerous or badly paid job⁴⁶.

From the Tunisian side, the SAP adopted in 1986 - not unlike the macroeconomic adjustment measures taken by many others African countries⁴⁷ - created the precondition for mass migration phenomena of the last three decades. For what concerns the

³⁶ Illegal immigration was already born in the postwar period with the support of the French patronage. But, as long as it continued to be associated with the economic growth, it was not perceived as a problem. It was only with the rising of unemployment in Europe during the seventies - and the consequent restrictions on immigration - that illegal immigration began to be fought.

³⁷ Hassen Boubakri, *International migrations...cit.*, p. 9.

³⁸ Vittorio Ianari, *Lo Stivale nel Mare. Italia, Mediterraneo, Islam: alle origini di una politica*, Guerini e Associati, Milano 2006, p. 66.

³⁹ *Ibid.*, pp. 65-72.

⁴⁰ See note 24. To get a sense of the rooting of this community in the area - which was undoubtedly stronger than the French one - it should be known that it had developed its own dialect (Sicilian-Arabic), and that this community also used to carry a statue of the Virgin Mary around the streets of La Goulette, which was the quarter of the first arrival for Sicilians in Tunis.

⁴¹ Libya has continued to be one of the favourite destinations for Tunisian migrants, arriving anyway in 2007 to host within its territories 7.6% of Tunisian residents abroad. Azzam Mahjoub, *Labor Markets Performance and Migration Flows in Tunisia*, in *Labor Markets Performance and Migration Flows in Arab Mediterranean Countries: Determinants and Effects*, European University Institute 2009, p. 36.

⁴² Economic difficulties - as well as tension with the Western world - stemmed Maghrebi immigration towards Libya, but the true blow for this immigration arrived with the 1992 embargo. Hassen Boubakri, *International migrations...cit.*, p. 5.

⁴³ By the mid-eighties, 30.000 Tunisians were expelled from Libya. OIM-IDOS (edited by), *Tunisia: scheda Paese*, 2009, p. 4.

⁴⁴ *The Italian transition from emigration to immigration country*, IRPPS Working Papers, n. 24 2009, p. 52.

⁴⁵ Hassen Boubakri, *International migrations... cit.*, p. 9.

⁴⁶ *The Italian transition...op. cit.*, p. VI.

⁴⁷ Aderanti Adepoju, *Recent trends in international migration in and from Africa*, Human Resources Development Centre, Lagos, Nigeria 2004, p. 3.

labor market, the SAP usually did include market deregulation, loss of wage and labor security and dismissals linked to privatizations⁴⁸.

Therefore by the end of the eighties, the scenario comprehended on one side a European labor market increasingly closed to foreign workers, while on the other side the Tunisian market was shaping as more and more open, flexible and increasingly dependent on the European economy.

All these trends kept intensifying on one hand with the “strengthening”⁴⁹ of Europe introduced by the Maastricht Treaty in 1992⁵⁰, and with the structure of power linked to Ben Ali in Tunisia on the other.

At the same time «the Maghreb began to be perceived by the European Union, and to perceive itself as a place of transit to southern Europe»⁵¹.

At this point, it is important to underline that this region has historically played the role of a transit zone, but that only in the nineties⁵² the Maghreb began recording an increase⁵³ in the presence of migrants coming from sub Saharan Africa⁵⁴.

This is mostly due to the tightening of the border with southern Europe and to the control requests on undocumented migration that Europe makes to the same Maghreb states; requests that affect «the immigration policies proper of these contexts and [...] the settlement and circulation strategies of sub-Saharan immigrants»⁵⁵.

So until the seventies migration was a major factor in economic and social integration between the Maghreb and Europe, as well as an element that helped regional stability⁵⁶. After that, European policies on immigration could subsequently be characterized by a gradual and steady closure: this happened first through the measures taken individually by north-western European countries (1974) and then with the establishment of the Schengen area (1985), an area that during the nineties also spread to southern European countries.

⁴⁸ Hassen Boubakri, *International migrations...* cit., p. 10.

⁴⁹ The Maastricht Treaty instituted new procedures in the foreign policy field concerning the access of citizens of third countries into the EU, providing also a stronger customs cooperation outward.

⁵⁰ With the Maastricht Treaty, the fight against immigration, residence and work of illegal citizens of third countries in the Member State's territory is defined for the first time as a matter of common interest. Art. K.1 TEU (Treaty on European Union).

⁵¹ A. Bellagamba, op. cit., p. 11.

⁵² Even though the most part of sub Saharan migrations had been historically intra-continental migrations, since the mid-nineties the outward flow from Africa has been growing significantly. This trend is partially explained by the worsening of the economic situation and the resulting reduced possibilities for internal migration. M. Baldwin-Edwards, op. cit., p. 315.

⁵³ It should be noticed that these are only estimations, because it does not seem possible to rely on the official data provided by North African governments. Hassen Boubakri, *Transit migration between Tunisia, Libya and Sub-Saharan Africa: study based on Greater Tunis*, Regional Conference on “Migrants in transit countries: sharing responsibility for management and protection”, Istanbul, Turkey 2004, p. 17.

⁵⁴ Hein de Haas, *Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends*, “IOM Migration Research Series”, International Organization for Migration (IOM), n. 32 2008, p. 11.

⁵⁵ A. Bellagamba, op. cit., p. 11.

⁵⁶ A. Zohry, op. cit., p. 5.

4. Controls and “development” do not stop migrations

Right in this context the Euro-Mediterranean Conference held in Barcelona in 1995, took place. Under the framework of the Barcelona Process «Association Agreements have been adopted between the EU, the Members States and the Mediterranean country partners»⁵⁷.

It should be remembered that, during the nineties, EU countries paid more attention to Central and Eastern Europe⁵⁸ rather than Mediterranean reality. Such attention was due to the EU's will to enlarge towards East, but also to the interest that Western European companies had for the process of privatization of state enterprises in the former USSR countries.

However, during the Barcelona conference, it was agreed to strengthen cooperation in both economic and border control matters between the countries of the north shore of the Mediterranean and those of the south bank⁵⁹. The aim was to release migratory pressure towards the first ones, or rather to «manage migration flows»: i.e., intensifying border controls in order to reduce illegal immigration⁶⁰.

The Barcelona Process, which was previously defined as an attempt to encourage the development of a common policy for the Mediterranean, brought the idea that there is an inverse relationship between growth and immigration; i.e., flows could be reduced⁶¹ by sustaining economic development in countries of origin⁶².

This thinking spread abroad incorporating more and more the issues of immigration control into the relations that European states have with the North African ones⁶³.

In Tunisia, the result of the Barcelona Process was the growth of the personal prestige of President Ben Ali, who thus felt entitled to pursue its repression and control policies. The will of the European Union to establish a free trade area has hence brought the paradox of a free movement of goods and capital in the face of a stricter movement control of people and labor force.

While in Tunisia net migration during the nineties was positive, in 2000 it dropped below zero, reaching negative territory over the next decade and signing a clear

⁵⁷ See European Union, November 2013, europa.eu/legislation_summaries.

⁵⁸ It is impressive to take a look at the growth of both commercial interchange as well as FDI inflow during those years in the former Soviet states; this gives a sense of the historical change in the socioeconomic structure of Europe. Vittorio Daniele, *Gli investimenti diretti esteri nell'Europa dell'Est. Un'analisi sui fattori di attrazione*, “Rivista economica del Mezzogiorno” n. 1-2 2004, pp. 133 and ff.

⁵⁹ «Although they are bilateral agreements and provide for specific arrangements with each partner State, the association agreements share a similar structure. They are intended to promote [...] regular dialogue on political and security matters, in order to promote [...] cooperation and joint initiatives [...], free movement of goods between the EU and the Mediterranean countries», European Union, November 2013, op. cit.

⁶⁰ Hein de Haas, *Turning the tide? Why development will not stop migration*, International Migration Institute, University of Oxford 2007, p. 11.

⁶¹ A. Zohry, op. cit., p. 12.

⁶² Hein de Haas, *Turning...cit.*, p. 11.

⁶³ Ivi.

migration recovery⁶⁴. All of this testifies the inadequacy of these policies on the one hand to promote the development, on the other hand in stemming the phenomenon of migration.

In the wake of the Barcelona Process and in response to Italian and EU pressure⁶⁵, in 2004 Tunisia introduced a series of new and more stringent rules on illegal migration⁶⁶. Measures like these were not adopted exclusively by Tunisia, but also by other countries in North Africa such as Morocco and Libya (even though the latter did not take part in the Barcelona Process)⁶⁷.

But the emergence of a European migration policy, did not prevent single states to sign separate agreements even more restrictive than those adopted by the Union: Italy, specifically, has signed agreements with Morocco, Tunisia and Libya, which have nevertheless been challenged by both European Parliament and few member states⁶⁸.

The 2008 treaty with Libya in particular, has raised many doubts about its accordance with the protection of the inviolable human rights, specifically for the section that concerns illegal immigrants rejections⁶⁹. But this treaty does not represent an isolated measure. In 2012 in fact - so after the fall of Muammar Gheddafi - Italy and Libya signed a new agreement, or better they reactivated the old one⁷⁰. This event was adversely commented by human rights associations⁷¹.

The Italian government adopted the same policy with Tunisia⁷², by delivering patrol boats and cars, used for the control of illegal migration, to a really unstable government such as the one ruled by the Ennahda party after Ben Ali's fall⁷³.

Going back to the EU law evolution in this field, the idea that "economic migration" - different from the "forced" one - represents substantially a consequence of poverty, was still prevailing until the end of the nineties. It followed that development coope-

⁶⁴ Azzam Mahjoub, *op. cit.*, p. 37.

⁶⁵ Hassen Boubakri, *Transit migration...cit.*, p. 23.

⁶⁶ One of the laws adopted in 2004 provided strict penalties for human smuggling, but the haziness of this law - which was allowing the arrest of anyone directly or indirectly involved in the smuggling - was leaving the police a free rein to arrest people who were not involved in this market. *Ibid.*, pp. 23-24.

⁶⁷ New restrictive laws on immigration were adopted by Morocco in 2003 and Libya in 2005. M. Baldwin-Edwards, *op.cit.*, pp. 318-319.

⁶⁸ *Ibid.*, p. 320.

⁶⁹ Human Rights Watch, *Scacciati e schiacciati: L'Italia e il respingimento di migranti e richiedenti asilo, la Libia e il maltrattamento di migranti e richiedenti asilo*, USA 2009, p. 20.

⁷⁰ Giacomo Morabito, *Libia. Un nuovo "asse" italo-libico?*, "Eurasia-rivista di studi geopolitici", 28 March 2012, see: eurasia-rivista.org.

⁷¹ Amnesty International, *L'accordo Italia - Libia in materia di immigrazione mette a rischio i diritti umani*, 18 June 2012.

⁷² The Italian government had been trying to replicate the same "capacity-building" format both in Libya and Tunisia, by encouraging the strengthening of measures against illegal migration in those countries. This is a kind of procedure also promoted by the African Union, which upon its strategies has the will to «build national capacity to manage labor migration by developing national labor migration policies and legislation, consistent with overall population policy, and government structures to manage labor migration», Executive Council of the African Union, *The Migration Policy Framework for Africa*, 2006, <http://au.int/>

⁷³ *Il ministro Cancellieri a Tunisi*, "Il Corriere di Tunisi", n. 118, 2013.

ration could have helped to address the “root causes” of emigration, thus reducing migratory pressure⁷⁴.

But as examined in the case of Tunisia, poverty has experienced a reduction during the regime of Ben Ali: what the European migration policies did not take into account is that «propensity to emigrate also depends on aspirations [...] which tend to increase with the same progress brought by development in education and access to information [...] poverty reduction does not represent itself an emigration reduction strategy, but it can indeed even be an incentive»⁷⁵ to emigrate.

With the turn of the millennium, the European debate on immigration and development policies partially changed⁷⁶. In fact, the “migration hump” thesis alongside the “root causes” approach gradually emerged. According to this new concept, «development (in its early stages) does not reduce but rather promotes the growth of migration flows. It is only in the long term and when development differentials significantly decline that flows decrease»⁷⁷.

The stress was thus put on the role of a better immigration that fosters development, rather than on a development that diminishes immigration⁷⁸. This happened especially with the spreading of the “circular migration” idea, which however seems apparently to show the same features of “guestworker” migration⁷⁹.

5. Building European space

The data, however, do not show an actual trend reversal in addressing the issue. In fact, most of the resources are still (and increasingly) destined to plans regarding policies of illegal migration control. Looking at the EU institutions, the resource increase in constructing the area of freedom, security and justice is clearly noticeable. And it is precisely within this area where the internal dimension of migration policy lies⁸⁰. Resources for the above-mentioned purposes are far greater than those for integration: in 2007, for example, 170 million euros went to the External Borders Fund, while 65 and 67 million went respectively to the Integration and Refugees Funds⁸¹.

What is happening nowadays seems therefore to be uninterruptedly linked to the European policies started in the seventies: there is a trend to create an European “open space” locking it outwards. This trend is also confirmed by the institution in 2005 of Frontex.

⁷⁴ Raffaele Caso, *Migrazione e sviluppo: la politica europea*, “Policy Brief”, Istituto per gli Studi di Politica Internazionale ISPI n. 58, 2007, p. 2.

⁷⁵ Hein de Haas, *Turning...cit.*, p. 19.

⁷⁶ A. Zohry, *op. cit.*, p. 3.

⁷⁷ Raffaele Caso, *op.cit.*, p. 2.

⁷⁸ “More development for less migration” or “better migration for more development”? *Shifting priorities in the European debate*, “MigraCition Europa”, CeSPI December 2003, pp. 1 and ff.

⁷⁹ Hein de Haas, *Turning...cit.*, p. 16.

⁸⁰ Raffaele Caso, *op.cit.*, p. 3.

⁸¹ *Ivi.*

Frontex «is the European Agency for Management of Operational Cooperation at the External Borders of the Member States of the European Union». Its mission is to promote, coordinate, and develop «European border management»⁸². This agency has constantly increased its budget and its means since its foundation⁸³. Currently there is an ongoing discussion about its enlargement and its transformation into a new European Agency of border and coast guard.

Concerns have been expressed about the work of Frontex⁸⁴, especially about rejections of potential political refugees at sea⁸⁵.

Even though Europe tightened its controls on the borders, migration flows from Tunisia towards the EU - especially towards France and Italy⁸⁶ - did not come to an end, but continued to grow, becoming more and more significant.

In conclusion, it should be noticed that both the economic crisis and the uprisings in the Arab world of 2011 made the migration issue more problematic, especially as regards the flows within the African continent⁸⁷. An example of all that was represented by the situation of the Choucha refugee camp in Tunisia⁸⁸, which - among other things - had been a source of further instability for the country.

6. Globalization and migrations: the Tunisian case study

«Globalization - and technological processes that go with it - has encouraged the mobility of both capital and labor. But the mobility of capital is by definition much higher than the mobility of labor. Then it has become much easier for capital to move, especially towards the countries where [...] labor costs less»⁸⁹.

This brief and general consideration can be applied to our case study and can be completed by it: while in fact the Tunisian labor market was gradually opening up to foreign (mostly European) investments through supporting capital growing mobility and outgoing flexibility of its workforce, the European market has been instead progressively preventing that workforce from entering it.

⁸² See Agency mission, November 2013, Frontex.europa.eu.

⁸³ Frontex budget exceeded 70 million euros already in 2008. "Frontex General Report" 2008, p. 21, Frontex.europa.eu.

⁸⁴ Amnesty International, *S.O.S. Europe: human rights and migration control*, 2012.

⁸⁵ Some Frontex units seem to have stolen food and fuel from the ships full of migrants in the Mediterranean sea, in order to force them to come back. This is at least what emerges from the radio-documentary "War in the Mediterranean" by Roman Herzog, which was broadcast by the German Public Radio (ARD) on the 22 of June in 2008.

⁸⁶ Italy and France alone accounted for 75% of Tunisian migrants in the period 1999-2007. Azzam Mahjoub, *op.cit.*, p. 38.

⁸⁷ Centro Studi di Politica Internazionale CeSPI (a cura di), *L'impatto delle primavere arabe sui flussi migratori regionali e verso l'Italia*, n. 59 July 2012, p. 3 and ff.

⁸⁸ The Choucha camp was created on the 24 of February in 2011 in order to welcome refugees fleeing the Libyan war. Gianluca Gerli, *Intervista ad Ali Bousselmi, membro di "Article 13"*, "Il Corriere di Tunisi", n. 119, 2013.

⁸⁹ Lorenzo Bini Smaghi, *Immigrati ed economia: la prospettiva a lungo termine*, in *Integrazione. Il modello Italia*, a cura di Marco Impagliazzo, Guerini e Associati, Milano 2013, pp. 23-24.

The creation of a free trade area (a partial common market between these two realities) then allowed capital and some specific goods to circulate more easily.

But why it was only the mobility of certain production factors deemed crucial for the development of both markets and no attention was paid to labor stagnation? The answer lies in the fact that the political aim was not really to develop markets, but rather to increase the capital, since the above-mentioned stagnation led to a more or less gradual decline of real wages.

The deterioration of the Tunisian situation contributed thus to an increase in illegal migration which, consequently, led to a lowering of real wages also in Europe, due in particular to the growth of the black economy.

In this way it has come to the paradox of looking at immigration as a problem, although it were the same European institutions that adopted policies that caused migration to increase: the problem are those policies and not immigration, which rather is a consequence.

It must also be added that, in recent years, the gradual European closure to the circulation of non-EU citizens has undoubtedly been favored by non-rational factors. In particular the widespread fear of terrorism in the Schengen area is one of the feelings that now more than ever seems to be able to influence EU policies.

For its social consequences, the arbitrary distinction between economic migrants and asylum seekers must be taken into account, which is becoming increasingly common within the European context. This extralegal classification subordinates what should be an inalienable human right (the right to free movement) to economic assumptions: moving becomes a privilege, relegating those who do not enjoy it to a semi-liberty condition.

From the Arab Spring to the Islamic State: revolution in times of disillusion

Giorgio Musso¹

Abstract

Five years from the unexpected eruption of the so-called Arab Spring, the Middle East-North Africa region is living a period of intense turmoil, violence and social dislocation. Trying to go beyond the chronicle of events, we attempt to frame the uprisings that swept over the Arab world in a broad historical context. The mainstream narrative assumes that the “failure” of the Arab Spring is an irreversible fact. While it is indisputable that the ideals sought for by the revolutionaries of 2011 have not been realized, we contend that the trajectories taken by the post-revolutionary transitions must be analysed as dialectical open-ended processes involving the agency of protesters, the reaction of incumbent regimes and the structural conditions in which both acted. The Arab Spring and its aftermath require us to reconceptualise the idea of “transition” away from the post-Cold War teleology of democratization theory. The unipolar world of the 1990s has given way to a less clear-cut global context in which authoritarianism and democracy often overlap and may even seem to converge. Interpreting the Arab uprisings of 2011 as part of a wave of global protest driven by a strong disillusion toward democracy, therefore, is key to understand the course taken by events.

1. From revolutionary euphoria to reactionary nostalgia

«Revolution might be seen as a total failure and a sad event. But a revolution is not an event. Revolution is a process - a lengthy, laborious and demanding one. It has its ups and downs and its many surprises too»². Palestinian poet Mourid Barghouti wrote these words in 2012 and recalled them in January 2016, writing for “The Guardian” newspaper on the fifth anniversary of the Arab Spring - a definition used here only for the sake of concision. Talking about failure and disillusion has become the mainstream narrative about the complex set of events triggered by the self-immolation of Tunisian fruit-seller Mohamed Bouazizi in the provincial town of Sid Bouzid on December 17, 2010. It is common to read columns on Western newspapers arguing that the Arab Spring has engendered endemic instability, empowered jihadists, spurred the re-emergence of tribalism and sectarianism, and created a mass of displaced people that threatens the sovereignty and social stability of Europe³.

In an age of widespread disillusion and scepticism toward change, such narrative is

¹ The author would like to thank Francesco Cavatorta for his comments on the first draft of the article.

² ‘I Was Terribly Wrong’ - Writers Look Back at the Arab Spring Five Years on, “The Guardian”, 23 January 2016, <https://www.theguardian.com/books/2016/jan/23/arab-spring-five-years-on-writers-look-back> (access to all links provided has been checked on 5 July 2016).

³ See for instance Sohrab Ahmari, *The End of the Arab Spring Dream*, “The Wall Street Journal”, 16 December 2015, <http://www.wsj.com/articles/the-end-of-the-arab-spring-dream-1450297624>; Maurizio Molinari, *Da Dove Viene il Branco di Colonia*, “La Stampa”, 10 January 2016, <http://www.lastampa.it/2016/01/10/cultura/opinioni/editoriali/difendere-leuropa-dal-ritorno-delle-trib-3u3Wh0fpyzgEdDi81ycN/pagina.html>.

not surprising. The first reaction to the uprisings, however, had been diametrically opposed. Occurring ten years after the 9/11 attacks, the Arab Spring had seemed to offer a way out of the self-fulfilling prophecy of the «clash of civilizations». It was neither al-Qaeda's reiterated call for the overthrow of the impious rulers of the region, nor the American neoconservatives' "Freedom agenda" that was opening up a space for political change in the Arab world. It was ordinary people, through brave and contagious acts of self-determination, who challenged the *status quo* and called for freedom, dignity and social justice. The European Union described the events as being of "historic proportions" and pledged to «support wholeheartedly the wish of the people in our neighbourhood to enjoy the same freedoms that we take as our rights»⁴.

This over-enthusiastic appraisal started to change when it became apparent that the well-organized Islamist parties were better positioned to reap the fruits of the uprisings than the civil movements that had spearheaded and sustained them. Western policy circles were once again faced with the "Algerian dilemma" and didn't act to support the new-born, fragile democracies⁵. Islamists, nonetheless, didn't have the time to surf the tide. Incumbent rulers spared by the first wave of uprisings learned the lesson quickly and fought back through co-option - as in Morocco - or coercion - as in Syria. The latter country became the theatre of the worst civil conflict of the new century to date. In Egypt, the *ancien régime* reorganized itself and exploited widespread popular dissatisfaction with the rule of the Muslim Brotherhood to restore military rule. Western powers, despite pledges to support democratic advances in the Arab world, entrenched themselves behind the principle of non-interference. In the only instance they decided otherwise - in Libya - they acted through a conventional military operation without any post-war planning. Two years from its inception, the Arab Spring seemed to result into a considerable disappointment both where it apparently succeeded and where it failed.

Revolutionary disillusion, then, turned into reactionary nostalgia with the emergence of the Islamic State in Iraq and al-Sham (ISIS)⁶ in June 2014 and the outbreak of an unprecedented migratory crisis in the Mediterranean in 2015, despite the fact that

⁴ European Commission, *A Partnership for Democracy and Shared Prosperity in the Southern Mediterranean*, COM(2011) 200 final, Brussels, 8 March 2011.

⁵ Reference here is to the Algerian election crisis of 1991-92, when the country's first multiparty elections gave an overwhelming majority to the *Front Islamique du Salut (FIS)*. The army then decided to stop the electoral process, sparking a political crisis that ushered into a decade-long civil war. See Marco Impagliazzo-Mario Giro, *Algeria in Ostaggio. Tra Esercito e Fondamentalismo, Storia di una Pace Difficile*, Guerini e Associati, Milano 1997; Michael J. Willis, *The Islamist Challenge in Algeria. A Political History*, New York University Press, New York 1997. The expression "Algerian dilemma" is used by Kalypso Nicolaïdis-Dimitri Nicolaïdis, *The EuroMed Beyond Civilizational Paradigms*, in *The Convergence of Civilizations. Constructing a Mediterranean Region*, edited by Emanuel Adler et al., University of Toronto Press, Toronto-Buffalo-London 2006, p. 337-378 (349). For an interpretation of how the Algerian dilemma has influenced post-Arab Spring developments see Giorgio Musso, *Il Mondo Arabo in un Vicolo Cieco*, "Il Mulino", n. 2 2015, pp. 326-334.

⁶ The acronym ISIS is adopted here due to its common usage. However, the correct expression to refer to this movement would be "Organization of the Islamic State" (*tanzim al-dawlah al-islamiyyah*), which is the literal translation of the self-definition used by the organization itself.

both events cannot be regarded as a direct and exclusive effect of the Arab Spring. ISIS traces its origins back to the sectarian civil war fought in Iraq in the aftermath of the American invasion of 2003⁷. The surge of refugee flows has multiple drivers and it is not a recent phenomenon, dating back at least to the early 1990s. Its roots are found within Mediterranean countries but also well beyond them - from Nigeria to Bangladesh, passing through Eritrea and Afghanistan.

Nonetheless, the 2011 uprisings and their aftermath have provided the enabling conditions for both issues to become regional crises of vast proportions.

2. One rupture, many transitions

The ideas of success and failure are an integral component of the culture of presentism⁸ that informs the experience of time in the contemporary world, but the historian can hardly accept them as categories of judgement. To recall the words of our initial citation, an “event” can either be a success or a failure in relation to its declared aims, while a “process” is by definition open-ended. In history, there is no “conclusive present”⁹. Our attempt here is to frame the events that have taken place since December 2010 into a multi-dimensional historical perspective. The uprisings that shook the Arab world did not take place in a void and must be seen as part of a wider historical picture.

It is hard not to contend that the Arab Spring has marked a «psychological and epistemological rupture»¹⁰ for the Middle East-North Africa (MENA) region¹¹. Nonetheless, the perception that the uprisings have only been an illusory parenthesis is widespread. An authoritative publication, for instance, recently stated that «when the definitive history of the Arab Spring of 2011-2013 is finally written, it will be remembered

⁷ The best account to date on the origins and development of ISIS is Michael Weiss-Hassan Hassan, *ISIS. Inside the Army of Terror*, Regan Arts, New York 2015.

⁸ François Hartog, *Régimes d'Historicité. Présentisme et Expériences du Temps*, Éditions du Seuil, Paris 2003.

⁹ Michel Camau-Frédéric Vairel, «Révolutions» et *Recompositions Politiques*, in *Soulèvements et Recompositions Politiques Dans Le Monde Arabe*, edited by Michel Camau-Frédéric Vairel, Les Presses de l'Université de Montréal, Montréal 2014, pp. 7-42 (8). The expression “conclusive present” is a translation of the French *present définitif*, coined by Gilles Deleuze.

¹⁰ Fawaz A. Gerges, *Introduction. A Rupture*, in *The New Middle East. Protest and Revolution in the Arab World*, edited by Fawaz A. Gerges, Cambridge University Press, New York 2014, pp. 1-40(1).

¹¹ It would be useless to enumerate the myriad of articles and books published on this topic in the last five years. Just to quote some: Fawaz A. Gerges (edited by), *The New Middle East...* cit.; Id., *Contentious Politics in the Middle East. Popular Resistance and Marginalized Activism Beyond the Arab Uprisings*, Palgrave Macmillan, New York 2015; Marc Lynch (edited by), *The Arab Uprisings Explained. New Contentious Politics in the Middle East*, Columbia University Press, New York 2014; Michel Camau-Frédéric Vairel, *Soulèvements et Recompositions Politiques...* cit.; Hamit Bozarslan, *Révolution et État de Violence. Moyen-Orient 2011-2015*, Editions du CNRS, Paris 2015; Jason Brownlee-Tarek E. Masoud-Andrew Reynolds (edited by), *The Arab Spring. Pathways of Repression and Reform*, Oxford University Press, Oxford-New York 2015; Larbi Sadiki (edited by), *Routledge Handbook of the Arab Spring. Rethinking Democratization*, Routledge, London-New York 2015; Saïd Amir Arjomand (edited by), *The Arab Revolution of 2011. A Comparative Perspective*, State University of New York Press, Albany 2015.

less as a momentous challenge in the region's political makeup than as a momentary break in a longer, more dismal story»¹². Such conclusion reveals the disappointment of those who thought that 2011 would herald a wave of democratization. Renowned scholars recognized since the beginning of the uprisings that «transitions toward democracy are always filled with uncertainty»¹³ but none of them was able to transcend the main tenet of “transitology”¹⁴, meaning the assumption that political transition is synonym with evolution from authoritarianism to democracy. The reality of the Arab Spring has shattered what remained of this reassuring teleology, requiring a revision of the concept of “transition” disengaged from any presumption of linearity and pre-ordained end¹⁵. Post-Arab Spring trajectories of political development must be sought within a grey zone where continuity and change, agency and structural constraints, democracy and authoritarianism overlap to draw a complex scenario that cannot be grasped by any rigid theoretical framework¹⁶.

If we disaggregate time into two linear dimensions, for the sake of simplicity, we may say that on the “vertical axis”, a long history of political contention predated the revolutions¹⁷. Although the MENA region is better known for its military autocrats, popular upheavals were a persistent occurrence since the current state configuration emerged in the early twentieth century. Looking beyond the Arab world, we will see in the following paragraphs how the history of modern revolutions can provide insightful terms of comparison in order to understand the potential long-term implica-

¹² Jason Brownlee et al. (edited by), *The Arab Spring... cit.*, p. 228.

¹³ Alfred Stepan-Juan J. Linz, *Democratization Theory and the 'Arab Spring'*, “Journal of Democracy”, n. 2 April 2013, pp. 15-30(24).

¹⁴ The term “transitology” applies to a strand of literature in the field of political science that developed - particularly in the United States - in parallel with the end of the Cold war and the “third wave” of democracy. To put it in an oversimplified way, it posits that almost each transition “from” authoritarianism is a transition “towards” democracy, achieved through a series of stages that tend to replicate themselves even in different contexts. The seminal work in this field was Guillermo A. O'Donnell-Philippe C. Schmitter, *Transitions from Authoritarian Rule. Tentative Conclusions about Uncertain Democracies*, Johns Hopkins University Press, Baltimore 1986. A growing body of literature challenging the basic assumptions of “transitology” has appeared since the early 2000s on the heels of an influential article by Thomas Carothers, *The End of the Transition Paradigm*, “Journal of Democracy”, n. 1 January 2002, pp. 5-21.

¹⁵ Michelle Pace-Francesco Cavatorta, *The Arab Uprisings in Theoretical Perspective - An Introduction*, “Mediterranean Politics”, n. 2 2012, pp. 125-138.

¹⁶ Francesco Cavatorta, *No Democratic Change... and Yet No Authoritarian Continuity: The Inter-Paradigm Debate and North Africa After the Uprisings*, “British Journal of Middle Eastern Studies”, n. 1 January 2014, pp. 135-145; Paola Rivetti, *Continuity and Change Before and After the Uprisings in Tunisia, Egypt and Morocco: Regime Reconfiguration and Policymaking in North Africa*, “British Journal of Middle Eastern Studies”, n. 1 January 2014, pp. 1-11; Morten Valbjørn, *Upgrading Post-Democratization Studies: Examining a Re-Politicized Arab World in a Transition to Somewhere*, “Middle East Critique”, n. 1 2012, pp. 25-35. See also the articles included in the special issue of the journal “Democratization” (Vol. 22, n. 2, 2015) edited by Raymond Hinnebusch and the collection of essays published by the Project on Middle East Political Science (POMEPS), *Reflections Five Years After the Uprisings*, POMEPS Studies n. 18, Washington D.C. 2016, http://pomeps.org/wp-content/uploads/2016/03/POMEPS_Studies_18_Reflections_Web.pdf.

¹⁷ Maria J. Stephan (edited by), *Civilian Jihad. Nonviolent Struggle, Democratization, and Governance in the Middle East*, Palgrave Macmillan, New York 2009.

tions of the Arab Spring.

On the “horizontal axis” - the dimension of simultaneity¹⁸ - the Arab Spring must be seen in the context of a global wave of popular protests that accelerated after 2010 in both democratic and authoritarian contexts¹⁹. If we disentangle the uprisings in the Arab world from a wider perspective, we fail to recognize the global relevance of the dynamics set in motion in the region and we run the risk of falling into cultural exceptionalism.

Our emphasis on the context of the uprising is also meant to highlight the dialectical nature of the revolutionary processes. The huge expectations placed upon the actions of protesters were paradoxically due to their unexpected outbreak: the widespread perception in 2011 was that if change had started where everything seemed static - in reality, it wasn't - then revolution was close at hand.

Such a view was justified by the euphoria of that moment, but did not take into account Newton's third law of motion: for every action, there is an equal and opposite reaction. Since any revolution comes by surprise, the incumbent rulers need time to reorganize after having been caught off guard. This is the phase during which the low fruits of revolution fall spontaneously. Reaping the high fruits takes much more time and effort, because if the *ancien régime* manages to survive to the first blows, it will be able to count on a whole apparatus determined to fight for its own survival. In the Arab world, the interaction between the initiative of protesters, regime reaction and the different structural conditions found in each national context have resulted into strongly divergent outcomes, giving shape to a fragmented regional situation.

Four long-serving heads of state have been replaced since 2011²⁰, but only in one case - Tunisia - a real process of democratic reform has been set in motion. Three major internationalized civil wars have erupted in Syria, Libya and Yemen. ISIS has established its control over large swathes of a territory straddling the Syria-Iraq border. Moreover, the self-declared caliphate has established a foothold in Libya and has gained the allegiance of local-based insurgencies in North Africa - as in the Sinai Peninsula or in the Sha'nbi Mountains of Tunisia - and beyond (Boko Haram in Nigeria).

The cumulative effects of this turmoil in terms of social dislocation have been unprecedented. The Syrian war alone has forced 11.7 million people to leave their homes²¹. Internal displacement has reached huge proportions in Iraq too, where 3.2 million people have fled violence since January 2014. Conflict in Yemen has produced the world's largest number of new IDPs in 2015 (2.5 million) while intensified fighting

¹⁸ The concept of simultaneity is borrowed here from Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Revised Ed., Verso, London 2006.

¹⁹ Thomas Carothers-Richard Youngs, *The Complexities of Global Protests*, Carnegie Endowment for International Peace, Washington D.C. 2015, <http://carnegieendowment.org/2015/10/08/complexities-of-global-protests/it7l>.

²⁰ We refer to Hosni Mubarak in Egypt, Zin el-'Abidin Bin 'Ali in Tunisia, Mu'ammarr Qadhafi in Libya and 'Ali 'Abd Allah Saleh in Yemen.

²¹ 5.1 million Syrians are either refugees or asylum-seekers and 6.6 million are IDPs.

in Libya has forced 435.000 to seek shelter away from their home²². One out of three displaced people worldwide either originates from or is hosted in the MENA region, which is home to only 5% of the world's population.

When one looks at such a scenario, the peaceful uprisings that marked the beginning of the Arab Spring appear as a faded memory. However, recalling the early nature of protests is necessary to understand how the dialectic of confrontation between revolutionary movements and incumbent regimes has led to the present outcome. The peculiar character of protest movements was easily exploited by the authoritarian regimes. Two elements in particular put the revolutionary forces in a weak position *vis-à-vis* the incumbent rulers: the reformist character of their claims and the rise of conservative Islamist parties in the aftermath of the uprisings.

3. *Refo*-lutions and institutions

The Arab Spring demonstrations, while displaying a revolutionary consciousness in terms of strategies of mobilization, rhetoric and self-representation, called for the realization of a reformist agenda that was not meant to replace existing state institutions. In this respect, the 2011 events in the Arab world have been compared to the European "springtime of nations" of 1848, since both revolutions started by asking for constitutional limitations to the arbitrary power of incumbent rulers. The self-limitation of protesters, however, did not prevent extant regimes from unleashing a highly repressive reaction²³.

In this sense, Iranian sociologist Asef Bayat has defined the 2011 uprisings as *refo*-lutions, meaning «revolutionary movements which aimed to compel the tyrannical incumbent states to reform themselves on behalf of the revolutionaries»²⁴. This does not mean that demonstrators, from Tunis to Aleppo, were not asking for substantial political, social and economic changes and for the fall of long-standing regimes²⁵. However, the revolutionary movements did not frame their demands into a comprehensive ideology of contestation, nor into a project of radical restructuring of the political and economic system. For instance, the last mass revolution to take place in the Middle East - the Iranian events of 1979 - had a clear ideological orientation, resulting into the birth of the first modern Islamic republic. The Arab Spring, on the contrary, did not display a definite political identity since it «came to fruition at a political time in the world when the very idea of revolution had faded and revolutionary

²² Data from UNHCR, *Global Trends. Forced Displacement in 2015*, Geneva 2016, <https://s3.amazonaws.com/unhcrsharedmedia/2016/2016-06-20-global-trends/2016-06-14-Global-Trends-2015.pdf>.

²³ Saïd Amir Arjomand, *The Arab Revolution of 2011 and Its Counterrevolutions in Comparative Perspective*, in *The Arab Revolution of 2011...* cit., pp. 9-52.

²⁴ Asef Bayat, *The Arab Spring and Its Surprises*, "Development and Change", n. 3 2013, pp. 587-601(597).

²⁵ It is sufficient to recall the famous slogan *al-sha'b yurid isqat an-nizam* ("the people want the fall of the regime").

utopias had ceased to exist»²⁶.

Secondly, given that there was neither a structured political organization behind the protests nor a revolutionary *avant-garde* determined or capable to lead the masses, the seizure of power was not an option for the Arab revolutionaries of 2011. Lacking a blueprint for a comprehensive transformation of the state and a leadership ready to take over the levers of power, revolutionary movements had no alternative other than addressing their claims to the very institutions they were demonstrating against.

It is interesting, in this regard, to look at the distribution of protests in the region. With the exception of Bahrain and Libya, the largest revolutionary movements emerged under “liberalized autocracies” that had adopted the formal mechanisms and institutions of representative democracy²⁷. Conversely, protests were of lesser intensity within monarchical regimes. Many have noted that monarchies have material and symbolic resources at their disposal to resist popular pressure, and most Arab royals made extensive use of them in 2011-12²⁸. It is equally true that a number of monarchies were overthrown in the region between the 1950s and the 1970s, meaning that Arab kings are not everlasting²⁹. In 2011, the relative paucity of protests against monarchical regimes was, among other factors, a function of the opportunities available to the opposition.

The limited liberalization allowed in Tunisia and Egypt, although implemented with regime survival in mind, had provided institutional channels of political expression to the citizens, unintentionally intensifying popular calls for accountability and reforms. At the same time, within these countries, the post-revolutionary political transition was directed towards the existing institutional tracks. Constitutional revision processes that were started almost everywhere didn't lead to major changes in the state structure. Constituent assemblies became another tool through which the former ruling elites seized control of the transition³⁰.

The situation took a very different turn where processes of controlled liberalization had not taken place, as in Syria or Libya. The former case is particularly telling. Protests against the al-Asad regime displayed a less anti-systemic attitude if compared to

²⁶ Ibid.

²⁷ The expression “liberalized autocracy” defines one of the many variations of the so-called “hybrid regimes”, characterized by a mix of democratic and authoritarian elements. Among the huge literature on hybrid regimes see Daniel Brumberg, *Democratization in the Arab World? The Trap of Liberalized Autocracy*, “Journal of Democracy”, n. 4 October 2002, pp. 56-68; Steven Levitsky-Lucan Way, *Competitive Authoritarianism. Hybrid Regimes After the Cold War*, Cambridge University Press, New York 2010; Olivier Dabène-Vincent Geisser-Gilles Massardier (edited by), *Autoritarismes Démocratiques et Démocraties Autoritaires Au XXIe Siècle*, La Découverte, Aix-en-Provence 2008.

²⁸ This argument can be found among others in Jack A. Goldstone, *Understanding the Revolutions of 2011. Weakness and Resilience in Middle Eastern Autocracies*, “Foreign Affairs”, n. 3 May-June 2011, pp. 8-16; Sean L. Yom-F. Gregory Gause, *Resilient Royals: How Arab Monarchies Hang On*, “Journal of Democracy”, n. 4 October 2012, pp. 74-88.

²⁹ André Bank-Thomas Richter-Anna Sunik, *Long-Term Monarchical Survival in the Middle East: A Configurational Comparison, 1945-2012*, “Journal of Democratization”, n. 1 2015, pp. 179-200.

³⁰ Gianluca P. Parolin, *Constitutions against Revolutions: Political Participation in North Africa*, “British Journal of Middle Eastern Studies”, n. 1 2014, pp. 31-45.

other countries and failed to gather large crowds for months. Demonstrations were localized and focused on demanding an end to the arrogance of security forces and the introduction of reforms. The regime, nonetheless, after a short-lived attempt to assuage the opposition through a *façade* constitutional revision, opted for an all-out clash with the revolutionaries. Events in Egypt and Tunisia had created a tense regional environment, convincing President Bashar al-Asad that even small concessions could have set his regime on a downward slope. Perceiving the situation as a zero-sum game, he evaluated that the costs of reform would be higher than the costs of civil war³¹. Eventually, willing to save his regime, he jeopardized the existence of the State and the unity of Syrians as a nation.

The Syrian civil war represents one extreme in a wide array of different outcomes resulting from the dialectic between revolution, reform and regime reaction. What we have described above as the reformist attitude of the Arab Spring allowed state institutions a wide degree of manoeuvre in responding to the uprisings. In Tunisia, Egypt and (in a very different way, but with a similar outcome) Morocco, the extant system could normalize the revolution by channelling the pressures of society into existing institutions. Where institutions were not able nor willing to absorb the impact of protests, as in Syria or Bahrain, they choose for an all-out clash against society.

In this perspective, the common argument ascribing the failure of the Arab Spring to the inability of revolutionary forces to pass from mobilization to institutionalization seems disingenuous³². In fact, either a revolutionary movement replaces the existing institutions with something radically new - as in Moscow in 1917 or in Teheran in 1979 - or it will have to negotiate the transition with them.

The course of events in the aftermath of the Arab Spring has showed the strength of institutions moulded by decades of authoritarianism. The state machine did not collapse - except in Libya, where Qadhafi had dissolved the state in order to prevent any challenge to his rule - but proved resilient and capable to ensure its own self-preservation despite the turmoil at the top echelons of power. This network of apparatuses that runs the state machine away from the spotlights of politics, and in so doing ensures the continuity of power, has often been referred to as the "deep state"³³.

³¹ As Daniel Brumberg contends, liberalized autocracies rely on a difficult balance of liberalization and repression. In a volatile environment the costs of even limited reform increases enormously, because any concession emboldens the opposition to ask for more. Daniel Brumberg, *op. cit.*

³² See for instance Raymond Hinnebusch, *The Arab Uprising and the Stalled Transition Process*, IEMed Mediterranean Yearbook 2014, Barcelona 2014, <http://www.iemed.org/observatori-en/arees-danalisi/documents/arxiu-externs/2014/the-arab-uprising-and-the-stalled-transition-process>.

³³ Jean-Pierre Filiu, *From Deep State to Islamic State. The Arab Counter-Revolution and its Jihadi Legacy*, Hurst Publishers, London 2015.

4. Conservative free-riders

Massimo Campanini sees the phase of institutionalization, analysed in the preceding paragraph, as the first of the two stages that have allowed for the normalization of the Arab uprisings: «The institutionalization of the revolutionary process has curtailed the pretences of revolutionary movements to direct democracy. Electoral results have curtailed the pretences of revolutionary movements to a radical democracy»³⁴.

Conservative Islamist parties, despite playing a marginal role in the uprisings - although thousands of their militants joined the protests individually - were the main beneficiaries of the elections held in the immediate aftermath of the Arab Spring. The ascendance of the Muslim Brotherhood - in its national variants - has been mostly attributed to the huge organizational gap between them and the newly constituted “liberal-secular” parties. This view, which has its own merits, takes into account the mobilization potential of political parties but fails to consider the preferences of voters. In this way, for instance, the sudden rise of Salafi parties in Egypt remains inexplicable, given that they, too, had been constituted a few months before the elections³⁵.

What ensured the success of the Islamists, beyond their indisputable ability to activate a wide grassroots network, was their capacity to appropriate the rhetoric of revolution and at the same time project a conservative image. They could claim to be “new” to power, having endured decades of repression and marginalization, but at the same time they could reassure citizens that they would be guided by the traditional values of Islam and that they would restore order and stability, putting an end to the excesses of the revolution.

In a historical perspective, such conservative backlash should not appear surprising. Comparing 2011 to the 1848 European revolutions, Saïd Amir Arjomand writes that:

The victory of the conservative groupings in general and the Islamists in particular in the Tunisian and Egyptian elections contrasted strikingly with the poor showing of the liberals, not to mention the radicals and youth organizations; and most observers found the contrast surprising. The 1848 parallel, however, makes this result appear less surprising and more normal. In both cases, the electorate was much more conservative than the revolutionary protesters. France was one European country that held several elections after February 1848. The Constituent Assembly elected in April 1848 had fewer than a hundred Progressive Republicans, as compared to about three hundred Monarchists and five hundred Moderate Republicans. Much better known is the fact that Louis Bonaparte was elected president by universal suffrage with

³⁴ Massimo Campanini, *Le Rivolte Arabe: Verso un Nuovo Modello Politico?*, in *Le Rivolte Arabe e l'Islam. La Transizione Incompiuta*, a cura di Massimo Campanini, Il Mulino, Bologna 2013, pp. 7-52(26).

³⁵ Salafi parties obtained 25 percent of the vote in the first parliamentary elections held in Egypt after the January 25 revolution. In Tunisia, on the contrary, they decided to stay out of the electoral contest. William McCants, *The Lesser of Two Evils: The Salafi Turn to Party Politics in Egypt*, Brookings Institution, Middle East Memo n. 23, Washington D.C. 2012, <http://www.brookings.edu/research/papers/2012/05/01-salafi-egypt-mccants>; Aaron Y. Zelin, *The Salafi Challenge to Tunisia's Nascent Democracy*, The Washington Institute for Near East Policy, Policywatch n. 1879, Washington D.C. 2011, <http://www.washingtoninstitute.org/policy-analysis/view/the-salafi-challenge-to-tunisia-nascent-democracy>.

three-quarter of the vote on December 10, 1848³⁶.

A widespread desire for the restoration of order produced the same outcome in two completely different contexts. In Egypt, after the Islamists assumed power, delivering on the promised stability proved more challenging than expected - not to speak of the freedom and justice inscribed in their party's own name. They realized that in order to exercise power they had to break the hold of the "deep state" on the public apparatuses, and began a series of purges and appointments that led them to a conflict with the judiciary, the security services and eventually the army. Popular dissatisfaction toward the performance of the Islamist government gave the officers an opportunity to launch a "corrective revolution" that took the shape of a *coup d'état* against the democratically elected president Muhammad Mursi. On 3 July 2013, Egypt enthroned its Napoleon III, field-marshal 'Abd el-Fattah al-Sisi, later confirmed by a plebiscite-like vote.

In Tunisia, the Islamist *al-Nahda* party managed to avoid the fate of its Egyptian homologue only by accepting compromises on sensitive issues and eventually entering into a coalition government with secular parties.

These two cases show that the parliamentary majority won by the Islamists parties³⁷ signalled the voters' intention to reconcile the newly-acquired democratic freedoms with a conservative social outlook and the desire for stability. After such balance failed to materialize, the majority of Egyptian citizens endorsed the army's initiative to restore the old authoritarian stability, while Tunisians shifted their votes and, in the second post-revolutionary elections, gave the majority to a party (*Nidaa Tounes*) and a president (Beji Caid Essebsi) representative of the pre-revolutionary establishment.

The rise of conservative parties was also due to the weaknesses of their competitors. It has to be stressed that street protests were an explicit sign of the widespread disillusion toward long-standing opposition parties, seen as colluded with ruling elites and incapable of representing popular grievances. Most of them were small organizations acting like patronage networks, interested in mobilizing a given constituency in order to negotiate co-option within the regime's orbit. In this sense, the uprisings were not only an act of defiance towards the ruling elite but a vote of no confidence toward the whole political class, accused of being self-referential, corrupt and uninterested in tackling the problems faced by the citizens.

On the other hand, the aftermath of the uprisings saw the birth of a large number of new parties across the whole political spectrum, from the ultra-conservative Sala-

³⁶ Saïd Amir Arjomand, *The Arab Revolution of 2011 ... cit*, p. 13.

³⁷ The rise of the Islamists went beyond Egypt and Tunisia. In November 2011 an Islamist party (the Justice and Development Party) won the parliamentary elections in Morocco and, as we write (November 2016), leads the government in Rabat. Morocco experienced street protests since February 2011, but the monarchy was able to defuse the risk of regime collapse through an effective mix of repression and reform. In this context, the ascendance of the Islamists has not been given due attention by the scholars. On Morocco's neutralized revolution see Frédéric Vairel, *Politique et Mouvements Sociaux Au Maroc. La Révolution Désamorcée?*, Presses de Sciences Po, Paris 2014.

fis to the revolutionary leftists. It goes by itself that time was needed to build party infrastructures and establish grassroots networks of militants, therefore their poor electoral results - with some notable exception, as in the case of the Egyptian Salafi parties - did not come as a surprise. On a deeper level of analysis, however, parties were neither deemed as necessary nor - most of all - sufficient to realize the ideals of the revolution. Civil society organizations that had played an important role in the uprisings - such as the April 6th movement in Egypt - chose not to transform themselves into institutionalized political parties. Similarly, most revolutionary leaders did not engage in electoral politics. Mistrust toward formal politics was an integral part of the revolutionary ethos, and the belief that the ideals that animated the Arab Spring - freedom, dignity, social justice - could hardly fit into the programme of a conventional political party was deep-seated among protesters³⁸. In the absence of alternative and effective instruments of political representation, though, these choices brought revolutionary movements to a dead end.

5. The Arab Spring in a global perspective: the convergence of protest

Our analysis could end up endorsing, once again, the thesis of an Arab exceptionalism in relation to democracy, which does not hold in the face of a comparative perspective. It is «crucial to place the [Arab] struggles in a global context», writes Fawaz Gerges, since «there is no essential difference between contentious politics and forms of resistance in the “Middle East” or in the “West” but for the different social contexts in which people act»³⁹. If we look at the global context of 2010-11, the Arab Spring was part of - and gave a decisive impulse to - the first big wave of popular protests worldwide since the end of the Cold War⁴⁰. The list could include, between 2011 and 2014 alone, the Occupy Wall Street movement, the Gezi Park protests in Turkey, anti-austerity riots in Greece, the overthrow of president Blaise Compaoré in Burkina Faso, the Indignados movement in Spain, widespread anti-governmental marches in Brazil and the Maidan uprising in Ukraine, just to quote those that had a major resonance worldwide. It goes by itself that there are huge differences in terms of context, drivers and aims between these events. At the same time, they share a transnational culture of protest that has fundamental characters in common and is articulated in each situation according to local conditions⁴¹.

The fact that similar protests sprung across diverse political regimes recalls the

³⁸ Augusto Illuminati-Tania Rispoli, *Tumulti. Scene dal Nuovo Disordine Planetario*, Derive Approdi, Roma 2012.

³⁹ Fawaz A. Gerges, *Contextualizing the Arab Spring Uprisings: Different Regimes, Different Revolutions, and Different Trajectories*, in *Contentious Politics in the Middle East... cit.*, pp. 1-24(9).

⁴⁰ Thomas Carothers-Richard Youngs, *op. cit.*, pp. 5-6.

⁴¹ Among a growing body of literature on the subject see Anna M. Agathangelou-Nevzat Soguk (edited by), *Arab Revolutions and World Transformations*, Routledge, Oxon-New York 2013; Donatella Della Porta-Alice Mattoni (edited by), *Spreading Protest. Social Movements in Time of Crisis*, ECPR Press, Colchester, UK 2014.

first hypothesis of this article, and namely that the democracy-authoritarianism dichotomy appears nowadays much more blurred than it was perceived in the 1990s. Overall, popular protests display a marked disillusion towards liberal democracy as an effective model of governance in the era of globalization, calling into question its universal applicability⁴².

Democratic governments appear increasingly unable to address global forces that impose constraints on their policies - mostly in the field of economic policy-making - but are outside the scope of national decision-making. In a number of instances, democratically elected rulers have given the impression of being more accountable to international financial institutions than to their own citizens. The Arab Spring erupted when the Greek crisis was already manifest, and the latter certainly contributed to spread scepticism towards democracy across the Mediterranean.

Moreover, of the liberal-democratic couple, liberalism too is becoming the target of frequent challenges. The debate about the potential cultural variations of democracy is one of the great political issues of our times, although it often seems to be an elusive one⁴³. It is a fact, however, that liberal democracy is criticized on the basis of culturalist arguments and, even more, it is refused due to the fact that the only supposedly "liberal" policies experienced by non-Western societies have been the neo-liberal economic recipes imposed by the "Washington consensus". This is true, for instance, for the Arab world, where the effects of economic liberalization measures enacted since the 1980s were among the main triggers of the protests.

Therefore, although "freedom" (*hurriyah*) was one of the central slogans of the Arab Spring, it was not necessarily translated as democracy and even less as free market. Protests were primarily driven by anger towards the abuse of power for personal ends - read corruption - and a sense of lost dignity due to the daily humiliations suffered by citizens at the hand of the security services or the bureaucracy. Dignity in the face of an abusive power is another key driver of global protests.

The absence of unequivocal calls for liberal democracy does not imply that the masses that poured into the streets and squares of Arab capitals were indifferent to the authoritarian character of the regimes ruling over them. They simply wanted more than that. Democracy appeared as necessary but not sufficient to realize aspirations that were mainly linked to the socio-economic sphere and, more deeply, were aimed to regain an individual and collective power of self-determination. Most Arab countries that erupted in protest, as already said, had already experimented some form of democratic governance, without this translating into any improvement in the daily life of citizens. The strong emphasis protest movements placed on social justice raised the issue of the use of freedom: what is the usefulness of democracy, if it so easy to turn it into an instrument to legitimize an authoritarian order?

⁴² Christian Caryl, *The Age of Disillusionment*, "Foreign Policy", 11 January 2016, <http://foreignpolicy.com/2016/01/11/the-age-of-disillusionment/>.

⁴³ Richard Youngs, *The Puzzle of Non-Western Democracy*, Carnegie Endowment for International Peace, Brussels 2015.

The strong commonalities between the Arab Spring and the wave of global protests that has been gaining traction since the global financial crisis should not be understated. One useful framework for analysis in this regard is offered by the hypothesis of a global convergence of governance between “downgraded democracies” and “upgraded autocracies”. Francesco Cavatorta put it forth starting - not by coincidence - from an analysis of governance models in the Arab world.

Democracies [wrote the Italian political scientist in 2010] might be ‘meeting’ up with liberalized autocracies at a convergence point between democracy and authoritarianism where fundamental governance’s decisions are removed from popular and democratic decision-making. The most visible trait that both systems of government are displaying at the moment is the de-politicization of citizens. By this, ordinary citizens no longer actively participate in forms of institutional politics such as elections or membership of political parties and simply opt out. This does not mean that citizens do not engage in other forms of political engagement; it simply indicates that the institutions of the state are no longer the forum where politics takes place⁴⁴.

Seen from the perspective of Arab squares, the convergence of governance he hypothesizes is actually a convergence of protest across the spectrum of democratic and authoritarian regimes. This thesis should not be brought to extremes: there is still a significant qualitative gap between liberal democracies and autocratic regimes in terms of rights and welfare that citizens enjoy. However, this dynamic of convergence helps to explain, among other reasons, why 2011 did not resemble 1989. When the iron curtain fell across central-eastern Europe, the former Soviet republics were attracted towards Western liberal democracy and market-based capitalism almost by default, while prospective membership in the European Union offered an attractive and safe geopolitical docking⁴⁵. In 1989, an incipient unipolar system offered a clear horizon. In 2011, a world of converging trajectories proved much more confusing.

6. National revolutions, regional counterrevolution

What we have just stated about the “convergence” of global protest should not be misunderstood. We are not witnessing the opening up of a transnational space of contention where issues of global concern are debated and tackled. Transnational activism as a mass phenomenon emerged towards the end of the 1990s in the form of the “no-global” movement⁴⁶ but then narrowed to a network of global activists (environmentalists, human rights militants, etc.). The protests of our days are more localized in their concerns, although they often place the blame for local problems on wider global dynamics. Contentious issues tend to be framed in national, and most

⁴⁴ Francesco Cavatorta, *The Convergence of Governance: Upgrading Authoritarianism in the Arab World and Downgrading Democracy Elsewhere?*, “Middle East Critique”, n. 3 2010, pp. 217-232(3-4).

⁴⁵ Robert Springborg, *Whither the Arab Spring? 1989 or 1848?*, “The International Spectator”, n. 3 2011, pp. 5-12.

⁴⁶ The manifesto of the “no-global” movement was Naomi Klein, *No Logo: Taking Aim at the Brand Bullies*, Knopf Canada-Picador, Toronto-New York 1999.

often “nationalist”, terms. Anti-globalization criticism is somehow naturally brought to assume localistic attitudes as a defensive reflex. In this way, however, it falls into a vicious circle in which the emphasis on the local dimension gives the illusion of a shelter from the turbulent winds of globalization, but fails to provide solutions to problems that are inherently supranational. This offers an additional explanation of why right wing, nationalist and populist parties often reap the fruits of contemporary protest movements (as we have seen before in the context of the Arab Spring), while progressive and liberal parties are at pains espousing the claims raised in the squares.

In the context of the Arab uprisings, the nationalization of protest eventually played in the hands of ruling autocrats. The emphasis on sovereignty, authenticity and nationalism, which was part of the *répertoire* of popular protest, was easily appropriated by counterrevolutionary forces acting in the name of national unity and stability.

One could say that the Arab Spring has showed a clear contagion effect and has marked the emergence of a new Arab public sphere where critical knowledge is produced and information circulates freely. However, being located into a huge virtual arena, this public sphere appears atomized, saturated and, in the end, susceptible to manipulation⁴⁷. The ambiguous emergence of the Tamarrod movement in Egypt or the propaganda war played in parallel to the Syrian conflict are but two examples of the potential manipulation of the public sphere.

Opposed to a fragmented national-based protest movement was a counterrevolutionary front ready to use all of its hard power and material resources to stem the tide of insurrections. We tend to think of the Middle East as torn by a struggle for hegemony, but we should nonetheless keep in mind that there is a *de facto* alignment between all regimes in the region on safeguarding the authoritarian order⁴⁸. Despite the existence of bitter rivalries, a silent consensus on the need to repress any movement calling for the freeing up of political spaces and accountability is at the heart Middle Eastern politics⁴⁹. In this light, the exacerbation of conflicts at the regional level should be seen as the result of a deliberate regime strategy to export internal contradictions in order to consolidate the domestic front⁵⁰. The sectarian framing of such conflicts, moreover, is functional to an effort of de-politicization by governments fearing the empowerment of civil society and the widespread re-politicization the Arab Spring induced.

⁴⁷ Marc Lynch, *The Rise and Fall of the New Arab Public Sphere*, “Current History”, n. 776 December 2015, pp. 331-336.

⁴⁸ F. Gregory Gause III, *Beyond Sectarianism: The New Middle East Cold War*, Brookings Doha Center, Analysis Paper n. 11 July 2014 available at: <https://www.brookings.edu/research/beyond-sectarianism-the-new-middle-east-cold-war/>; Morten Valbjørn-André Bank, *The New Arab Cold War: Rediscovering the Arab Dimension of Middle East Regional Politics*, “Review of International Studies”, n. 1 January 2012, pp. 3-24.

⁴⁹ Such consensus goes beyond the boundaries of the Arab world, since both Iran (in 2009) and Turkey (in 2013) have witnessed large anti-governmental protests. Although for some time they presented themselves as ardent supporters of the Arab Spring, they did it only out of tactical considerations, reassured by the hope of an Islamist advance.

⁵⁰ Hicham Ben Abdallah El-Alaoui, *Surdit  Des Gouvernements Arabes*, “Le Monde Diplomatique”, n. 731 February 2015, pp. 22-23.

The downgrading of political struggles to an identity conflict has found fertile ground in the disillusion that pervades Arab societies due to the turns taken by the post-revolutionary transitions.

The development of ISIS from an Iraq-based insurgency to a regional entity must be understood in light of this mixture of disillusion and *repli identitaire*. The Organization of the Islamic State casts its project as revolutionary and promotes change through violence in a region where non-violent movements seem doomed to fail. It offers a radical ideological outlook and a clear horizon: the re-establishment of the Caliphate. It vows not to seize the institutions of extant states, but to remake them completely according to a new political form, the Islamic State. Its aims are not confined to a narrow national agenda. They are instead projected at the regional level through a transnational network of cells, affiliate organizations, and militants. In sum, ISIS promise to avoid the pitfalls that led to the hijacking of the Arab Spring and reverse its failures.

It is telling that Tunisia, the birthplace of the Arab Spring and apparently its last faithful disciple, is the Arab country that has sent the highest number of fighters, in relation to its population, to the lands of ISIS. There is a widespread perception among the youth of the Tunisian interior - the regions where the uprising began - that the only opportunity that the Arab Spring has created for them is «the freedom to act on their unhappiness»⁵¹. ISIS offers a way out of frustration to the disillusioned sons of the Arab Spring, and it should be stressed that despite the relevance of the phenomenon in absolute terms, it still attracts a tiny minority of Arab youths. ISIS will not be the future of the Arab world. On the contrary, it constitutes a regional security threat that allows authoritarian regimes to keep the *status quo* intact.

All of these regional dynamics can be observed, as a microcosm, in the Syrian civil war. While the revolutionary movements that spearheaded the uprising against the al-Asad regime failed to obtain substantial external backing, the country has been turned into the battlefield of a proxy war fought on the backdrop of a sectarian narrative. Influential circles within the Gulf countries backed the Islamist militias that gained the upper hand within the opposition front⁵². For its part, Iran supported the al-Asad government claiming it would prevent the birth of a Sunni tyranny. The Syrian conflict is much more complex than a sectarian proxy war, but seen against the backdrop of our analysis it shows how the strategy of counterrevolutionary regimes, at the level of regional politics, was based on two ingredients: violence and sectarianism. In fact, nothing could be farther from the essence of the Arab Spring - a series of peaceful, civil movements - than the brutal reality of a military conflict fought along ethno-religious lines. In this sense, Syria, not Egypt, represents the triumph of counterrevolution.

⁵¹ George Packer, *Exporting Jihad*, "The New Yorker", 28 March 2016, pp. 38-51, <http://www.newyorker.com/magazine/2016/03/28/tunisia-and-the-fall-after-the-arab-spring>.

⁵² For a historical background on Syrian jihadism see Charles R. Lister, *The Syrian Jihad. Al-Qaeda, the Islamic State and the Evolution of an Insurgency*, Hurst Publishers, London 2015.

7. Conclusions

Our attempt to frame the Arab Spring into a broader historical narrative is not necessarily comforting, nor does it lead to an optimistic assessment for the future. To remain on a sober note, it may be sufficient to recall that «twists, turns, false starts, and detours»⁵³ have characterize every phase of political opening in history. However vague it may seem, Morten Valbjørn's minimalist argument of a "re-politicized Arab world in transition to somewhere" still seems the best way to convey the open-ended nature of the processes set in motion in 2011⁵⁴. Overall, the diversification of each country's trajectory is likely to characterize the Middle East and North Africa for years to come.

Widespread political violence will be one of the defining trends of the future of Arab societies⁵⁵. Protracted warfare and state repression are narrowing the spaces of civil contention the Arab Spring opened up. Those who complain that the Arab Spring has brought an unprecedented degree of chaos in the region fail to recognize that most of the violence was sparked by the reaction of incumbent rulers - the ones previously granting the cherished stability - against peaceful civil protests. Regimes have chosen to exploit disorder on the regional stage in order to hide their own instability. The amount of violence that has been deployed is a sign of weakness, since it reveals the radical psychological overturning that has taken place with the Arab Spring: before 2011, citizens used to be afraid of regimes; they still are, but the reverse is also true. Regimes are afraid of their own citizens⁵⁶.

We have highlighted the inherent weaknesses of the protest movements and the relative ease with which counterrevolutionary forces appropriated revolutionary claims or simply suppressed them. The re-politicization engendered by the Arab spring has spread outside formal political institutions, but revolutionary movements have experienced how hard it is to steer change without access to the formal levers of power.

The current regional situation is more volatile than ever. We should avoid repeating the same mistake that led most scholars to miss the advent of the Arab Spring, namely an excessive focus on "high" political dynamics at the expense of underlying social realities. This led to depict as a static reality what was in fact a storm in the making. The idea of "stability", revered among Western policy circles but only based on the self-promotion of authoritarian regimes, proved misleading. One of the enduring lessons of the Arab Spring is that what seems to be a sustainable equilibrium can turn out to be a fragile suspension.

⁵³ Sheri Berman, *The Promise of the Arab Spring*, "Foreign Affairs", n. 1 January-February 2013, pp. 64-74(66).

⁵⁴ Morten Valbjørn, *op. cit.*

⁵⁵ Hamit Bozarslan, *op. cit.*

⁵⁶ Mishana Hosseinioun, *Reconceptualizing Resistance and Reform in the Middle East*, in *Contentious Politics in the Middle East...* *cit.*, pp. 51-74.

Lampedusa. Europe's Gateway

Francesco Strano

Abstract

In this work I deal with migrants' and asylum seekers' reception system on the Italian territory through the virtuous example of Lampedusa. The article aims to explore the restless work that has been created in recent years in the small island off the coast of Sicily following the socio-political situation in many Northern African and Middle Eastern countries that makes the intervention of humanitarian organizations more important than ever. Therefore I will try to provide as much as possible a detailed picture of the Italian reception system through the work that such organizations operating in Lampedusa carry on to support migrants needs. The essay does not want to be only a descriptive article, but wants to offer food for thoughts about the most effective measures for the protection of migrants' rights should be taken after the Khartoum process and the newborn Charter of Lampedusa, actions taken especially after the shipwreck of October 3, 2013 off the coast Lampedusa in which 366 people lost their lives trying to join Italian shores.

1. Introduction

Many researchers are dealing with the irregular migration flows from many angles, they often involve topics like security, invasion, terrorism, patrol of European frontiers, integration, reception politics, topics focused more on migrants stories and difficulties. Very few of them deal with this phenomenon from a very narrow point of view. For this reason, in this paper, I will try to highlight the 'irregular immigration' from a narrow aspect. Lampedusa.

I have chosen Lampedusa as the island at the centre of this problem, because of its strategic position in the middle of the Sicilian Strait. This seems to be a very important focus as I consider the island a small/big example of what has been happening at National and International levels when we talk about migration issues today.

From a geographical point of view, Lampedusa belongs to the biggest Italian region Sicily and is in the province of Agrigento. It is the largest of the Pelagic Islands, together with Linosa and Lampione. It covers an area of 20.2 km² and stretches from east to west for 10.8 km to 3.6 km wide. It is the most extreme outpost, a territorial space under Italian sovereignty and included in the geographic region of Africa, where the plaque is part of 113 km of separation from the Tunisian coast and 127 km from Sicily¹. This analysis is supported by interviews collected from operators working in Lampedusa together with migrants, and from my own experience on the island, having worked in the island for ten days following the organization of summer camps for the NGO Amnesty International; camps where issues of human rights were addressed.

¹ Elena Ricci, *Il dramma del Mediterraneo. Malta e Lampedusa, frontiere liquide, confini solidi*, Mimesis edizioni, Milano 2015, p. 40.

Before I continue with details on the island's studies, I would like to enlighten you with the Italian context of the phenomena.

2. The Italian context

Italy's geographical position on the map is so, that it has become since the 1990's a territory for migrants and asylum seekers coming and going without documentation, hoping for an easier and more comfortable lifestyle.

This phenomenon has grown in the recent years. In particular, the flow of people has grown tremendously in 2015, and the trend shows no signs of stopping in 2016. According to IOM data (International Organization of Migration), from the 1st January to 31st December 2015, an estimated 153,842 migrants and asylum seekers arrived in Italy by sea. From the 1st January 2016 to 10th February 2016, an estimated 5,898 migrants and asylum seekers were registered arriving in Italy².

As shown in the table 1 at the end of this article, every year there seems to be an increase in arrivals on the Italian shores. A number of irregular migrants and asylum seekers landed on the Italian coasts in 1997-2014. There was a decline recorded between 2009 and 2010 and this was due to the Government policies, (especially with the "Treaty of Friendship, Partnership and Cooperation"³ signed with Libya during the regime of Gaddafi), aimed to fight illegal immigration by strengthening border controls and rejections at sea, for which Italy was later condemned by the European Court of Human Rights. In 2011, once the Gaddafi regime collapsed and the Treaty of Friendship folded, the situation worsened with the outbreak of the so called "Arab Spring".

It must be stressed, especially the exponential increase from 2011, in parallel with the outbreak of the "Arab Spring", a total of 63 thousand migrants arrived on our shores in the first months of 2011. Between 2013 and 2014 the humanitarian crisis culminated in the shipwreck tragedy off the island of Lampedusa in which 366 people lost their lives. Following this tragic event, the Italian Government promoted the *Mare Nostrum* operation, military and humanitarian operations in the Mediterranean Sea overlooking the state of emergency in progress in the Strait of Sicily due to the exceptional migrants flow.

Initially, the landings increased in the early Nineties when the creation of the Euro-

² IOM, *Mixed Migration Flows in the Mediterranean and Beyond*, Compilation of available data and information, reporting period 4 Feb - 10 Feb 2016, p. 29.

³ By August 2008, the signing of a Treaty of Friendship and Cooperation between the Italian and Libyan governments ended a long-standing dispute over Italy's colonial responsibilities when the Italian Government agreed to pay reparations amounting to 5 billion of dollars in exchange for oil and a concerted effort of stop irregular migrants departing from Libyan soil. By the first anniversary of the Libyan Italian Treaty, the route had been effectively blocked and the Italian Minister of Interior Roberto Maroni extolled the virtues of the Italian and Libyan cooperation on irregular migration as a model for the whole of Europe. A. Triulzi, *Like a plate of spaghetti*, in *Long Journeys. African migrants on the road*, edited by A. Triulzi-R. Mc Kenzie, Brill, Leiden 2013, p. 215; Angela Lanza, *La storia di uno è la storia di tutti*, Iacobelli Editore, Roma 2014, p. 52.

pean Schengen common border restricted the parallel systems of visas for citizens of the so-called third world countries who previously had direct access without visas to the European countries⁴.

Landings in Italy increased especially with the migrations following the collapse of the Soviet Union, the war in the former Yugoslavia and the Balkan crisis where migrant routes from Albania and Montenegro were opened. These route destinations were in the Adriatic coast of Puglia. At this time, boats coming from Tunisia full of Tunisian civilians joined Sicily whilst other ships from Sri Lanka with passengers from Bangladesh, India and Afghanistan landed in Catania and the eastern coast of Sicily, and miles of refugees, mostly Kurds, Iraqis and Afghans reached Calabria or Puglia having left from the Turkish or Black Sea coasts⁵. Arrivals without any entry permission were initially received, examined by doctors and if possible, identified⁶. The authorities therefore granted temporary residence permits for humanitarian reasons to three categories of people, pregnant women or children under the age of six months, minors who arrive without a legal guardian and submissions of application for asylum or international protection. 2011 has been a crucial year. The "Arab Spring" in Tunisia and Egypt and the civil war in Libya that lead to the escape of thousands of migrants mainly from Sub-Saharan Africa, brought by force, created migration pressure towards the Italian shores. For months, in fact, the Italian government remained without institutional interlocutors, so that the boats were let go without impunity⁷.

During 2012 new variables came into play. The war in Syria produced an increasing number of refugees pouring over the Mediterranean according to the breakdown of the North African regimes. Therefore the percentage of asylum seekers from Syria increased, departing from Egypt, Turkey and Libya, together with sub-Saharan Africans fleeing away from Libyan shores' navigating to get to Europe. At the same time, the movement away from Eritrea and Somalia were growing relentless.

Libya shows the biggest amount of migrants as it presents, still today, a much more confused and uncertain political and institutional environment. The riots in Libya were mainly caused by political factors due to the rejection of the centralized power and the strong demand of greater public freedom. Then after the fall of Gaddafi, Libya

⁴ European Commission, "Schengen, Borders and Visa", 12 June 2015, available from: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/index_en.htm (accessed 13 July 2015).

⁵ F. Pastore- G. Sciortino- P. Monzini, *Schengen's Soft Underbelly? Irregular Migration and Human Smuggling across Land and Sea borders in Italy*, "International Migration", Vol. 44, n. 4, 2006; P. Monzini, *Sea Border Crossing: The Organization of Irregular Migration to Italy*, "Mediterranean Politics", Vol. 12, n. 2, 2007, pp. 163-184.

⁶ European Union Agency for Fundamental Rights (FRA), *Fundamental rights Europe's Southern Sea Borders*, Publications Office of the European Union, Luxembourg 2013, available from: http://fra.europa.eu/sites/default/files/fundamental-rights-europes-southern-sea-borders-jul-13_en.pdf (accessed 1 July 2015).

⁷ P. Monzini, *Recent Arrivals of Migrants and Asylum Seekers by Sea to Italy: Problems and Reactions*, Istituto Elcano, Madrid, 13 April 2011, available from: http://www.realinstitutoelcano.org/wps/portal/web/rielcano_en/contenido?WCM_GLOBAL_CONTEXT=/elcano/elcano_in/zonas_in/demography+population/ari75-2011#.Vg0vNiHtmko (accessed 23 July 2015).

suffered a power vacuum. Criminal groups and Jihadists benefitted from such instability and chaos taking control of migration flows and encouraging smuggling. Thus Libya is currently the country showing the highest number of migrants departing from its shores in the period 2013 - 2014⁸.

3. Lampedusa

In 2011 almost seven thousand people, two thousand more than the inhabitants of Lampedusa, invaded the island⁹. The government started to use the island as a place to relegate materially the “emergency landing”. This decision of the government to materialize the reception on such a limited area has turned Lampedusa into an island camp¹⁰. In such overcrowding conditions the island remained for more than two months with high-ranking levels of health emergency, security and support at both resident population and people from Africa in search of safety. As Lanza says: «They did not know where to go, could not move, they all lived on the streets [...] Only the people of Lampedusa handled the situation. They understood that they could be easily overwhelmed»¹¹. In those months, people had to seek shelter under the trucks and in all covered areas; the citizens of Lampedusa, baffled, start to collect clothes and food to support the mass of migrants; many were children and women, many of the latter were pregnant¹². The atmosphere was surreal, on the streets people asking for food, money, and information of what would become of them. Someone showed pictures of children left behind in their home country. They all stated that their only wish was to leave to find work. Many thanked the islanders for the reception. Moments of spontaneous meetings were created, with mixed football games and the religious community helped to create a wonderful atmosphere¹³.

Lampedusa has not always been an island equipped to welcome migrants. Following the geo-political upheavals of the Mediterranean, it underwent a process of evolution by providing more suitable centres for an initial welcome. In the second half of the 90s a former Air Force building adjacent to the airport runway, was used as a reception centre which in 1998 became officially a CPTA (*Centro di Permanenza Temporanea*)

⁸ P. Monzini, *Le rotte dei nostri migranti*, “LIMES Rivista italiana di geopolitica”, numero monografico *Chi bussava alla nostra porta*, n. 6/2015, p. 66.

⁹ Angela Lanza, *op. cit.*, p. 12.

¹⁰ With the Bossi-Fini law (that stipulates the accompanied expulsion to the border; one to four years of penalty for foreigners who stay illegally on the Italian territory; permission to stay granted only if migrants have an effective job, use of the Navy to hinder and ward off illegal immigrants) enter into force also the identification request. This forced migrants to stay longer in Lampedusa and when in February 2011 the wave of migrants greatly exceeded the number of the inhabitants of the island, Lampedusa for months was turned into a parking of people who did not have enough food and neither a roof to shelter. Angela Lanza, *op. cit.*, p. 19.

¹¹ *Ibid.*, p. 13

¹² *Ibid.*

¹³ *Ibid.*, p. 15.

nea) Centre of Temporary Stay and Assistance¹⁴. One year on a second important step occurred in 2006 when the new CPTA was opened and turned into a CSPA (*Centro di Primo Soccorso e Accoglienza*), Centre of First Aid and Reception. Their main role is to provide first aid to illegal aliens tracked down at the borders and assisting them, pending the determination of their legal status¹⁵. This new facility has a capacity of 381 places, expanding, if necessary to 804. It is located in Via Imbriacola near the city centre and provides, once inside, a courtyard where some prefabricated buildings house the offices of the international organizations UNHCR (United Nations High Commissioner for Refugees), IOM (International Organization for Migration) and Save the Children, in addition to these are the police, the infirmary and the rooms of migrant minors¹⁶.

Nine of these are the main structures of CSPA of Lampedusa, as shown in the satellite image available at the end of the article (see figure 1).

3.1 *Praesidium* Project, a tool to face migrants vulnerabilities

In recent years we have seen a relentless wave of arrivals of desperate people that feed the phenomenon of transferring human masses from one continent to another where Sicily, via Lampedusa, represents the neck of the funnel. The role of Sicily is the main pathway of illegal migrants who, starting from the North African countries and sub-Saharan Africa, take on the dangerous crossing to Europe.

Following the socio-political situation in many Northern African and Middle Eastern countries and the mixed composition of the increasing number of flows that makes the intervention of humanitarian organizations more important than ever, the *Praesidium* project was established in 2006. This project aims to strengthen the capacity of reception and services to the benefit of those who arrive in Lampedusa and elsewhere in southern Italy in the context of the so-called mixed migration flows. It is a multi-agency intervention model, according to which the organization partners assist various categories of people, on their rights and needs. These include: voluntary migrants, asylum seekers, foreign minors, victims of trafficking, and those who are in a particularly vulnerable situation because of their state of health, or of violence and trauma occurred in the origin or transit countries on the way to Italy. The four organizations involved are the IOM, Save the Children Italy Onlus, the UNHCR and the CRI (Italian Red Cross). They operate within their respective mandates, but also cooperate closely with the main Italian institutions in charge of the various aspects of the reception system and a number of other players involved in the management of migration flows¹⁷. In particular the four humanitarian organizations involved in this

¹⁴ Elena Ricci, op. cit., p. 46.

¹⁵ Ibid., p. 114.

¹⁶ Ibid., p. 121.

¹⁷ UNHCR, *Praesidium* Project, available from: <http://www.unhcr.it/cosa-facciamo/progetti-europei/progetto-praesidium> (accessed 10 August 2015).

project carry out tasks and roles in line with their mission:

“The Italian Red Cross” in particular takes care of migrants’ physical and mental well-being. Moreover it also provides information, accessibility and integration, and psychological support. The CRI is present through direct assistance, in the early detection of vulnerability of migrants on landing, at the stage of “first asylum” in the various centres and in the integration process.

“UNHCR” provides support to the responsible authorities in relation to access to the procedure of international protection, which represents a critical issue in the areas of landing. It monitors the reception conditions in the landing areas, also due to the lack of capacity of the reception system for asylum seekers that has often led to the prolonged stay in makeshift structures, often in conditions of detention.

“IOM” provides legal assistance to migrants arriving by sea, supporting the regulatory authorities in identifying vulnerable cases, victims of trafficking, asylum seekers and unaccompanied minors by notifying the Italian authorities responsible and ensuring their access to mechanisms of protection under the existing law.

“Save the Children” aims in general to strengthen the protection of foreign minors who arrive in Italy by sea, whether alone or accompanied by parents. In particular, operators of Save the Children (usually a legal operator and a cultural mediator) intervene in the transactions immediately following the landings, informing migrants of pressing matters, ensuring that unaccompanied children are identified as such and providing in other cases that the family unity is preserved. Save the Children provides information about rights and duties for unaccompanied children, as well as regarding the risks of human trafficking and serious exploitation and international protection, through individual interviews and group information sessions; it also provides legal assistance to cases that require specific interventions (for example, minors wrongly identified as adults or children in particularly vulnerable situations whom they refer to the relevant departments)¹⁸.

In the last months I have collected testimonies from people and humanitarian workers involved in the *Praesidium* project. In particular, I found interesting a testimony of an operator as it shows the great work being done day-by-day, taking care of and supporting migrants. A testimony which I decided to include in this article:

I assist in dealing with the legal rights to those arriving in Italy and I explain to them what their legal rights and duties are for anything they may need help with whilst they are preparing their transitional period.

This week I talked with two pregnant girls who arrived at the centre, and explained the options offered to them and whether or not they wanted to go ahead with their pregnancies. The two girls decided to go ahead with an abortion due to them both having suffered an ugly gang rape in Libya. More and more I realise that this is what I want to do in my life. It is a profession that overwhelms me with sadness and joy in many moments.

One day, during one of our landings, we were handing out blankets to some newcomers. They

¹⁸ Ministero dell’Interno italiano, *Praesidium IX 2014 Activity*, available from: http://www1.interno.gov.it/mininterno/export/sites/default/it/assets/files/28_2014/2014_04_07_scheda_progettuale_PRAESIDIUM_IX_2014.pdf (accessed 22 may 2015).

were a group of freezing cold children. I went up to them with some blankets and put these over their shoulders. Well, guess what happened a few days later? We were sitting at a table ready to eat the food being offered to us, and I saw the children also sitting at the table, when suddenly they all got up and came over to me, I didn't understand why they were doing this at first and as they could only speak their native tongue 'Tigrinya' they began to make sign language and gestures so I would understand what they were saying. They were thanking me incessantly for having put the blankets around their shoulders and keeping their frozen little bodies warm. Something, that for me was the most natural and obvious way to help those poor and lost souls having spent 5 days in the bitter and icy seas.

I have explained the major measures taken at local levels on the island of Lampedusa, together with the assistance given to the migrants who arrived on its shores after several months of grueling and torturous travel. Journeys are frequently interrupted in the middle of the Mediterranean Sea by breaking thousands of lives. Therefore, over the years, from 2005 onwards it has felt the need, especially after striking facts that have shaken public opinion, to undertake a more efficient cooperation between European States and African countries in the fight against illegal immigration and illegal human trafficking. Therefore, in this section I will give a general outlook of the most effective measures according to my own opinion for the protection of migrants rights and human rights that were especially adopted after the events of October 3, 2013 off the coast of Lampedusa. I will talk about the processes in Rabat, Khartoum and the newborn Charter of Lampedusa.

As we have noticed, the EU plays a very important role in the external dimension of migration and asylum policy. The EU's Global Approach on Migration and Mobility (GAMM) aims at presenting a comprehensive and coordinated strategy to address irregular migration and human trafficking on the one hand, and to manage migration and asylum through cooperation with third countries (origin and transit) on the other¹⁹. With regard to Africa, GAMM comprises dialogue frameworks on three levels: on the continental level, it establishes a dialogue with the African Union through its declaration of the fourth EU-Africa Summit of 2-3 April 2014²⁰ and the respective Action Plan 2014-17. For the 2014-2017 period, the summit agreed that the implementation of the Africa-EU Joint Strategy JAES²¹ shall focus on the following priority areas: 1. Peace and Security, 2. Democracy, Good Governance and Human Rights, 3. Human development, 4. Sustainable and inclusive development and growth and continental integration, 5. Global and emerging issues. For each of these objectives, a

¹⁹ Marie Martin, *The Global Approach to Migration and Mobility: The State of Play*, "Statewatch Analyses", n. 06/13, February 2013.

²⁰ *Fourth EU-Africa Summit Declaration*, Brussels, 2-3 April 2014, available from: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/142096.pdf.

²¹ The Joint Africa-EU Strategy (JAES) was launched at the Africa-EU Summit in Lisbon in 2007 and sets out the intention of both continents to move beyond a donor/recipient relationship towards long-term cooperation on jointly identified, mutual and complementary interests. It is based on principles of ownership, partnership and solidarity and its adoption marks a new phase in Africa-EU relations. (European Commission, Joint Africa-EU strategy. Available from: https://ec.europa.eu/europeaid/regions/africa/continental-cooperation/joint-africa-eu-strategy_en (accessed 12 December 2015).

number of actions have been identified at interregional, continental or global levels, which are expected to have a real impact on the people of both continents. It is important to note that these actions come in addition to cooperation at country and regional levels²². On the regional level, the EU has a policy dialogue with the countries along the western migratory route, the Rabat Process (initiated in 2006), and the eastern migratory route, the Khartoum Process (initiated in 2014). Furthermore, several bilateral agreements with Morocco, Tunisia, Cape Verde and Nigeria include specific projects on topics of migration and mobility.

3.2 The Rabat and Khartoum Processes

The Rabat Process was launched in 2006, as a direct consequence of the fatal shooting of 11 migrants at the border fences of the Spanish enclaves of Ceuta and Melilla at the end of September 2005, which came as a shock to the European public opinion²³. The process convenes governments of 55 countries in Europe and in North, West and Central Africa²⁴, together with the European Commission and the Economic Community of West African States (ECOWAS). A steering committee was set up, composed of Belgium, Burkina Faso, Equatorial Guinea, France, Italy, Morocco, Senegal, Spain, the EC and the ECOWAS Commission²⁵.

The aim of the Rabat Process is to establish a framework for dialogue and consultation within which concrete and practical initiatives can be implemented. It not only focuses on preventing and reducing illegal migration, but also aims at improving legal migration and promoting the connections between migration and development. Also, the Rabat Process is comprehensive with regard to participating countries. Specifically, the participation of Sub-Saharan countries - and hence the countries of origin of many migrants - is noteworthy. The Rabat Process constituted a new approach to the external aspect of European migration policy. Before the Rabat Process, European external migration policy focused merely on bilateral agreements²⁶.

The Khartoum Process is a framework between EU Member States and countries in the Horn of Africa region to pursue concrete projects in the field of migration. In its

²² EU Africa Summit, *Fourth EU- Africa Summit 2-3 Roadmap 2014-2017*, April 2014 Brussels, p. 2.

²³ Michael Collyer, *Migrants as Strategic Actors in the European Union's Global Approach to Migration and Mobility*, "Global Networks", Vol. 12, n. 4, 2012, p. 506.

²⁴ European countries: Austria, Belgium, Bulgaria, Cyprus, Croatia, Czech Republic, Denmark, Germany, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom. African countries: Benin, Burkina Faso, Cabo Verde, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Liberia, Mali, Mauritania, Morocco, Niger, Nigeria, Senegal, Sierra Leone, Togo, Tunisia.

²⁵ Rabat Process, *Euro-African Dialogue on Migration and Development*, October 2013, available from: http://www.icmpd.org/fileadmin/ICMPD-Website/Rabat_Process/Rabat-Process_2014.pdf (accessed 17 February 2016).

²⁶ Maximilian Stern, *The Khartoum Process: Critical Assessment and Policy Recommendations*, "IAI Working Papers", 15/49, December 2015.

design, it is inspired by the 2005 Rabat Process of the EU with West African states. However, it differs substantially from its sister process, by integrating regimes such as Eritrea and Sudan that are otherwise considered outlaws in the international community²⁷.

The Khartoum process was symbolically born after the tragedy of Lampedusa in October 2013. Its main goal was a more efficient and better management of migration flows through the promotion of projects aimed to strengthen the institutional ability of those origin and transit countries. Just as the Ceuta and Melilla incidents forced the EU to become active on its western migratory route and initiate the Rabat Process, the Khartoum Process had its own historical momentum. In 2014, several major migrant boat tragedies took place on the central Mediterranean migratory route, one of the most dire having occurred at the beginning of September, when around 500 people were missing after a migrant boat capsized near Malta²⁸. The Italian Ministry of Foreign Affairs decided to seize the opportunity afforded by having the EU Presidency for the second half of the year and by hosting the Rabat Process Ministerial Meeting in Rome on 28 November 2014. Within only two months, it managed to reach out to European and African partner countries, hold a senior officials meeting in Khartoum on 15 October 2014 and prepare a declaration on what was to become the Khartoum Process. On 28 November 2014, Ministers of the 28 EU Member States and Eritrea, Ethiopia, Somalia, South Sudan, Sudan, Djibouti, Kenya, Egypt and Tunisia, as well as the European and African Union Commissioners in charge of migration and development and the EU High Representative, and observers from Switzerland and Norway gathered in Rome to launch the EU-Horn of Africa Migration Route Initiative - also dubbed the Khartoum Process. The process aimed at establishing a long-term strategy «to tackle the emergencies, to deal with the dramatic conditions of people who put their lives at risk to try to find a better future, to work with countries of transition and to fight migrant smuggling. But [also] to tackle the root causes of irregular migration: poverty, conflicts, lack of resources»²⁹. This means that the Khartoum Process is supposed to target the eastern and central Mediterranean migration routes, as well as the situation in countries of origin. The short (five-page) declaration³⁰ produced by the meeting names ten key areas for cooperation between the European and African states: 1. Tackling irregular migration and criminal networks. 2. Building local capacities in the field of migration management. 3. Setting up measures to prevent irregular

²⁷ Ivi.

²⁸ IOM, *IOM Investigates Reports of Deliberate Drowning of 500 Migrants in Mediterranean*, 16 September 2014.

²⁹ European Commission, *Remarks by Frederica Mogherini, EU High Representative on Foreign and Security Policy, and Dimitris Avramopoulos, Commissioner for Migration, Home Affairs and Citizenship on the conferences for the Rabat Process and the Khartoum Process*, Rome, 28 November 2014, available from: http://europa.eu/rapid/press-release_STATEMENT-14-2251_en.htm (accessed 20 July 2015).

³⁰ *Declaration of the Ministerial Conference of the Khartoum Process*, Rome, 28 November 2014, available from: http://www.esteri.it/mae/approfondimenti/2014/20141128_political_declaration.pdf (accessed 21 February 2016).

migration. 4. Establishing national strategies to address trafficking in human beings and smuggling of migrants. 5. Assisting in improving identification and prosecution of criminal networks. 6. Improving or establishing criminal law frameworks and fostering the ratification and implementation of the Protocols against Smuggling of Migrants and Human Trafficking. 7. Promoting a victim-centered approach. 8. Promoting sustainable development in countries of origin and transit in order to address the root causes of irregular migration. 9. Developing a regional framework for return. 10. Assisting the participating countries in establishing and managing reception centers, providing access to asylum processes.

Until today, the Khartoum Process has seen two steering committee meetings; the most recent one on 23-24 June 2015 in (Sharm-el-Sheik) on the level of senior public servants³¹. In this meeting, rules of procedure and administrative issues were discussed. But also, first project proposals by European and African sponsors were presented. These first projects will mainly take place in the field of fighting smuggling and human trafficking (training of police units, implementation of conventions) and in the field of prevention (providing information on the dangers of migration to Europe). The projects will mainly serve as a test of how well the cooperation between the European and African actors is working, rather than expecting a high impact on migration. On 27 July 2015, the German broadcaster ARD reported it possesses “negotiation documents” on the Khartoum Process and quoted three concrete projects: Sudanese officials are to be trained in “migration management,” South Sudan’s “border management” should be improved and a “training centre” at the Cairo Police Academy is to be established³². It is so far unclear whether those projects will actually be implemented under the Khartoum Process and whether there are other projects under consideration. But this selection would certainly go along with the priorities specified in the declaration. It was expected that concrete projects would be officially presented at the Valletta summit on migration on 11-12 November 2015³³. However, those hopes were not fulfilled. While a political declaration and an action plan were agreed upon, a follow-up and concrete steps on the implementation of these documents within the Khartoum Process were scheduled for a meeting «to be organised by end 2015»³⁴.

³¹ Council of the European Union, *Sharm El Sheikh Plan of Action - Steering Committee meeting of the EU-Horn of Africa Migration Route Initiative (Khartoum Process)*, Sharm El Sheikh, 23-24 April 2015, available from: <http://statewatch.org/news/2015/sep/eu-council-khartoum-plan-of-action-04-2015.pdf> (accessed 8 October 2015).

³² Andreas Thenhaus, *EU will bei Fluchtursachen intensiv mit afrikanischen Diktaturen kooperieren...*, “DasErste.de”, 23 July 2015, available from: <http://www1.wdr.de/daserste/monitor/extras/monitorpresse-fluechtlinge-100.html>.

³³ Council of the European Union, *COREPER Orientation Note - Valletta Conference on Migration (Malta, 11-12 November 2015)*, 30 June 2015, available from: <http://www.statewatch.org/news/2015/jul/eu-council-november-015-migration-valletta-conference-orientation-debate-10387-15.pdf> (accessed 30 November 2015).

³⁴ Id., *Action Plan - Valletta Summit on Migration*, 11-12 November 2015, available from: <http://www.consilium.europa.eu/en/press/press-releases/2015/11/12-valletta-final-docs> (accessed 30 November 2015).

3.3 The Lampedusa Charter

Another important point I would like to bring to light is for the preservation and protection of migrant rights and human rights. The Lampedusa Charter, a charter that was written on the waves of emotion after the events of the 3 and 11 October 2013 that were also dictated and reflected on heavily, and which is happening before our eyes and can no longer be kept closed³⁵. The Lampedusa Charter derives from migrants attempting to avoid illegal immigrant status, to find a regular paid job and to ask for a citizenship that unfortunately, in any case is being denied. This calls for a common process of change and a new place of rights for all and does not discard the heritage of struggle and solidarity of recent years but to live a new Euro-Mediterranean present and to bring together a united Europe³⁶. The Lampedusa Charter has been developed after extensive work by a large group of associations and more than 4500 activists³⁷. It is a text which should be read in full, in order to appreciate the effort made to define, on the one hand, the principles related to the right to move from the place of origin to build up a new life elsewhere (but also the right to remain in one's own home without having to flee from persecution or other forms of oppression), and on the other hand the choices to be held to make those rights effective. It is impossible to summarize all the points made by the Charter, which is a long text and also designed with the intent to take stock of what actually is the reality of migrants but more generally of human rights. I would merely draw attention to some aspects pointing out that the party proposing is undoubtedly radical: It aims to close all detention centers, to eliminate all border and people control programs (Eurosur, Frontex etc.) and of those regulations that severely affect the freedom of movement, the Schengen Agreement and the Dublin Regulation for instance. They are not goals easy to reach in a short time, but having them in mind it is important to guide the field in the right direction. Too often the focus has been addressed on wrong and not the central points.

The first aspect that I think is important, is that Lampedusa Charter affirms the right to freedom of movement, that in all these years of great discussion around the issue of migration has never dared to face. It was accepted as a fact the idea that the movement, and then the inputs in different countries, should be limited and subjected to economic gain. The right to move is actually recognized to those who held a passport (citizens of the richest countries) and then faded, until it reaches zero, depending on national origin and wealth. Therefore, it is true that there have always been rules on access to residence and citizenship, but these should be coordinated with the human

³⁵ Angela Lanza, op. cit., p. 105.

³⁶ Ibid., p. 127.

³⁷ Among the participants, can be mentioned some of the most important and known organizations: Terres des Homme, Asgi, CGIL, Copse, CIPSI, Arci, Libera, Un ponte per..., Antigone, Archivio Memorie Migranti, i missionari Comboniani, L'altro diritto, Asinitas, LasciateCIE entrare, European Alternatives, Diritti per tutti. Ministero del lavoro e delle politiche sociali, *Le associazioni approvano la Carta di Lampedusa sui diritti dei migranti*, available from: <http://www.integrazionemigranti.gov.it/Attualita/News/Pagine/Carta-di-Lampedusa.aspx> (accessed 5 March 2016)

right to freedom of movement, especially in a world that is getting smaller for the increasing ease of movement³⁸.

The second important aspect, linked to the first, is the request, contained in the Charter of Lampedusa, to release the freedom to stay in the host country for the performance of an occupation and authorized on the basis of the needs of the local labor market. In other words it comes to applying an inviolable principle and right: the freedom to choose where to live, a right has not to be subjected to the market labor request.

Third point worth special attention: the Charter claims the need to recognize equal rights to all persons within Europe regardless of their nationality, and the immediate recognition of the need for a European citizenship based on *ius soli*³⁹. But then it goes further by suggesting the need to develop new ways of relating between people and institutions, basing them on residency rather than nationality. When that happens, we can really say to live an important collective progress⁴⁰.

The Rabat and Khartoum processes and the Lampedusa Charter are just three examples of how the need and the desire to create safer, physical and bureaucratic channels that may allow those who decide to flee their homeland to find a safe place of refuge or to start from scratch. One of the key points seems to be to create a fertile ground to allow a total and fast integration. As Alessandro Triulzi asserts, to make sure integration would be more efficient and effective, it should enable a system of monitoring and evaluation of services aimed at social accommodation in the territory; at the same time, initiatives should be taken to update and career guidance in favour of the refugee population to facilitate the meeting between demand and supply of labour. Last but not least, there is the need to ensure better governance of interventions between national and regional situation. Governance that can lead to the identification and enhancement of specific structures at regional and central levels having the task of coordinating activities in the field of asylum.

Therefore more open reception centres able to turn up a healthy and balanced integration process are necessary to provide for migrants, who want to build up a new life outside their own country, an ideal background where a real integration is possible⁴¹.

³⁸ Angela Lanza, op. cit., p. 105.

³⁹ Art. 1, comma 2, Law n. 91/92, Citizenship by birth on Italian territory (*ius soli*). Acquires Italian citizenship: - Person whose parents are unknown or stateless, or not transmit their citizenship to their son under the law of the State of which they are citizens; - The child of unknown parents who is found abandoned in Italian territory and where is impossible to determine the citizenship.

⁴⁰ Ibid., p. 164.

⁴¹ A. Triulzi, *Persone migranti. Respingere, differenziare, integrare: e se cominciassimo ad ascoltare?*, in *La guerra ai confini d'Europa. Incognite e prospettive mediterranee per l'Italia*, a cura di Emidio Diodato-Federica Guazzini, Carocci, Roma 2014, p. 242.

4. Conclusion

To conclude I wanted to report my personal experience during the fourth summer camp organized by Amnesty international Italy in Lampedusa in which I took part in July 2014.

Amnesty International is among the organizations, which attempt to support and contribute to migrants/refugees' conditions. Amnesty International requests in particular to the European Union that people should be protected more than borders. More specifically:

- Member States commit themselves to undertake joint action to rescue people in distress at sea, ensuring their safe landing in a country where their human rights will be adequately protected.

- To end the detention of migrants as a means of managing migration, promoting alternatives that protect the rights of migrants, especially children and other vulnerable groups.

- Human rights of migrants, refugees and asylum seekers should be a priority, in particular by enhancing programs of resettlement, humanitarian admission and reunification with extended families.

- The European Union and the member States must commit themselves to ensure that any activities conducted by the European Frontex, including checks and border patrol, taking account of human rights⁴².

In my opinion one of the best tools used by Amnesty Italy are summer camps that are organized every year in Lampedusa for anyone who would like to be more involved in human rights issues. Their main objective is to raise awareness among young people about issues related to the relationship between immigration and human rights. The main activity of the summer camp is the realization of "mobilization" that is organized and studied through different workshops. Its main goal is to demonstrate and raise awareness among European governments about the need to undertake policies in favour of migrants, asylum seekers and refugees; policies that respect their fundamental rights.

The summer camp was therefore an intense laboratory of ideas that allowed, after days of preparation, to give birth to the first yachting for Human Rights. From Lampedusa we symbolically addressed the European leaders and asked them to put people before borders, to stop the suffering and deaths at the border of Europe. During the summer camp in Lampedusa I had the opportunity to encounter people who have survived the crossing from North Africa to Lampedusa. I consider their stories essential in order to give voice to those who have lived and continue to live the reality of the crossings of hope.

Salim is one of these guys. He says that he escaped from Nigeria where he suffered

⁴² *SOS Europa, prima le persone poi le frontiere*, available from: <http://www.amnesty.it/sos-europa> (accessed 28 November 2015).

persecution and discrimination:

I lived in Libya and arrived here in Lampedusa four years ago, [he says] I walked more than 40 kilometres, for more than four days without shoes. I left the North of Nigeria, crossing the border with Niger. Alone, confused, without hunger or fatigue, the only thought was to go ahead. Arrived in Niger, I did not know anyone and I was confused.

He keeps telling us that he had moved from Niger to Libya, where he lived for two years. He was alone, without his family and without his friends.

In Libya, I had the feeling of not being able to decide my life. I felt a wall inside me, a wall that I could not break down. This wall was my pain, that I felt inside; I had a pain that I didn't show, but that I pick up inside me... Now I think I have no fear of anything. I've seen a lot of bad things: I experienced violence, I have seen people die in the Mediterranean, I am not afraid of anything. I ask only to die in a calm manner, without violence. For this I am not afraid. I always look for a way to tell others what actually means "life"⁴³.

In the picture available at the end of this article (see figure 2), a brief moment of mobilization organized by Amnesty Italy during the summer camp in 2014 in Lampedusa asking European leaders to put human rights at the core of their policies and practices on asylum and immigration issues, in a few words to put people before borders⁴⁴.

⁴³ Salim Testimony, author's translation from Italian to English (author present during this interview). The interviewee's name has been changed to guarantee anonymity. <http://campi.amnesty.it/2014/?p=220>.

⁴⁴ Amnesty International Italy, Summer camp mobilization, Lampedusa, July 2014, available from: <http://campi.amnesty.it/2014/?p=252#more-252> (accessed 31 June 2015).

Appendix

Table 1. Number of migrants landed and asylum seekers in Italy. Years 1997 - 2014

Anno	N migranti sbarcati	Richieste di asilo	Richieste esaminate*
1997	22,343	2,595	2,209
1998	38,134	18,496	5,066
1999	49,999	37,318	11,838
2000	26,817	24,296	36,776
2001	20,143	21,575	17,610
2002	23,719	18,754	21,552
2003	14,331	15,274	13,441
2004	13,635	10,869	9,446
2005	22,939	10,704	14,052
2006	22,016	10,026	14,254
2007	20,455	13,310	21,198
2008	36,951	31,723	23,175
2009	9,573	19,090	25,113
2010	4,406	12,121	14,042
2011	62,692	37,350	25,626
2012	13,267	17,352	29,969
2013	42,925	26,620	23,634
2014	170,100	64,886	36,330

* esaminati nell'anno, indipendentemente dalla data di richiesta asilo

Source: data processing by Ismu on data from the Ministry of Interior, Department of Public Security, Central Directorate for Immigration and Border Police; and the National Commission for the Right to Asylum, available from: <http://www.ismu.org/irregolari-e-sbarchi-presenze/>

Figure 1. CSPA Lampedusa



Source: personal editing from Google Maps, available from: <http://maps.google.it> (Url accessed 20 February 2016) based on informations provided by operator working within CSPA of Lampedusa who preferred to keep his identity anonymous. Personal interview with CSPA worker of Lampedusa. Author's translation from Italian to English (February 2016).

1. Control station manned by soldiers of the Italian army. It is used to control access and exits to and from the Center First Aid and Reception of Lampedusa.
2. UNHCR's, IOM's, Save the Children's offices.
3. Area used as the temporary stop of the guests waiting for the approval procedures and visits from the doctors after landing operations.
4. Outpatient and administrative offices. In particular, the ground floor is reserved to the clinic and administrative offices, while the first is reserved for people with infectious diseases (scabies in the majority of cases).
5. A Kitchen for guests and for the medical staff of the Centre.
6. Accommodation for adult male guests.
7. Accommodation for pregnant women guests.
8. Accommodation for pregnant women and minors.
9. Police Offices and Forensic department.

Figure 2. "People Before Borders" Amnesty International Italy mobilization. Lampedusa 2014



Source: Ph. Riccardo Garofalo/ Amnesty International

Abbreviations

ARD: Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland - Consortium of public broadcasters in Germany.

CPTA: Temporary Stay and Assistance Centre.

CRI: Italian Red Cross.

CSPA: First Aid and Reception Centre.

ECOWAS: European Commission and the European Community of Western African States.

FRONTEX: European Agency for the Management of Operational Cooperation at the external border of the EU Member States.

GAMM: Global Approach on Migration and Mobility.

IOM: International Organization of Migration.

JAES: Africa EU Join Strategy.

UE: European Union.

UNHCR: United Nation High Commissioner of Refugee.

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Models of citizenship, legal rights and participatory processes

Daniilo Turco

«If political rights are necessary to set social rights in place, social rights are indispensable to make political rights “real” and keep them in operation. The two rights need each other for their survival; that survival can be only their joint achievement»¹.

Abstract

Citizenship as a mere legal concept is too narrow for modern democratic society, from the point of view of both citizens and regular non-citizens. Therefore, the concept of Participatory Citizenship can be also viewed as participation in civil society, community and/or political life, characterized by mutual respect, non-violence and in accordance with human rights and democracy. This article describes a few models of citizenship (liberal model of citizenship, communitarian model of citizenship, civic republican model of citizenship, critical model of citizenship), it also analyses six ideal-types of Transnational Models of Citizen Participation (participatory democracy, proximity democracy, participative modernization, multi-stakeholder participation, neo-corporatism, and community development) which are developed through the concept of “participatory budgeting”. These models are useful in understanding the background and the impacts of civic engagement and democracy from a transnational point of view. The text underscores the high dynamism of the phenomenon of migration and the relevance of migrant integration examining some integration patterns analysed by the SCIP project (Socio-cultural integration processes among New Immigrants in Europe) and also highlighting how immigration and citizenship policy is influenced by data and selection of representative pieces. This article analyses also some ideal-types of citizenship from the newcomer point of view (imperial model, folk or ethnic model, republican model, multicultural model and transnational model), the category of *denizen*, the model of Post-national citizenship and the idea of integration as a sociological concept for social cohesion in societies and the integration of immigrants. Lastly, an analysis concerning the “device” of the European Citizens’ Initiative (ECI) shows a particular but largely overlooked set of assumptions concerning what can be relevant when addressing EU democracy and citizenship.

1. The limited definition of legal citizenship

Citizenship, from a legal point of view, concerns a set of legal rights and obligations assigned to persons by the State of which they are citizens. These persons have the citizenship of this State. The legal definition of these rights and obligations draws attention to the relationship between the citizen and the State. Such a description is considered too limited from the point of view of modern democratic societies. It occurs for several reasons:

- the recognition of legal rights is insufficient to move societies toward an effective equality for all citizens.
- The acquisition and the protection of citizenship require constant monitoring whi-

¹ Zygmunt Bauman, *Living on Borrowed Time: Conversations with Citlali Roviroso-Madrado*, Polity 2009, p. 41.

ch should be carried out by citizens. The legal definition of citizenship rights does not guarantee these processes.

- State obligations upon its citizens might not be legally stated and they might refer to citizens' perceptions of norms.

- State-citizen interactions neglect relationships between citizens and the associations created by them. Associative life and participation in civic and political life legitimize democracy and ensure the accountability of the state.

- The legal concept of citizenship does not concern persons residing within the territory of a specific State without being its citizens².

Globalization and "translational migration"³ (Stoker et al. 2011) defy the theories, which were developed in the nineteenth century, focusing on the rights and responsibilities of persons in relationship with the State. According to these theories, such rights and responsibilities are considered important concepts of nationality and nowadays, these doctrines are still used by scholars. Marshall (1950)⁴ emphasized the need for three types of rights: «civil rights (equal, legal rights offering an individual justice and freedom), political rights (the right to influence decision-making, such as through voting and standing for public office), and social rights (access to opportunities that support the first two rights, such as health care and education)»⁵. All these dimensions are highlighted by European Union Law.

According to Marshall, many rights connected with citizenship bestow «legal opportunities»⁶ to create voluntary associative organizations to participate in political life. However, they do not guarantee «a system of government in which every citizen's voice is properly heard. (Cited in Westholm et al. 2007)»⁷. Because of several inequalities, preventing the enjoyment of a large number of rights by a lot of people, Marshall coined the notion of "effective citizenship"⁸ as the «extent to which citizens could actually realize citizenship or the expected social norms regarding civil, political and social rights (Westholm et al. 2007, p. 5)»⁹. According to Westholm¹⁰, this concept moves the notion of citizenship from the legal into the sociological sphere. The concepts of "Active Citizenship or Participatory Citizenship"¹¹ highlight this shift, emphasizing action and the agency of citizens as actors with respect to policies.

Another negative aspect concerning the legal definition of citizenship is its focus on

² See Bryony Hoskins-Hermann Abs-Christine Han-David Kerr-Wiel Veugelers, *Contextual Analysis Report Participatory Citizenship in the European Union Institute of Education*, Report 1 European Commission, Europe for Citizens Programme, Submitted 10th May 2012, Commissioned by the European Commission, Europe for Citizens Programme, Brussels Tender No. EACEA/2010/02, p. 6.

³ *Ibid.*, p. 7.

⁴ *Ivi.*

⁵ *Ivi.*

⁶ *Ivi.*

⁷ *Ivi.*

⁸ *Ibid.*, p. 8.

⁹ *Ivi.*

¹⁰ *Ivi.*

¹¹ *Ibid.*, p. 9.

«citizens' rights afforded by the state, as opposed to citizens' obligations to the state»¹². All EU member States oblige citizens to pay taxes, but it is not a legal requirement to vote in all European States.

The obligations range from expected participation in formal politics, political civil society action, and action to support the community. The importance of these forms varies according to the civic norms of the analyzed country. Nevertheless, the operation of a democratic system - both from the points of view of the government's legitimate right to rule and the guarantee that the opinions of each group are taken into consideration - requires participation of citizens «through the formal political system and through civil society actions»¹³. In the short-term, people's understanding of norms is essential to legitimize democratic systems; however, the rate of citizen participation is a key issue with respect to the long-term sustainability of democracy. Legal rights and institutions alone are insufficient for a thriving democracy (Honohan 2002). Vibrant democratic governments depend on «the civic virtues and engagement of their citizens (Putnam 2000, 1993; Almond and Verba 1963; De Tocqueville 1863)»¹⁴ both inside and outside the political system, in order to monitor the process and to create or oppose change (Crick 2003)¹⁵. Therefore, the concept of citizenship should include a focal point on citizen participation in political processes and should emphasize the concepts of individual «action»¹⁶ and «intent to influence (Verba and Nie 1972)»¹⁷ the processes of decision making.

2. Models of citizenship

Four competing models of citizenship have been developed in the literature: the liberal model of citizenship; the communitarian model of citizenship; the civic republican model of citizenship; and the critical model of citizenship.

2.1 The liberal model of citizenship

In the liberal model of citizenship¹⁸, called "thin democracy"¹⁹, citizen involvement in public life is minimal and it is not compulsory. It is mainly «enacted through the vote (Carpini and Keeter 1989)»²⁰. In this model, electoral choices are often made by a small number of «reasonably minded parties»²¹, the government mandate tends to

¹² Ivi.

¹³ Ivi.

¹⁴ Ivi.

¹⁵ Ivi.

¹⁶ Ivi.

¹⁷ Ivi.

¹⁸ Ivi.

¹⁹ Ivi.

²⁰ Ivi.

²¹ Ivi.

be limited to «the protection of rights and property»²². According to the liberal model, «if the state is kept to a minimum, civil society will flourish»²³. However, in recent years, the liberal model, from the «atomized individuals»²⁴ point of view, has become closer to the “communitarian citizenship model”²⁵. Liberal theorists have criticized the liberal concept of citizenship focusing only on the relationship between the individual and the state. This perspective does not take into consideration how humans are related each other in groups built on the foundations of trust. The liberal model has been influenced by “Putnam’s theories of social capital”²⁶. According to the perspective of “Big Society” (a result of such reinterpretations) in countries, like the UK and the Netherlands, policies facilitate community volunteering triumph. They combine the liberal and communitarian citizenship models and citizens participate in associations not only because of a feeling of obligation, but also thanks to a feeling of pleasure from enjoying forming relationships, and belonging to a group (Norman 2010)²⁷.

2.2 The communitarian model of citizenship²⁸

In the communitarian model, citizenship rests on the identity and feelings of being a member of a group, and the will to work for the communal benefit of this group (Jochum 2010)²⁹. The communitarian model is usually matched with more hierarchical and top-down decision making systems, compared to “the liberal and civic republican models”³⁰. These two models have more direct connections with a particular country than the communitarian model which focuses on communities rather than countries.

2.3 The civic republican model of citizenship³¹

The civic republican model, based on classical Greek and Roman philosophical doctrine, highlights the idea of politically active citizen within the public sphere, and engaged within a political community which consists of equal and free citizens. This model, compared to the liberal one, focuses more on obligation and value in political engagement and involvement in political decision making. The civic republican model emphasizes the importance of the “civic virtues”³²: the need for citizens to learn civic competences, solidarity, and the responsibility to act and work for the common good

²² Ibid., p. 10.

²³ Ivi.

²⁴ Ivi.

²⁵ Ivi.

²⁶ Ivi.

²⁷ Ivi.

²⁸ Ivi.

²⁹ Ivi.

³⁰ Ivi.

³¹ Ibid., p. 11.

³² Ivi.

(Honohan 2002). Too much self-interest causes corruption.

The civic republican model is usually matched with the French model of citizenship which is considered central «in shifting the meaning of *citoyen* from passive membership in the kingdom (subjecthood) to active participation as member of the newly sovereign people (Preuss 2010)»³³. Equality in political participation is central in the French Republic «and there is much less focus on the community than the liberal model (Preuss 2010)»³⁴.

2.4 The critical model of citizenship³⁵

“Critical citizenship” can be considered a “catch all title”³⁶ used by several new theories to frame citizenship from different perspectives (Abowitz and Harnish, 2006) such as by critiquing and getting better society through social and political action based on the concepts of empowerment and social justice developed by Paulo Freire³⁷. These models, also called “critical democratic citizenship”³⁸, are characterized by a conception of democratic system based on key citizens «involved in building a strong and dynamic democracy (Veugelers 2007)»³⁹. Furthermore, there are critical models of citizenship which emphasize the concepts of the struggle for more equal participation in the power relations of democracy (Mouffe 2005) and social justice (Westheimer and Kahne 2003).

The two criticisms by which all critical models of citizenship are in opposition to the civic republican and communitarian models of citizenship are:

- firstly, the notion of “common good”⁴⁰ in the civic republican and communitarian traditions can be a tool used by political leaders in difficult situations, like war, to promote nationalistic values and loyalty threatening human rights (Abowitz and Harnish 2006);
- secondly, the conception of citizenship as historic privilege held by the dominant group, generally composed of white males, which ignores the rights or freedom of other groups (Honohan 2002; Abowitz and Harnish 2006).

Any conception of citizenship aims at critiquing existing unjust conditions and supporting a «greater representation and engagement of women, lower social classes, and minority and immigrant groups, within representative politics and decision making»⁴¹.

Countries tend towards a particular model of citizenship for three reasons: civic tra-

³³ Ivi.

³⁴ Ivi.

³⁵ Ivi.

³⁶ Ivi.

³⁷ Ivi.

³⁸ Ivi.

³⁹ Ivi.

⁴⁰ Ivi.

⁴¹ Ivi.

ditions, problems that a society has had to solve and the political tendency of the party in government⁴². With respect to civic traditions, Jenson⁴³ claims:

defining the boundaries of state responsibilities and differentiating them from those of markets, of families and of communities in the “welfare diamond”. The result is the definition of how to produce well-being, whether via the market, via the reciprocity of kin, via collective support in communities, or via collective and public solidarity, that is state provision and according to the principle of equality among citizens. The latter choice establishes a space for citizenship in the responsibility mix (Jenson 2007, p. 5).

The liberal model of citizenship prevails in right-of-centre political parties and in countries where state, supporting a “*laissez faire* approach”⁴⁴, tends to exercise a marginal role and citizens should provide welfare through volunteering, donating money and community action at the local level (Norman 2010). Higher levels on volunteering indicators mark liberal countries.

The civic republican model of citizenship originates in part from the French situation. The stress on policies concerning political participation and equal citizenship puts less emphasis on volunteering and community level organizations. Since the French Revolution these intermediary organizations were considered suspicious (Preuss 2010)⁴⁵. France has developed a greater state provision, situating its system more on the left than the liberal model from the political spectrum point of view. In France, *Laïcité*⁴⁶, as the separation of the state and religion, has diminished the participation of religious organizations in the public sphere.

3. Transnational perspective on citizen participation

Six models of citizen participation can be developed by using a transnational overview concerning the concept of “participatory budgeting” (PB)⁴⁷. PB is a central topic to the literature on democratic innovations in citizen participation. These models initially connected only with the PB notion and the European context could be useful to comprehend, through a transnational perspective, important socio-political and ideological dynamics and the contexts and impacts of civic engagement in democratic systems nowadays (for a map of participatory budgeting across the world see figure 1 at the end of the article).

There is no a precise political or scientific definition of “participatory budgeting”⁴⁸

⁴² Ibid., p. 12.

⁴³ Ivi.

⁴⁴ Ivi.

⁴⁵ Ibid., p. 13.

⁴⁶ Ivi.

⁴⁷ Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, *Transnational Models of Citizen Participation: The Case of Participatory Budgeting*, “Journal of Public Deliberation”, Vol. 8, Issue. 2, Article 9 2012, p. 2, available at: <http://www.publicdeliberation.net/jpd/vol8/iss2/art9>.

⁴⁸ Ivi.

concerning a set of minimum criteria or standards which are to be satisfied. «Basically, PB allows the participation of non-elected citizens in the conception and/or allocation of public finances»⁴⁹. Nevertheless, according some scholars five further criteria should be included (Sintomer and al., 2008, 2013b) with respect to the definition of PB. They are:

(1) Discussion of financial/budgetary processes [...]. (2) The city level has to be involved, or a (decentralized) district with an elected body and some power over administration and resources (the neighborhood level is not enough) [...]. (3) It has to be a repeated process over years. In English, the expression of “participatory budgeting” has been used from the late 1990s in order to stress this notion of an ongoing process (“budgeting”) rather than an outcome (“budget”) [...]. (4) Some forms of public deliberation must be included within the framework of specific meetings/forums [...] (5) Some accountability on the results of the process is required⁵⁰.

Participatory budgeting appeared in Brazil in the 1980s, this state was moving from dictatorship to democracy. Great social movements had been claiming social and political changes for over nearly two decades. The progressive constitution adopted in 1988 opened itself up to citizen participation even though the system was still characterized by corruption. Porto Alegre⁵¹, the capital of the state of Rio Grande do Sul, has always criticized the central government, was one of the most important territories of the “Workers’ Party (PT)”⁵². The electoral victory of the Workers Party in 1988⁵³ allows participatory budgeting to stabilize. The new left-wing local government aimed at developing new participatory process. The development of PB was a pragmatic move, and not the result of an intellectual and/or political design. PB was the consequence of a combination of top-down and bottom-up processes.

The basic scheme of the Porto Alegre experience is to assign non-elected citizens a role in the allocation of public money, a direct decision-making power at the local level, a power of co-decision at the city level, and oversight capacity at all levels. Any person may participate in the public meetings. The participatory model has three levels: open to all in the neighbourhood assemblies; participatory council of delegates in the districts; and general participatory council at the city level. Topics concern themes such as: housing, urban infrastructures, healthcare, education, youth, culture, sport, public services, infrastructure and so on. Assemblies aim at discussing priorities and electing delegates appointed to oversee the implementation of suggestions proposed. PB has been an incentive to reform public administration.

A weak point of PB decisions concerns their focus on annual investments therefore, long-term investments have a tendency to be excluded. So, PB decisions could incur some expenses (such as maintenance and/or salaries) eventually not sustainable

⁴⁹ Ivi.

⁵⁰ Ibid., p. 3.

⁵¹ Ivi.

⁵² Ivi.

⁵³ Ivi.

(World Bank 2008). They could also meet with a lot of difficulties to develop a different urban form (Allegretti 2003). However, PB opens a door in the political system for those people who previously had been outsiders, empowering civil society and working class. This system can reorient public investments, the ones decided within the participatory process, towards the most disadvantaged areas and/or the particular segments of populations which could consist also of foreign minority groups that should be better included in the majority group of host society.

Therefore PB could also help National Integration Policies. Western States, drawing inspiration from PB models, should provide increasingly sophisticated and efficient sets of institutional economic and social devices in order to allow legal foreign residents, even though without citizenship, higher rates of participation with respect to the matters affecting them. Furthermore, an increased participation from the civil society point of view, can contribute to reduce corruption in democratic systems. Despite its weaknesses, Porto Alegre has been an important and fascinating transnational experiment for participatory budgeting. It has persuaded “alter-globalization”⁵⁴ activists, local governments and advisors from international organizations like World Bank and UNDP to support PB.

3.1 Participatory budgeting in Europe⁵⁵

Because of financial crisis and political disaffection, political systems in Western countries have to prove their legitimacy again. Participatory budgeting has expanded rapidly in Europe, above all as effect of NGO activists and also local government politicians attending social forums in Porto Alegre (see figure 2 at the end of the article). A lot of municipalities have developed participatory budgeting, even though the methodologies proposed in Europe often differ from the original model of Porto Alegre (Sintomerand al., 2008, 2013 a, b)⁵⁶.

The end of the first decade in the new millennium, despite the downfall of some participatory budgets, was characterized by a remarkable numerical and geographic proliferation of PB. At the beginning of the second decade of the 21st century, the most energetic developments are probably in the UK and Portugal (Röcke, 2010). In contrast, Italy experienced a significant decline⁵⁷. The closest revisions to the Porto Alegre model are mainly in Spain and Italy (Ganuza, 2007)⁵⁸. The most pervasive approaches in Europe, especially in France, Italy, Portugal, and Scandinavia, are based on neighbourhood meetings which aim at improving and strengthening communication among administrators, politicians, and citizens.

Originally, in Western Europe, the social democratic and/or post-communist left-

⁵⁴ Ibid., p. 6.

⁵⁵ Ibid., p. 8.

⁵⁶ Ibid., p. 9.

⁵⁷ Ivi.

⁵⁸ Ibid., p. 10.

wing parties were the most involved political movements from the point of view of the dissemination of PB. Currently, conservative governments are also active in this practise. In Eastern Europe, PB is promoted above all by international organizations - for instance the World Bank, UNO, USAID, or the German Society for International Cooperation (GIZ) - which work together with their local partners. This PB with an external matrix aspired to mobilize citizens and promote good local governance. Such kinds of processes started habitually with the transparent preparation of public budgets; however, transparency alone is insufficient in order to allow citizens to control the finances of their city. The different PB political potentialities concern the improvement of communication among citizens, administration and local political elites. European participatory budgeting has had less political overall impact than in Porto Alegre and its impacts in Europe from long-term point of views appear unclear (for a map on participatory budgets in Europe see figure 3 at the end of this article).

4. Models of citizen participation

Using a Weberian approach that aims at creating ideal-types combined with the example of participatory budgets, six models of citizen participation can be identified: participatory democracy, proximity democracy, participative modernization, multi-stakeholder participation, neo-corporatism, and community development (see figure 4)⁵⁹.

These models are developed by highlighting some differences regarding six criteria: the socio-political context, normative orientations, participatory rules and procedures, the dynamics of collective action, the relationship between conventional politics and participatory processes, and the strengths, weaknesses and challenges of each participatory model (see table 1). The first criterion concerns elements such as the articulation of the market, the state, the Third Sector; the modernization of the public service; the political orientation of local governments. The second emphasizes the normative structure and the goals of citizen participation. The third contains facts such as the influence of participants in the decision-making process, their independence with respect to local governments, the quality of deliberation or the presence of some participatory rules. The fourth highlights the weight of civil society, the existence of bottom-up movements, and the impact on social justice, on administrative efficiency, on democracy or on sustainable development. As regards the fifth, the options could be combination, instrumental use, or substitution.

⁵⁹ For more in-depth analysis concerning the six models of participation, read: Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, *op. cit.*, pp. 16-28.

4.1 Participatory democracy

The expression “participatory democracy”⁶⁰ often refers to the majority of approaches that bring non-elected citizens in the decision-making procedure, even though it is merely a consultative process. According to the most contemporary social scientists, in this model non-elected inhabitants (and their delegates invested with a “semi-imperative mandate”) have a *de facto* decision-making power, although the final *de jure* political decision is an exclusive responsibility of elected representatives. In this ideal-type there is the simultaneous emergence of a “fourth power”⁶¹ (participants have a real decision-making power, dissimilar compared to the judiciary, the legislative and the executive powers) and a “countervailing power”⁶² (the autonomous mobilization of civil society within the process leads to the empowerment of people and the promotion of conflict resolution strategies based on negotiation and cooperation). The impacts of this model on social justice and relations between civil society and the political system are strong: the countervailing power in combination with the political pressure of the government can support considerably «an inversion of priorities in benefits of the poor»⁶³ the common sense point of view of resource distribution. These impacts are to be developed in countries of the Global South, in the Global North, the model of participatory democracy generally concerns marginalized groups situated in specific neighbourhoods. This model aims at the participation of the working class and not just the middle classes in order to produce «an emerging plebeian public sphere»⁶⁴. Local governments are involved in the launching of the process and in the implementation of decisions. According to this model, citizen participation is a “left-wing flag”⁶⁵, it can be considered as an alternative to neo-liberalism and as part of a wider «social and political reform process»⁶⁶. However, the modernization of administrative action is rarely one of the most important priorities of governments. Historical and sociological studies reveal how participatory democracy is a model which can function only under precise conditions, the weakness of this model concerns the needs for strong political willpower and an independent and mobilized civil society, ready to cooperate with governments at local level. The most important goal of participatory democracy is an efficient link between civic participation and administrative modernization without «co-opting the mobilized members of civil society into the institutional framework (which would cut them off from their own grassroots)»⁶⁷.

⁶⁰ Ibid., p. 19.

⁶¹ Ibid., p. 20.

⁶² Ivi.

⁶³ Ivi.

⁶⁴ Ivi.

⁶⁵ Ivi.

⁶⁶ Ivi.

⁶⁷ Ibid., p. 21.

4.2 Proximity democracy

“Proximity democracy”⁶⁸ is a model characterized by «geographical closeness and increased communication between citizens, public administrations and local authorities»⁶⁹. This model is grounded on the concept of “selective listening”⁷⁰ according to which decision-makers select citizens’ ideas. This model is founded on informal rules and civil society has marginal autonomy. Some theoreticians of deliberative democracy do perhaps not identify in this model «a deliberative turn of representative government»⁷¹ because of the recurring low quality of the deliberation of these procedures. Left-wing local governments tend to be a little more engaged with respect to proximity democracy than right-wing ones, even though it is impossible to establish a precise border about this dynamics.

Proximity democracy is essentially top-down. It can support solidarity (for instance, by limiting real estate speculation or introducing policies of urban renewal), although it is not an instrument of social justice because of its merely consultative process and in the proximity democracy civil society is characterized by a low level of independence. This model concerns individual citizens who volunteer and NGOs which play an important unofficial role. A number of participatory instruments of this model apply random selection to choose “ordinary citizens”⁷². According to local governments, it is often difficult for proximity democracy, which deals mostly with “small things”, away from the competitive party system, to produce any remobilization inside the framework of conventional politics. Proximity democracy is the most common model in Europe and it is supported by neighborhood funds and councils. In some cases, such as Roma XI (Italy) or Lisbon (Portugal), proximity democracy experiments can be considered a very “light” adaptation of participatory democracy and it is able to move across these models following political evolution. Other cases, such as the French region of Poitou-Charentes, are a sort of hybrid between proximity and participatory democracy models⁷³.

In the proximity democracy model there are low levels of politicization and mobilization, especially from the working class point of view. The strong point of this model is the potential to improve communication between citizens and policymakers. Its weak point concerns the arbitrary way by which policymakers «selectively listen to (cherry-pick) people’s perspectives»⁷⁴. Governments tend to accept proposals compatible with their plans. Therefore participation has a legitimizing function with respect to previously made decisions. The main goals of this model concern: a genuine com-

⁶⁸ Ivi.

⁶⁹ Ivi.

⁷⁰ Ivi.

⁷¹ Ivi.

⁷² Ivi.

⁷³ See Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, op. cit., p. 22.

⁷⁴ Ivi.

bination between participation and decision-making in order to improve “the quality of service delivery”; and the ability to combine proximity with a state modernization going beyond neighbourhood level.

4.3 Participatory modernization

The key aspect of the “participatory modernization”⁷⁵ model is the fact that «participation is only one aspect in New Public Management strategies»⁷⁶. In the context of this model, the State wants to modernize, to become more efficient and legitimate. Sometimes, in this context, the State aims at resisting the pressures to privatize. From this point of view, participatory modernization is a top-down process characterized by a consultative - but not political - value. In contrast to Proximity democracy, modernization incorporates not only the neighbourhood level, but also the central administration and its main service providers too. This model does not aim at the integration of marginalized groups or the development of social policies, because participants are viewed as clients. The civil society of this model has limited independence and for this reason this model does not provide either for a fourth power nor for a cooperative counter-power. Participation is correlated to good management and to the growth of the legitimacy of public policies.

The people involved in this model are above all middle class, excluding the cases concerning explicit procedural measures to increase the social diversity of participants. The normative structure of this model is more similar to the participatory versions of New Public Management than these of participatory democracy as an alternative to neoliberal globalization⁷⁷. In Europe, from the participatory budgeting point of view, this model is particularly persuasive in Germany.

Easily achievable “crossbench” consensus and connection between the modernization of public administrations and participation are the strong points of the model of participatory modernization. However, this third model is characterized by a low level of politicization. It tends to marginalize topics which need a broader framework, for instance social justice.

Other goals of this model are an increase in the participation and the autonomy of civil society; and the development of an authentic political dimension (not only technocratic procedure) in order to improve politics.

⁷⁵ Ivi.

⁷⁶ Ivi.

⁷⁷ Ivi.

4.4 Multi-stakeholder participation

The peculiarity of the “multi-stakeholder participation”⁷⁸ model is the fact that citizens who participate represent just one of several actors, along with private enterprises and local government. In this decision-making powers are structured in a top-down approach which impedes the development of a cooperative countervailing power. These participatory instruments constitute an enlargement of governance mechanisms whereby private economic interests expand an institutional influence on the decision-making process. In this model, even though the rules of the decision-making process are noticeably defined, civil society appears weak, with little autonomy. Above all it is middle class which takes part and the projects are aimed at encouraging citizens and/or NGO, considered to represent local residents. International organizations such as the World Bank or the United Nations play an important role in the dissemination phase. The dominant normative structure is a hybrid which consists of the rhetoric of governance and the theme of citizen participation. However, there is no political intent which aims at an in-depth revision of the course of power relations and the logic of distribution of public resources. For instance some donor-based participatory budgets for Africa displays some features of this model, especially when external actors, like the United Nation Organizations or National Development Organizations, give support to a few projects defined by the local population. African cases often also share some features of the modernization approach, above all when PB is related to processes of decentralization. With respect to other participatory instruments it has considerable influence in the Anglo-Saxon world.

The multi-stakeholder participation model aspires to incorporate private companies that are fundamental to local development but which tend in other models to remain outside the process of participation in the other models. In this fourth model, the enterprises which have voluntarily chosen to be involved (on condition they profit from this involvement) benefit from a privileged position in the participative processes. Therefore civil society occupies a subordinate position. It is unable to disapprove the dominant economic and political frame. Because of this peculiarity, this model appears to be diametrically opposed to that of Porto Alegre.

The goals of the multi-stakeholder participation model are: linking participatory instruments with the core business of municipal politics; stabilizing the financial flows which municipal politics depend on; balancing the weight of the several stakeholders involved in the process; opening up to the topics that are relevant to them; opposing the pressure to transform NGOs and associations into quasi-governmental organizations or semi-commercial entities.

⁷⁸ Ibid., p. 23.

4.5 Neo-corporatism

The main characteristic of the of the neo-corporatist model is that local government has a decisive role by surrounding itself with organized groups (such as NGOs, trade unions, and employers' associations), social groups (like the elderly and/or immigrant groups) and a variety of local institutions. In the neo-corporatism model government aspires to establish a wide consultation with "those who matter"⁷⁹ and tries to reach social consensus through the mediation of interests, values, and demands in order to be recognized by the various groups of society. In this model the participatory rules may be formalized and local neo-corporatist processes are above all consultative. Even though civil society has an important role in them its procedural independence is fairly limited, and they are fundamentally top-down processes. Therefore the materialization of a cooperative countervailing power - or of a fourth power - is uncertain. This model aims more at a reinforcement of traditional participation than «a virtuous circle of conventional and non-conventional participation (or the substitution of the former by the latter)»⁸⁰.

At national level the typical neo-corporatist approaches, especially those of the health care system, take place in different manners. They can be highly formalized, have real decision-making authority and grant social partners decision-making powers. From the PB point of view, this model has had a limited impact, especially in Spain where the combination with the Porto Alegre approach has created potentially innovative forms of associative democracy and original models of participatory budgeting.

International organizations have an important role with respect to the dissemination of this model. Its strong point is the connection between the crucial organized structures of society, which are able to simplify the social consensus on specific public policies. Despite this feature, this model has asymmetrical relationships of power and non-organized citizens are excluded. The most important goals of this model are connecting the participation and modernization; avoiding co-optation of associations or NGOs (which may become cut off from their roots) to public management, or going beyond a simple "cherry-picking approach"⁸¹ and successfully debating the most controversial topics.

4.6 Community development

The most important aspect of the "community development"⁸² model is the fact that participation incorporates the phase of "project implementation"⁸³ in a framework which separates municipal politics and a strong participatory process led by a bot-

⁷⁹ Ibid., p. 24.

⁸⁰ Ibid., p. 25.

⁸¹ Ivi.

⁸² Ivi.

⁸³ Ivi.

tom-up as well as top-down dynamic. Representative politics has small margins in this ideal-type. Fourth and cooperative countervailing powers are therefore not strongly correlated to local institutions, which is an aspect that differentiates community development from the participatory democracy model. This last model is characterized by fairly clear procedural rules and high-quality deliberation. The most active participants are the higher fractions of the working class people or middle class people, because they are involved in the administration of community associations. The role played by NGOs is crucial. They aim at disadvantaged or marginalized groups, using an approach which focuses on inclusive action rather than a general form of distributive justice. In this context the partial replacement of non-conventional participation correlated to community activities for conventional participation (party membership and voting in elections) is fairly developed.

From the points of view of Western countries and participatory budgeting, this model has developed in the Anglo-Saxon world: in the United Kingdom, where Tower Hamlets, London can be considered an emblematic experiment; and in Canada, with the Toronto Housing Company; in the United States there are the Community Developments Corporations⁸⁴. This participatory model tends to develop in contexts with weak local government and with a civil society characterized by a genuine independence and a real tradition of organizing which enables the community sector to self-manage its local projects. The weak point of this model concerns the thin links between participation, modernization of the public administration and institutional politics; and the difficulty in building “an overall vision of the town”⁸⁵. An important goal of this model is to safeguard the management of community organizations against the impact of managerial influences stopping them from becoming para-public bodies. Furthermore, this kind of process does not have micro-local level perspective, they have to support the transformation of institutional politics.

5. “A fuzzy group”⁸⁶: socio-cultural integration trajectories of migrants in “the era of managed migration”

In Western Europe, the theme of the integration particularly the one of Muslim minorities, increases the scepticism towards the concept of multiculturalism (Brubaker, 2001; Joppke, 2004). In 2004 there was a large flow of migrants coming from Eastern Europe because of EU enlargement. The recent increasing flow of refugees and asylum seekers has placed the topic of migrant integration on the political and research agenda again. A lot of quantitative research studies concerning the subject of immigrant integration in Europe in comparative perspective, and using general and specialist

⁸⁴ Ibid., p. 26.

⁸⁵ Ivi.

⁸⁶ Claudia Diehl-Marcel Lubbers-Peter Mühlau-Lucinda Platt, *Starting out: New migrants' socio-cultural integration trajectories in four European destinations*, Special Issue: New Migrants' Socio-Cultural Integration, “Ethnicities”, Vol. 16(2) 2016, pp. 157-179, p. 165, etn.sagepub.com.

data sources, have been developing in recent years. These research activities highlight the mutation from a migration landscape point of view, furthermore, they increase scepticism with respect to concepts of assimilation and multiculturalism, developing new debates concerning “the face of ‘new’ migration to the US” and the theme of “the new second generation (Portes, 1996; Waldinger and Perlmann, 1998)”⁸⁷. A lot of these European studies have been grounded on the theoretical developments in the field of neo-assimilation theory (Alba and Nee, 1999; Esser, 2009), segmented assimilation (Portes and Rumbaut, 2001), the literature on ethnic boundaries (Alba, 2005; Wimmer, 2008) and psychologically oriented approaches of the integration process from the field of cross-cultural psychology (Berry et al., 2006). Some scholars such as Favell (e.g. Favell, 2008) and Crul (e.g. Crul and Schneider, 2010) have scrutinized the notion of integration, the dynamics in migrant settlement and transnational connections, analysing the methodological nationalism (Amelina and Faist, 2012) of many accounts.

In Europe, an increasing number of empirical studies highlight how integration outcomes vary considerably between immigrants of different origins across a number of Western EU states (see Diehl and Schnell, 2006; Kogan, 2011 for Germany; Gijsberts and Dagevos, 2007; Luthra, 2013; Tolsma et al., 2007; Martinovic et al., 2009 for the Netherlands; Heath and Demireva, 2013; Longhi et al., 2013 for the UK; Beauchemin et al., 2010; Vallet and Caille, 1996 for France). However, migrants’ pre-migration characteristics of migrants - those related to their cultural, social, regional and economic background - are rarely taken into account during these studies. It is thus problematic to assess if group differences, in integration processes, reflect dissimilar starting points which have a tendency to converge over time, or stable pre-existing group characteristics that endure and are reproduced, or whether group differences change over time in the receiving societies and reflect group-specific reception contexts.

The selectivity of migrant groups in relation to their origin country counterparts as well as compared with other groups could also affect their integration processes (Ichou, 2014). The mere knowledge of which characteristics, resources and orientations they arrive with, permits an understanding of the repercussions of such selectivity through economic and cultural domains. Extricating post-migration integration dynamics from immigrant characteristics upon arrival (Schwartz, 2005: 299f) is a very important step towards explaining the ongoing difficulties of those ethnic minorities who seem to have more problems from the integration point of view compared to other groups. The studies that examine comparable origin groups in different destinations and can thus evaluate how the societal context model integration patterns are infrequent (see e.g. Ersanilli and Koopmans, 2011; Haberfeld et al., 2011; Tucci, 2004; Van Tubergen, 2006). Moreover, they analyze particular groups (for an exception see Kogan, 2006 on new migrants’ labour market integration) or focus on the second ge-

⁸⁷ Ibid., p. 158

neration (Crul et al., 2012)⁸⁸. According to some researchers national contexts could be overly narrow to analyze the experience of the migrants who do not live for a long time in a specific State, and who have strong transnational relations and travel between countries. (Amelina and Faist, 2012; Favell, 2008; Snel et al., 2006). How levels and development of transnationalism are dependent on the receiving context, and the relationship between transnationalism and patterns of integration (Snel et al., 2006) are still essentially unresolved questions.

6. SCIP: Socio-Cultural Integration of New Immigrants project

The European debates concerning the socio-cultural integration of migrants have led to an increase in the number of studies into the social ties of migrants, religiosity and cultural identities for the last decade. However cross-nationally comparative research suffer from a lack of perspectives, data and a limited number of indicators on migrants' socio-cultural integration. The majority of data concerns the integration of migrants in the labour market and the educational system (although see De Hoon and Van Tubergen, 2014; Ersanilli and Koopmans, 2010; Fleischmann and Phalet, 2012; Jacob and Kalter, 2013; Van Tubergen and Sindrado' ttir, 2011). Research on the relationship between structural and cultural dimensions needs to be improved. Several projects developed by the Norface research programme on migration⁸⁹ analyzed these open questions in migration research.

One of these projects is the "Socio-Cultural Integration of New Immigrants (SCIP) project"⁹⁰ focusing on new immigrants in several European destinations. It started in 2009, when more than 8000 immigrants, arrived in four European countries and were surveyed as part of the study. The project highlighted a transformation of migration to Europe (data available at GESIS, see Diehl et al., 2015) and that migration trends are extremely "dynamic"⁹¹. On one hand the European Union hosted the new EU citizens from the new EU member States with freedom of movement; on the other hand the different concept of "increasingly 'managed' migration"⁹² is dedicated to third country nationals.

Since the pre-accession period there has been a significant degree of return and circular migration among Eastern European migrants in Western Europe (Kalter, 2011; Engbersen et al., 2013; White, 2014). However there is a lack of in-depth knowledge of the impacts of such mobility for early integration processes. Third-national migrants do not have the same opportunities from the point of view of flexibility. They are constrained and increasingly selected in "the era of managed migration"⁹³. Their "inte-

⁸⁸ Ibid., p. 159.

⁸⁹ Norface research programme on migration: <http://www.norface-migration.org/>

⁹⁰ Claudia Diehl-Marcel Lubbers-Peter Mühlau-Lucinda Platt, op. cit., p. 160.

⁹¹ Ivi.

⁹² Ibid., p. 161.

⁹³ Ivi.

gration trajectories”⁹⁴ may not have had the same routes as long-settled immigrants. Current international migrant flows from “traditional” migration countries diverge from established groups with regard to background, skill and life chances in the variable contexts of reception. Therefore, studies concerning existing migrant numbers, which usually include only few newcomers, provide limited information on these new migration flows and the impact they have on host societies. The first years after migration are to be considered very important for successive integration processes. Migrants start to learn the language of the host society, to interact with local people and to find the first job in the host country. This experience has much influence on their opportunities to develop skills, the quality of their work and their work-related social contacts. These elements have a significant impact on the development of emotional attachments to their host country and the determination of their further career development. However, xenophobia, discrimination and exclusion could reduce these opportunities for migrants. Due to a lack of data, these early dynamics of inclusion still appear to be part of «a black box of integration research»⁹⁵.

The SCIP study highlights how difficult it is to measure particular characteristics which are expected to influence the integration process. The SCIP project studies integration trajectories of new immigrants in four European countries: Germany, the Netherlands, Ireland and Great Britain. Generally, existing data related to the studies concerning the integration of migrants cannot «settle the question whether socio-cultural integration is a consequence or a prerequisite for migrants’ structural integration (e.g. in the labour market) - and whether, how and why groups might differ in this regard»⁹⁶. Even the migrants who have never been to the destination country differ from the point of view of their regional, cultural and social background, their ethnic and religious identities, their values and attitudes, language skills or expected duration of stay. These characteristics, which influence integration processes, are very difficult to measure. The SCIP study analyzes two cross-national waves of survey data collected among groups of new immigrants which differ in several ways «including religion (Catholics *versus* Muslims), social status (medium to high-skill *versus* low-skill migrants) and political identity (EU citizens *versus* non-EU-citizens)»⁹⁷. The SCIP project builds symbolic boundaries, and integration patterns based on sociological and social psychological theories of identity. With respect to that background, the fundamental issue concerns the explanation of «the identification strategies chosen by newcomers during the first years of migration and the resulting socio-cultural integration trajectories»⁹⁸. These trajectories attest both migrants’ resources and group- and country-specific characteristics. Compatibility of home - and host-country orien-

⁹⁴ Ivi.

⁹⁵ Ivi.

⁹⁶ The SCIP project, *Causes and Consequences of Socio-Cultural Integration Processes among New Immigrants in Europe (Info)*, Institute for Sociology Georg-August-Universitaet Goettingen, Germany, <http://www.uni-goettingen.de/de/153336.html>.

⁹⁷ Ivi.

⁹⁸ Ivi.

tations as well as of ethnic maintenance and socio-economic integration could differ between groups and countries. The goal of the SCIP study is the production of a more nuanced and in-depth awareness of socio-cultural integration processes in contemporary European societies. The two advantages of this study are: how the differences in integration models evolve over time, during the stay of migrants; and a focus on both group and country level. However the definition of “ethnic groups”⁹⁹ is not predefined.

«Country of origin leads to an ethnically extremely heterogeneous population and raises serious challenges for own-language interviewing»¹⁰⁰ (for the questionnaire see <http://www.uni-goettingen.de/de/data--documentation/153341.html>). In order to highlight the implications of “intra-EU ‘liquid’ migration (Engbersen et al., 2010)”¹⁰¹, and of managed migration for third country nationals, the SCIP research analyzes: Poles; a guest worker group consisting of old colonial population - Pakistanis - in Great Britain; Turkish guest workers in Germany, which is the archetypical case of the “*Gastarbeiter* regime”¹⁰²; and the mixed case of the Netherlands. The SCIP project draws attention to the diversity of migrant inflows. The migrant population studied in this research is very heterogeneous from the religion (Catholics *versus* Muslims), but also social status (medium to high-skilled *versus* less-skilled migrants) points of view. A distinction is made between EU citizens and non-EU-citizens too. Some authors highlight that internationally mobile and highly skilled individuals (Faist, 2013; Favell, 2011), especially intra-EU movers, are not even immigrants in the strict sense and integration for those (Favell, 2013: 56), who are usually economically successful, does not have the traditional steps described in the literature such as acculturation and naturalisation. It is an empirical question whether the relationship between migrants’ cognitive, social and cultural adaptation on one hand and their structural integration on the other hand (above all in the educational system and the labour market) is less strong for some groups than for others. In order to answer this question integration trajectories of “old” and “new” groups, which differ considerably as regards their social and legal status and cultural background, are to be compared. «In Bail’s (2008) categorisation, Britain, Germany and the Netherlands are old immigration countries in the European core which emphasise cultural and linguistic boundaries, whereas Ireland belongs to new immigration countries on the European periphery, where religious and racial boundaries prevail»¹⁰³.

In order to obtain a more in-depth portrait of integration processes in Europe and of the role of individual traits, group characteristics and reception contexts, the SCIP project also emphasizes the socio-cultural dimension of migrants and their acculturation attitudes, ethnicity, cultural consumption, identification and religiosity. The study shed new light on whether some of these dimensions are resources or a barriers to

⁹⁹ Claudia Diehl-Marcel Lubbers-Peter Mühlau-Lucinda Platt, op. cit., p. 162.

¹⁰⁰ Ivi.

¹⁰¹ Ivi.

¹⁰² Ibid., p. 163.

¹⁰³ Ibid., p. 164.

the structural integration process; and how these connections and the paths of integration (reflecting reflect, for instance feelings of exclusion) change across groups and countries. The SCIP research has collected data on several groups of new immigrants in different Western European countries. This study, interviewing these newcomers twice during their first years in the country and developing a survey instrument, has captured various dimensions of the integration process. The SCIP emphasizes, providing only an initial insight, the relevance of particular group early integration trajectories, the relationship between structural and “cultural” aspects of integration and the crucial «issue of separating reception contexts and immigrant selectivity in explaining cross-country differences»¹⁰⁴.

The most important contribution of the SCIP project concerns the inclusion of questions regarding the socio-cultural position of recent migrants directly after migration and the change in sociocultural domains. The potential “non-linearities”¹⁰⁵ of the integration trajectories cannot be measured by a simple comparison of just two waves. The richness of the SCIP data highlights the increasing relevance which certain studies have when they focus on: the interaction between socio-cultural and other dimensions of integration (Koenig et al., 2016; Röder and Lubbers, 2016); groups of immigrants that have so far received little attention such as students (Luthra and Platt, 2016); themes which mostly make sense when they are considered soon after arrival, such as language acquisition (Kristen et al., 2016), and integration dimensions which bring out marked differences between groups (see Diehl et al., 2016; Gijsberts and McGinnity, 2016). The fundamental subject is often the socio-cultural position of the recent migrants immediately after migration and happenings in the first years after migration. Increasingly, it is necessary to investigate whether there are some differences between destination States and/or between ethnic groups. Inclusion may be considered as a set of adaptation processes which require to be managed in everyday life. «Kristen et al. show that language proficiency increases among most migrant groups - even more strongly in those countries where migrants only possessed a minimal knowledge of it upon arrival (e.g. Dutch in the Netherlands)»¹⁰⁶.

Developing language proficiency is a process with «a general logic among the different migrant groups in the different destinations»¹⁰⁷. «Migrants’ socio-cultural integration, in turn, seems to stagnate in the first years after migration, or at least, to be more strongly dependent on the context of the destination country»¹⁰⁸. Diehl et al. show migrants’ identification with the receiving country increases initially, however it could decline later, in part as a response to increasing perceptions of discrimination. Migration is a particularly fluid and dynamic phenomenon to study. Flows of migrants from third countries are showing new configurations. More selective migration re-

¹⁰⁴ Ivi.

¹⁰⁵ Ibid., p. 168.

¹⁰⁶ Ibid., p. 169.

¹⁰⁷ Ivi.

¹⁰⁸ Ivi.

gimes and responses to expanded intra-EU migration are changing the nature of third country migration. This sector of research has several areas where understanding is still very provisional. Kristen et al.'s study¹⁰⁹ of language development highlights while structural and economic trajectories are more aligned with classical assimilation theory, patterning, cultural and social integration is more difficult to explain, and these two dimensions do not necessarily progress in parallel. Migration researchers increasingly need to develop more in-depth analyses of the interaction between religious behaviour and ethnic/cultural norms. This area connects the ethnic and religious spheres. Nowadays, for this reason it represents one of the most salient subjects of study. Researchers need to be careful in deducing country of origin attitudinal norms to migrants in different destinations, without examining how selectivity and migration intentions model the relationship from the outset.

On one hand «European intra-EU migrants have traditionally been considered “unproblematic” in much of the previous literature due to the tendency of white migrants to assimilate rapidly and often to represent privileged migration flows»¹¹⁰; on the other hand an increasing identification of third nationals migrants as “the others” identifying them as “culturally” problematic in certain national discourses. In past years, these dynamics concerned even Eastern European migrants in a stronger manner compared to today. Therefore, the issues of “tolerance”, such as attitudinal differences, persist. Gijsberts and McGinnity¹¹¹ use the SCIP data migration studies in order to a more comprehensive understanding of how racialisation of immigrants is not restricted to “non-white” or to Muslim populations.

Longstanding migrant ties and the situations and dynamics in origin societies interact with the context of host States. For both kinds of migrants those who want to stay longer in a specific country and those who do not intend to do so, but end up staying longer than anticipated, the SCIP project unveiled the early dynamic trajectories and thus the need for a cohesive society. A more holistic account of ethnic-immigrant antagonism should be adopted at the level of the European Union.

7. The “marketplace of ideas”¹¹²

The 2000s has been characterized by the development of several policy indicators conceptualizing citizenship and Integration Policy. Nowadays, the five main «independent, comprehensive, multicountry indices measuring citizenship and/or immigrant integration policy»¹¹³ are: the Migrant Integration Policy Index (MIPEX) produced by

¹⁰⁹ Ibid., p. 172.

¹¹⁰ Ibid., p. 173.

¹¹¹ See Claudia Diehl-Marcel Lubbers-Peter Mühlau-Lucinda Platt, op. cit., p. 174.

¹¹² Sara Wallace Goodman, *Conceptualizing and Measuring Citizenship and Integration Policy: Past Lessons and New Approaches*, “Comparative Political Studies”, Vol. 48(14) 2015, pp. 1905-1941, p. 1913, cps.sagepub.com.

¹¹³ Ibid., p. 1908.

the MPG (2011); Marc Morjé Howard's (2009) Citizenship Policy Index (CPI); Ruud Koopmans, Statham, et al.'s (2005) and Ruud Koopmans, Michalowski, et al.'s (2012) Indicators for Citizenship Rights of Immigrants (ICRI); Thomas Janoski's (2010) Barriers to Naturalization Index (BNI); and EUDO Citizenship's (2013) Citizenship Law Indicators (CITLAW)¹¹⁴.

These expansive projects are grounded in earlier comparative indices such as Waldrauch and Hofinger's (1997) "Legal Obstacles to Integration (LOI) index" and Kymlicka and Banting's (2006, 2013) "Multicultural Policy (MCP) index"¹¹⁵. There are also more recent projects such as: "International Migration Policy and Law Analysis (IMPALA; Beine et al., 2015; Gest et al., 2014)" and "Immigration Policies in Comparison (IMPIC; Helbling, Bjerre, Römer, & Zobel, 2015)" database projects, as well as Martin Ruhs's (2013) "Openness and Migrant Rights Indicators"¹¹⁶. However, the tendency to develop and utilize unique indicators has been generally overstepping a concurrent debate on methodology.

Marc Helbling (2013), after a summary of a number of recent citizenship and integration indices and, after a series of specific tests, states: «our expectations are borne out in practice: Indices that cover the same policy fields are highly correlated, whereas those that cover different items are not empirically related to each other [...] correlations between integration and citizenship indices are lower than correlations within the two groups themselves»¹¹⁷.

Table 2, available at the end of this article, summarizes coverage and content of citizenship and integration policy indices. This table shows a large number of indices, the research activity on citizenship and integration has been mainly limited to Europe. CITLAW offers the most extended coverage of indicators across Europe (including countries like Serbia, Macedonia, and Turkey) while MIPEX includes, outside of Europe, countries like Canada, the United States, Japan, and South Korea. The late 1990s to mid 2000s is considered the "snapshot" years of major citizenship change in Europe.

These indices cover a lot of policy dimensions. CITLAW constitutes an exception. This model «builds over 27 modes of nationality acquisition into four, averaged measures of acquisition as well as 11 modes of loss into two, averaged measures»¹¹⁸. A lot of models codify using only "residence-based acquisition"¹¹⁹ (e.g., naturalization) and "birth-based acquisition"¹²⁰ (when a state grants citizenship acquisition by the births in the territory - *jus soli* - or not for the first and second generations, or double *jus soli*). Fitzgerald et al.'s index makes no generational distinction in birth-based acquisition. It uses a «dichotomous measure of whether a provision exists or not»¹²¹.

¹¹⁴ Ivi.

¹¹⁵ Ivi.

¹¹⁶ Ivi.

¹¹⁷ Ivi.

¹¹⁸ *Ibid.*, p. 1912.

¹¹⁹ Ivi.

¹²⁰ Ivi.

¹²¹ Ivi.

All Indices have a multiplicity of evaluations on material conditions. Some databases are characterised by a more sophisticated system of material conditions. They go beyond a basic structure of material conditions composed of residency duration, language and country knowledge requirements, and whether renunciation of a prior citizenship is warranted. They also include conditions ranging from health, welfare requirements, administrative fees, and wait time¹²². «Only the Legal Obstacles to Integration - the first “citizenship” index - and MIPEX include conditions for obtaining permanent residence/settlement as part of its index»¹²³. Only for CITLAW and ICRI the loss of citizenship is an important dimension of policy. A distinction can be made between exclusive citizenship measures (CPI, BNI, CITLAW, and Fitzgerald et al., 2014) and broader integration measures (legal obstacles to inclusion [LOI], MIPEX, ICRI, multicultural policy index [MCP]), in which citizenship is but one component.

MIPEX and ICRI include different policies listed in Table 2. However they also include others which lie outside the scope of citizenship (e.g. whether there are state-funded imams in prison [ICRI], Islamic religious classes in state schools [ICRI, MIPEX], whether there are immigrant consultative bodies [ICRI, MIPEX] or equality agencies [MIPEX] and, whether third-country nationals may take up self-employment under conditions equal to EU nationals [MIPEX])¹²⁴.

Table 3 at the end of the article, recapitulates index coverage and content of migration policy indices. It also incorporates ongoing projects (IMPIC and IMPALA). There is still a lot of overlap, policy coverage between IMPIC and IMPALA, in particular, appears very similar, both models cover all categories of immigrants (IMPALA including student regulations; IMPIC including coethnics). «Hammar (1985) distinguishes between immigration policies as rules that deal with conditions for entry, while immigrant policies deal with conditions of domestic membership after entry, for example, rights and benefits»¹²⁵. IMPIC takes account of immigrant rights and assistance and also other internal control instruments, such as how states regulate or keep tabs on immigrants living in their territory, while IMPALA develops a comprehensive codification of citizenship regulation.

Index proliferation alone is not a problem, it improves the literature. The “marketplace of ideas”¹²⁶ is able to host a lot of indices. It increases choice, conceptual differentiation and data in terms of years, countries and policies. However, the more choice grows, the more the ability to make accurate selections appears as an essential methodology. A considerably chaotic conceptual distinction appears in these competing research activities. It draws attention to how index creation in this sector should be considered a more useful tool to differentiate and focus on a niche rather than state common knowledge.

¹²² *Ivi.*

¹²³ *Ivi.*

¹²⁴ *Ivi.*

¹²⁵ *Ibid.*, p. 1913.

¹²⁶ *Ivi.*

8. “Concept validity”¹²⁷

Irene Bloemraad and Matthew Wright (2014) explain: «Conceptual clarity matters in translating normative philosophy and political rhetoric into empirical analysis: precision in terms helps identify evidence-based measures»¹²⁸. Conceptual ambiguity is partly produced by the need to discern, and partly from the interdisciplinary character of the citizenship and migration. Thanks to external dimensions of movement, rules that regulate the border allow simpler differentiation between immigration, integration and citizenship than a distinction between integration and citizenship policies, which is more problematic.

Political scientists describe citizenship as a «legal category and examine policies that confer or block the acquisition of status to produce CPIs (Howard 2009; Fitzgerald et al., 2014)»¹²⁹. Sociologists (ICRI) and/or publicly oriented research institutes (MIPEX) describe citizenship as «a series of rights (drawing more directly on the tradition of T. H. Marshall) to produce citizenship rights indices (or, to establish differentiation, integration indices)»¹³⁰. According to both perspectives, citizenship acquisition is one kind of integration (legal integration), with respect to other types of integration-promoting policies, including «access to the labour market (economic integration), opportunities for political participation (political integration), and so on»¹³¹. «Integration policies are not a subset of citizenship»¹³², each index group measures different concepts. Citizenship policy can be considered a subset category, one of many indicators, of integration policy indices. The analysing process is one method for discerning «the member *making* of citizenship policy from the member *shaping* of integration policy»¹³³. Both these policies can develop inclusive or exclusive membership, but along different paths. According to Drawing on Charles Tilly’s (1996) relational conception of citizenship, membership can be considered a particular association between an individual and a state as «a continuing series of transactions between persons and agents of a given state in which each has enforceable rights and obligations»¹³⁴. Although, nowadays, immigrant-receiving societies not only have citizenship as exclusive membership category, there are also other conditions of belonging such as temporary and permanent residence. “Establishing membership”¹³⁵ confers obligations and a specific status to members; “promoting membership”¹³⁶ allows the acknowledgement of minority rights and needs. Policies which aim at inclusion

¹²⁷ Ibid., p. 1917.

¹²⁸ Ibid., p. 1915.

¹²⁹ Ivi.

¹³⁰ Ivi.

¹³¹ Ivi.

¹³² Ivi.

¹³³ Ivi.

¹³⁴ Ivi.

¹³⁵ Ibid., p. 1916.

¹³⁶ Ivi.

are not the same as the ones that set up «a formal member creation by establishing conditionality. One group of policies may seek to enable inclusion where as another group of policies requires it in some form»¹³⁷. Civic integration policies, for instance, promote “citizen-like”¹³⁸ skills, (i.g. language proficiency and country knowledge), but using some tools such as mandatory naturalization and settlement tests, integration courses, contracts and/or interviews. Participation aims at improving immigrant integration. However, there are important preparatory requirements without which this status cannot be obtained (Goodman, 2014)¹³⁹. Policies of promotion and policies of requirement, desire to improve migrants’ formal status or position in the labour market; however they are characterized by different processes.

Citizenship policies can be considered (in certain circumstances residence-establishing policies) as “member conditioning”¹⁴⁰, whereas integration policies can be described as “member enabling”¹⁴¹. The former has a process grounded on formal requirements; the latter has a «group- or individual-based enhancement»¹⁴². From the agency and hierarchy points of view, in the “member conditioning” framework, «the immigrant rises to meet the demands of the state»¹⁴³ whereas in “member enabling” context «the state lowers itself to accommodate, promote, and alter the life changes of the immigrant»¹⁴⁴. Boundary maintenance of concepts can proceed in an appropriate way with empirical analysis whether a careful and informed index selection is carried out. Such selection will produce accurate interpretations of the explanatory power of certain institutional structures.

With respect to the “concept validity”¹⁴⁵, the onus rests on the process of accurate and index selection. It needs to recognize that in a pragmatic method of analysis a single approach alone could be insufficient. The issue of “concept validity”¹⁴⁶ also raises the questions concerning the differences between “how policy is designed” and “how it is measured”¹⁴⁷; and how policies are categorized “qualitatively” *versus* how policies are scored “quantitatively”¹⁴⁸. Therefore, «inferences may not be accurate if correspondence is not maintained between concept and measurement»¹⁴⁹. As regards the gap between policy and practice, there is inconsistent incorporation of policy practice among citizenship, integration, and immigration indices. Interpretation of results

¹³⁷ Ibid., p. 1915.

¹³⁸ Ibid., p. 1916.

¹³⁹ Ivi.

¹⁴⁰ Ivi.

¹⁴¹ Ivi.

¹⁴² Ivi.

¹⁴³ Ivi.

¹⁴⁴ Ivi.

¹⁴⁵ Ibid., p. 1917.

¹⁴⁶ Ibid., p. 1918.

¹⁴⁷ Ivi.

¹⁴⁸ Ivi.

¹⁴⁹ Ivi.

must then surge from “more-refined expectations” and rationales for why gaps may be seen or empirically observed. For instance, a lot of scholars showed Germany’s 2000 citizenship liberalization “on the books”¹⁵⁰ did not bring out the expected rise in naturalizations (see Green, 2013; Schönwälder & Triadafilopoulos, 2012; Street, 2014). «That policy may not always be designed to produce its purported effect; integration policy may, instead, be a political maneuver to pacify the anxieties of the public (e.g., Permoser, 2012) or pursue an ulterior motive altogether (Goodman & Wright, 2015)»¹⁵¹.

The gap on “what is designed” and “how it is measured”¹⁵² precedes interpretation and supposes composite indices without any kind of subindex interactions. Index construction, often devoid of clear guiding principles concerning a theorized correlation for potential interactions, is influenced by the dissimilar values which characterise different policy domains. There could be important “nonadditive interactions”¹⁵³, therefore the problem does not concern indices per se, but «where aggregate scores are used in modeling without a priori considerations of subpolicy effects or interactions»¹⁵⁴. Aggregate scores - or subscale averages of indicators - could create problems of compensability. If, during analysis, “conjunctural causation”¹⁵⁵ (X1 and X2 produce Y), “disjunctural causation”¹⁵⁶ (X1 or X2 produce Y), or “INUS”¹⁵⁷ (insufficient but necessary part of a condition which is itself unnecessary but sufficient for the result) causation ([X1 and X2] or [X3 and X4] produce Y) all collapsed (X1+...+XN) into one variable - X - analytical precision tends to decrease.

9. Ideal-types of citizenship from the newcomer point of view

The increase in immigration and the growth of ethnic diversity have had important effects on the political institutions, national identity and setting citizenship of hosting societies. Receiving countries have to develop and improve policies and institutions in order to manage the several questions related to immigrant flows. «The central issues are: defining who is a citizen, how newcomers can become citizens and what citizenship means»¹⁵⁸.

Conventionally, the nation-state only allows a single membership, but immigrants and their descendants have recurring relationships with more than one state. They may be citizens of two countries or live in a state having the citizenship of another

¹⁵⁰ Ibid., p. 1919.

¹⁵¹ Ivi.

¹⁵² Ivi.

¹⁵³ Ivi.

¹⁵⁴ Ivi.

¹⁵⁵ Ivi.

¹⁵⁶ Ivi.

¹⁵⁷ Ivi.

¹⁵⁸ Stephen Castles-Hein de Haas-Mark J. Miller, *The Age of Migration*, Palgrave Macmillan 2014, p. 66.

state. These conditions can develop a “transnational consciousness”¹⁵⁹ or a “divided loyalty”¹⁶⁰ and endanger the nationalist ideal of “cultural homogeneity”¹⁶¹. Thus large-scale settlement implies an analysis concerning the concept of citizenship, which «designates the equality of rights of all citizens within a political community, as well as a corresponding set of institutions guaranteeing these rights (Bauböck, 1991)»¹⁶². However, formal equality infrequently corresponds to a concrete and tangible reality. The citizen has been generally defined according to the culture, the values and interests of the majority ethnic group. The first issue for immigrants does not concern the exact content of citizenship, but how to acquire it, in order to obtain a legal status officially equivalent to that of other residents. Access to citizenship differs across states and depends on the predominant concept of nation. Five ideal-types of citizenship can be distinguished from the newcomer point of view:

1. The “imperial model”¹⁶³. This model is characterised by a «definition of belonging to the nation in terms of being subject of the same power ruler»¹⁶⁴. This conception pre-exists the French and American revolutions and allowed the integration of different peoples of multi-ethnic empires (such as the British, the Ottoman, the Austro Hungarian, etc.). The UK adopted this model until the “Nationality Act of 1981”¹⁶⁵, «it has some validity for the former Soviet Union»¹⁶⁶. This model helps «to veil the dominance of a specific ethnic group or nationality over the other subject peoples»¹⁶⁷.

2. The “folk or ethnic model”¹⁶⁸. This model is typified by a notion of «belonging to the nation in terms of ethnicity (common descent, language and culture)»¹⁶⁹. There is exclusion of minorities from citizenship and from nation. Germany adopts a model close to this ideal-type until the new citizenship rules were introduced in 2000.

3. The “republican model”¹⁷⁰. In this model the definition of nation is conceived «as a political community, based on a constitution, laws and citizenship»¹⁷¹. Admitting newcomers to community is also possible, but newcomers have to adhere to the political rules and be willing to adopt the national culture. This «assimilationist approach dates back to the French and American revolutions»¹⁷². France comes close to this model.

¹⁵⁹ Ivi.

¹⁶⁰ Ivi.

¹⁶¹ Ivi.

¹⁶² Ivi.

¹⁶³ *Ibid.*, p. 67.

¹⁶⁴ Ivi.

¹⁶⁵ Ivi.

¹⁶⁶ Ivi.

¹⁶⁷ Ivi.

¹⁶⁸ Ivi.

¹⁶⁹ Ivi.

¹⁷⁰ Ivi.

¹⁷¹ Ivi.

¹⁷² Ivi.

4. The “multicultural model”¹⁷³. In this model the nation is also conceived «as a political community, based on a constitution, laws and citizenship that can admit newcomers»¹⁷⁴. In this model, newcomers may preserve their distinctive cultures and form ethnic communities, but they have to conform to national laws. This “pluralist or multicultural approach”¹⁷⁵ prevailed in the 1970s and 1980s in Sweden, the Netherlands, Australia, Canada and in other countries too. However, multiculturalism has recently attracted criticism.

These four ideal-types share a common factor: they are based on the fact that «citizens belong to just one nation-state»¹⁷⁶. Therefore, migrant settlement is perceived as a process which relocates primary loyalty from the state of origin to the state of residence via the process of naturalization and the acquirement of citizenship of the new state. However, according to the “transnational theory”¹⁷⁷ this dynamics cannot be considered applicable for new groups of migrants. For this reason a supplementary ideal-type of citizenship emerges:

5. The “transnational model”. In this ideal-type the «identities of members of transnational communities transcend national boundaries, leading to multiple and differentiated form of belonging»¹⁷⁸. In the future, this model will probably have important impacts for democratic systems, institutions and political belonging.

These ideal-type are not universally accepted, furthermore they cannot be considered static models even with respect to a single state (Bauböck and Rundell, 1988). The difference between citizens and non-citizens is increasingly less clear. Legally resident immigrants in a country, after some years, acquire a status «tantamount to quasi-citizenship or denizenship (Hammar, 1990)»¹⁷⁹. According Hammar the term *denizens*¹⁸⁰ describes «foreign citizens with a legal and permanent resident status in the host state»¹⁸¹. Hammar identifies «three entrance gates to a new state»¹⁸²: a) the immigration regulation grants work and residence permits for short periods; b) the regulation of residential status, grants permanent work and residence permits without time restrictions; c) the naturalisation into full citizenship of the host state. A foreign citizen, only after having passed the second gate, can acquire full residential rights as a *denizen*. However, a lot of *denizens* stay outside the third gate of naturalisation for several reasons. *Denizens* have almost full social, economic and civil citizenship rights, but they enjoy a limited access to political rights. They are generally

¹⁷³ Ivi.

¹⁷⁴ Ivi.

¹⁷⁵ Ivi.

¹⁷⁶ Ivi.

¹⁷⁷ *Ibid.*, p. 68.

¹⁷⁸ Ivi.

¹⁷⁹ Ivi.

¹⁸⁰ Ece Ozlem Atikcan, *Citizenship or Denizenship: The Treatment of Third Country Nationals in the European*, Sussex European Institute Union, SEI Working Paper No. 85, 2006, pp. 1-49, p. 7.

¹⁸¹ Ivi.

¹⁸² Ivi.

excluded from democratic participation and processes, *denizens* may vote only when they are naturalised. This is a democratic problem, given the growing difference between the population of citizens and the actual resident population in several states western states. *Denizen* status can be correlated with the theoretical contradiction for democratic nation-states between the precepts of the liberal democratic state and the economic exploitation of immigrants, which are large permanently disenfranchised sections of the population without representation.

In post-war Europe, because of the creation of the category of *denizen*, «the citizen-noncitizen distinction became increasingly unclear»¹⁸³. The expression *denizen* represents a «limited membership to a polity and access to the rights and services that membership provides, as opposed to the full membership represented by citizenship»¹⁸⁴. According to Sørensen¹⁸⁵ *denizens* have *de facto* membership because they participate in the labour market, pay taxes, have families, contribute and receive welfare services and are part of the social and cultural life of the state.

The specific range of rights enjoyed by *denizens* (rights as permanent residence status; rights to work, seek employment and run a business; access to social security benefits and health services, to education and training; and some limited political rights, such as voting in local election) creates a particular legal status which is «more than that of a foreigner, but less than that of a citizen»¹⁸⁶.

The types of quasi-citizenship highlight that even though the range of civil and social rights, foreseen by international conventions and structures - such as the UN, the International Labour Organization (ILO) and the World Trade Organization (WTO) - is legally guaranteed and in the same manner for citizens and non-citizens in the states adopting these international norms (Soysal, 1994), the legal protection expected by these international legal instruments can be unsatisfactory where states do not ratify such international conventions or do not incorporate the norms, concerning international measures to protect migrant rights, into their national law.

The European Union is developing a new type (in progress) of citizenship. The 1992 Maastricht Treaty stated the “Citizenship of the European Union”¹⁸⁷ which incorporates «the right of freedom of movement and residence in the territory of member states and to vote and stand for office in local elections and European Parliament elections in the state of residence (Martiniello, 1994)»¹⁸⁸. Therefore, the meaning of citizenship is not static, but it may change and the exclusive link to one nation-state is increasingly becoming weak. Dual and multiple citizenships / nationalities will tend to be more customary.

¹⁸³ Ibid., p. 8.

¹⁸⁴ Ivi.

¹⁸⁵ Ivi.

¹⁸⁶ Stephen Castles, Hein de Haas and Mark J. Miller, op. cit., p. 68.

¹⁸⁷ Ivi.

¹⁸⁸ Ivi.

10. Post-national citizenship

Europe is the historical *locus* where the symbiosis between nationality and citizenship and the concept of nation-states were created. The paradigm of “national citizenship”¹⁸⁹ represents one of the last expressions of this relationship. This formula is increasingly becoming obsolete and the notion of “post-national citizenship”¹⁹⁰ is asserting itself. Post-national citizenship tends to be analyzed mainly from a legal viewpoint. It can be essentially described as «the legal status that grants free access to economic, social and political rights to all legal residents living in a state beyond national constraints (Estrada Carvalhais, 2007)»¹⁹¹. Post-national citizenship could at the same time be considered «a regime of rights working on a global or transnational level (such as is the case with European citizenship), or as a higher stage of inclusion of non-nationals within the national sphere of social, civic and political rights»¹⁹².

According to Carvalhais a concept of post-national citizenship will develop, whose roots can be correlated to both: the liberal matrix, preserving its voluntary inclusive and individual-centred features with respect to the paradigm of national citizenship; and to the republican tradition, preserving the idea of democratic participation, where citizens are invited to communicate and to participate in decision-making processes (Bohman, 1996).

Post-national citizenship can be considered a combination of rights to work at transnational level (e.g. European citizenship) and a higher stage of non-citizen inclusion at the state level from the points of view of social, civic and political rights. According to Soysal post-national citizenship is «a regime that confers upon every person the right and duty of participation in the authority structures and public life of a polity, regardless of their historical or cultural ties to that community (1994)»¹⁹³. This model is described as «new model which [...] reflects a different logic and praxis: what were previously defined as national rights become entitlements legitimised on the basis of personhood (1994)»¹⁹⁴. However, this approach relies mostly on «the emergence of transnational political structures» and on an expected «increasing interdependence and connectedness» considered able to modify state dynamics. Domestic policy and social and economic dynamics of states can weigh heavy on the promotion of the international juridical devices of human rights. Furthermore, these international legal instruments need to be ratified by the state in order to be effective at national level. Therefore, post-national citizenship requires a progress of international structures, but above all a strong effort made by political communities in order to overcome the

¹⁸⁹ Isabel Estrada Carvalhais, *The Cosmopolitan Language of the State Post-national Citizenship and the Integration of Non-nationals*, “European Journal of Social Theory”, 10(1) 2007, pp. 99-111, p. 99.

¹⁹⁰ *Ivi.*

¹⁹¹ *Ivi.*

¹⁹² *Ibid.*, p. 100.

¹⁹³ *Ivi.*

¹⁹⁴ *Ivi.*

national paradigm and its restrictions and improve democratic systems through a greater implementation of human rights.

The mechanism of “naturalization”¹⁹⁵ is founded on a national paradigm. It represents the typical method whereby states restrict admission to citizenship. Through naturalization, democratic societies allow non-nationals to enjoy a few rights incorporated in the status of citizenship. This range of rights is wider than the one granted to “temporary migrants”¹⁹⁶ and/or irregular migrants, but it generally also corresponds to a limited variant of the citizenship (from the point of view of the complete series of rights) enjoyed by national-citizens.

According to Estrada Carvalhais, the identification of at least «three basic formal spaces»¹⁹⁷ is a useful analytical prism to answer the question of which levels of post-nationality can be described by the spaces of citizenship granted to non-nationals¹⁹⁸. These three basic formal spaces of evaluation are: (1) policies of immigration; (2) naturalization processes; and (3) policies of social integration. Social integration, is considered «a gradual process by which the migrant subjects and groups become active participants in the economic, [...] civic, political, cultural and spiritual life of the host country, leading to the exercise of citizenship (Albuquerque et al., 2000)»¹⁹⁹. However, despite the crisis of political citizenship the national paradigm is still fundamental with respect to defining the citizenship core. The access to political rights is generally complicated for non-nationals.

Low levels of economic and social performance of the non-nationals depend on factors such as demographic concentration in declining industrial areas, low literacy patterns, shortage of highly valued skills from the labour market point of view, lack of proficiency in the guest language ethnic/racial discrimination by employers etc. (Brubaker, 1989)²⁰⁰, but also from their limited access to political citizenship. Benefiting from political rights is fundamental in order to safeguard the effective enjoyment of social rights.

The idea, developed by Held, of a “new form of government”²⁰¹ highlights the existence of issues «which rightly belong to the local, regional, national and international or global orders separately, and stresses the necessity of pursuing democratic governance at these different levels»²⁰². However he describes neither this interrelation of powers nor which new questions it would pose as regards the idea of popular democratic legitimacy. According to this top-down perspective, democracy could need to become progressively more mediated and separate from the people²⁰³.

¹⁹⁵ Ibid., p. 101.

¹⁹⁶ Ibid., p. 102.

¹⁹⁷ Ivi.

¹⁹⁸ Ivi.

¹⁹⁹ Ivi.

²⁰⁰ Ibid., p. 103.

²⁰¹ Ibid., p. 104.

²⁰² Ivi.

²⁰³ Ivi.

Richard Falk and Daniele Archibugi develop the opposite concept of “globalisation-from-below”²⁰⁴ founded on the mobilization of “global civil-society”²⁰⁵ forces and the influence of transnational actions. According to Archibugi «states as the central figure in international relations (1995) must cooperate with international and transnational organs in the making of a peaceful world order», it is supposed «the legitimacy of such entities’ actions can ultimately be in the hands of the people»²⁰⁶. Archibugi tries to conciliate the idea of a global institutional order with a more effective presence of citizens, able to balance democratic deficits, also in a reformed UN system, using the idea of a world assembly of citizens with a role would nevertheless be essentially advisory and not executive²⁰⁷. Archibugi World Assembly is actually a symptom of the difficulties that some expectations upon civil society can cause. It can lead to a spiral of institutional devices considered as a way of overcoming continuous fragilities²⁰⁸.

Falk suggests the theory of “normative democracy”²⁰⁹ «to mobilize and unify the disparate social forces that constitute global civil society and the release of the political energy that is associated with globalization-from below»²¹⁰, built on several principles. A few of these important principles are:

1. “Consent of citizenry”: the basic idea is to be “flexible and adaptive”. In local arenas, for instance, direct democracy may be more appropriate, while in other communities, petitions and referenda may be more appropriate than traditional elections.
2. “Rule of law”: requiring that “all modes of governance are subject to the discipline of law as a way of imposing effective limits on authority” and that there is sensitivity to the normative claims of civil initiatives.
3. Participation: “This calls for effective and meaningful modes of participation in the political life of the society, centred upon the processes of government, but extending to all forms of social governance, including work place and home”, all on the basis of “equality of access” (Falk, 1999: 148)²¹¹.

Spaces concerning state-society relationships should be improved and benefit from greater attention and analysis. These spaces are essential with respect to the emergence of a post-national logic correlated with a better implementation of human rights. A lot of associations, in particular immigrant associations, and non-profit organizations which operate on transversal issues (like unemployment, gender equality, environmental protection, health) can be considered domestic post-national spaces from the points of view of membership, nature of their concerns, goals, and strategies of action. More in-depth analyses on the state-society relationship within a post-national logic would be an advantage for democracy as a political regime, persons as citi-

²⁰⁴ Ibid., p. 105.

²⁰⁵ Ivi.

²⁰⁶ Ivi.

²⁰⁷ Ivi.

²⁰⁸ Ivi.

²⁰⁹ Ivi.

²¹⁰ Ivi.

²¹¹ Ibid., p. 106.

zens, democracy as a regime of human rights and, individuals as persons. «Democracy can only be fully sustained in and through the agencies and organizations that form an element of and yet cut across the territorial boundaries of the nation-state (Archibugi and Held, 1995)»²¹².

«All these post-national manifestations of civil society in fact need the state's support, both legally and financially, as the success of civil society's initiatives cannot depend solely upon its own good will (Walzer, 1995)»²¹³. «If political rights are necessary to set social rights in place, social rights are indispensable to make political rights "real" and keep them in operation. The two rights need each other for their survival; that survival can be only their joint achievement»²¹⁴.

11. National models of integration in Europe

The word "integration", which is recurrently utilized in public, political and academic debates on immigration in Europe and beyond is related to the goal of migrant inclusion into the "receiving society", from the public and political point of view. From the academic point of view "integration" is a sociological concept concerning a model for immigrants. Cross-country comparisons show how integration is usually correlated with a few ideal-type national models: "republican"²¹⁵ in France; "multicultural"²¹⁶ in Britain, the Netherlands and Sweden; "ethnic exclusionary"²¹⁷ in countries like Germany. The concept of integration, which is an important topic in classical sociology, has a double significance.

Firstly, according to the tradition of Emile Durkheim and Talcott Parsons, knowing «how a group or a society, based on an equilibrium between its collectivising and differentiating forces, constructs its solidarity and guarantees its social cohesion»²¹⁸ is an essential issue.

Secondly, "integration" also refers to the inclusion of individuals, religious minorities, minority groups (such as workers or women) and/or migrants into society.

National models of integration have been developed in Europe in order to manage the integration of migrants. Three kinds of models can be recognized: the French civic-territorial and assimilationist republican one, the Anglophone civic-territorial and multicultural one, and the Germanophone ethnic and assimilationist one (Castles and Miller 2009). Scholars have attributed both normative and ideological functions

²¹² Ibid., p. 105.

²¹³ Ibid., p. 106.

²¹⁴ Vladislav Inozemtsev-Piotr Dutkiewicz, *Democracy versus Modernization: A Dilemma for Russia and for the World*, Routledge 2013, p. 43.

²¹⁵ Dietmar Loch, *Integration as a sociological concept and national model for immigrants: scope and limits*, "Identities: Global Studies in Culture and Power", Vol. 21, n. 6, 2014, pp. 623-632, p. 623, <http://dx.doi.org/10.1080/1070289X.2014.908776>.

²¹⁶ Ibid., p. 624.

²¹⁷ Ivi.

²¹⁸ Ibid., p. 623.

to these models which explain the specific immigrant integration developed by countries according to a preconceived public philosophy or policy paradigm (e.g. Favell 1998).

Models of integration also represent «the result of the historically informed socio-political development of a country with respect to its immigration (Bertossi and Duyvendak 2012)»²¹⁹. These models have been challenged since the twentieth century by the mutations of Western Societies and migrant flows. New forms of social and political integration are developing, characterised by an approach which goes beyond the nation state level. Social exclusion, urban segregation and xenophobia against migrants are following this process. Nowadays populism propaganda, which often relates the term integration to an image of national homogeneity, is one of the challenges for representative democracy. Even though European societies continue to be relatively organised in nation states, the incorporation of migrants could also be analyzed in terms of “liberal” multiculturalism and could open debates on transnationalism.

The sociological concept of integration is evolving in the direction of «more open forms of social cohesion (Dubet 2009)»²²⁰. Immigrants and their children are characterized by “upward social mobility” (they are acculturated, assimilated, and have citizenship rights), however they experience also “downward mobility”²²¹ (racist and Islamophobic discrimination and political exclusion). During economic crisis and in this new context of incorporation, transnational practices offer them economic resources. Therefore, interdependence among local, national and transnational levels augments. It represents an important challenge for integration models emerging in national societies. An example of challenge, from the cultural point of view, comes from radical right populism, public attacks against multiculturalism and neo-assimilationist policies, such as naturalisation tests, in several European states. The «European integration process has given rise to the assumption that national integration policies have converged to a supranational standard of civic integration (Joppke 2007)»²²², it is probable that national «models have not failed but rather still possess an important heuristic function»²²³.

Models as well as their socio-political context have a specific impact on the process of immigrant integration. France, Britain and Germany are characterized by republican, multicultural and originally ethnic normativity, respectively. The Netherlands have developed an original mixture of multicultural and social policies, and Swedish multiculturalism is closely associated to the Nordic welfare state system. All these models expanded in Western and partially colonial immigration countries especially where there was the massive need for labor during the economic boom of during the 1950s and the 1970s.

²¹⁹ *Ivi.*

²²⁰ *Ibid.*, p. 625.

²²¹ *Ivi.*

²²² *Ivi.*

²²³ *Ivi.*

On the contrary, Italy, which is a southern European emigration country, has only become an immigration country since the 1970s. A lot of the Central and Eastern European countries (CEECs) have been involved by the immigration of ethnic minorities that differ from the older national minorities such as the Roma. The Czech Republic is an example among CEECs which tends to develop into Western European-type immigration countries.

Western European models have developed in industrial and national societies which are characterized by «similar patterns of immigrant integration in Europe, based on working class integration, assimilation and forms of political integration in an industrial democracy (Heckmann and Schnapper 2003)»²²⁴. Differentiations in this process could derive also from context-related economic or demographic motivations trigger the phenomenon of immigration. Often, the social processes of integration in this kind of society have only in part and momentarily overlapped with immigration debates and policies. «In Western Europe, up to the 1970s, these *discourses* were aligned to the dominant class cleavage»²²⁵. Immigrants were considered as workers or, like in Britain, as members of ethnic and racial minorities.

Minority policies, which typify this industrial period, were implemented differently: «via antiracist state support on the labour market in Britain, based on social policy in France, Germany and Sweden, and mixed in the Netherlands»²²⁶. However, European societies have changed. Social cohesion - the reason for model change - diverges objectively and, from the point of view of its interpretations. For example it is evaluated as conservative in multicultural Britain, self-evident for solidarity in Durkheimian France and still correlated to the danger of an (ethnic) “parallel society”²²⁷ in the republican Germany.

In this mutated context, the «social process of immigrant integration tending to linearity in the former national society is characterised by more diversity (Pries 2010)»²²⁸. The gap revealed between the social process and integration policies or at least “politics” tends in part to endure. Some ideological debates are model-specific within the transformed West European cleavage structure, which opposes open-globalised to closed-protectionist positions. This can be observed in some debates, such as, the discussions on the Muslim veil in France, the debates on multiculturalism *versus* “community cohesion” in Britain or the discussions on the *Leitkultur*²²⁹ (leading culture) in Germany, on welfare state-based multiculturalism in Sweden and on Islam in the Netherlands. Crul et al. (2012) perceive a connection between the integration of second generations and policies which can be considered “good practices”²³⁰, a result

²²⁴ Ibid., p. 629.

²²⁵ Ivi.

²²⁶ Ivi.

²²⁷ Ivi.

²²⁸ Ivi.

²²⁹ Ivi.

²³⁰ Ivi.

of an institutional environment.

Finally, with respect to integration policies, national models in Europe tend «to converge to a unique policy of civic integration (Joppke 2007)»²³¹. For instance, there is no unified or coordinated approach at European level, but in certain circumstances something similar to the Italian political concept of *convergenze parallele*²³² may be supposed. This expression concerns cases of similar solutions for similar challenges, such as the establishment of Islam Councils by EU national interior ministries in order to develop a more sophisticated structure of State-Mosque relations.

National models of integration have lost some of their efficacy because of transnationalism and the extreme segmentation which nowadays characterises globalised societies. Because of the “creeping process of ghettoisation”²³³ (not only in France and Britain) they have failed. They have been also challenged «when the former pragmatic equilibrium within the dilemma between civic integration and multiculturalism has been broken by urban segregation and harsh assimilation policies»²³⁴. According to some scholars such as Faist et al. (2013) integration, multiculturalism and transnationalism should be considered as interrelated rather than as mutually exclusive models. This approach opens new perspectives with respect to integration as a sociological concept as regards the issue of immigrant incorporation.

12. “Fugitive democracy”

Analysing citizenship as «enactment rather than arrangement»²³⁵ raises the question of a conception of democracy as “enacted”²³⁶ in different ways. Therefore, such as approach involves not only the conceptions of democracy from the political theory or comparative political institutions points of view, but also from the point of view of sociological, anthropological and constructivist influences.

The “European Citizens’ Initiative (ECI)”²³⁷, a product of the Lisbon Treaty²³⁸, for instance can be analysed considering the conceptions of democracy, participation and citizenship which frames it. An “enacting perspective”²³⁹ moves the focus from “a limited conception of (European) democracy”²⁴⁰ as “polity activating”²⁴¹ to the new con-

²³¹ Ibid., p. 630.

²³² Laurence Jonathan, *The Emancipation of Europe’s Muslims, The State’s Role in Minority Integration*, Princeton University Press, 2012, p. 18.

²³³ Dietmar Loch, op. cit., p. 631.

²³⁴ Ivi.

²³⁵ Michael Saward, *Enacting citizenship and democracy*, in *Enacting European Citizenship*, edited by Engin F. Isin-Michael Saward, Cambridge University Press 2015, pp. 220-237, p. 220.

²³⁶ Ivi.

²³⁷ <http://ec.europa.eu/citizens-initiative/public/welcome?lg=en>.

²³⁸ Michael Saward, op. cit., p. 220.

²³⁹ Ibid., 221.

²⁴⁰ Ivi.

²⁴¹ Ivi.

ception of democracy as “polity constituting”²⁴². This new approach examines «political representation as dynamic practice of claiming rather than solely a formal product of election»²⁴³. European citizenship, which was established in the Maastricht Treaty in 1992²⁴⁴, needs to become «a tangible reality in the daily lives of citizens»²⁴⁵. The Lisbon treaty «puts citizenship at the heart of European policy»²⁴⁶, therefore the ECI aims at strengthening the consciousness and effectiveness of the status of European citizenship and diversifying «sources of democratic participation»²⁴⁷.

European citizenship is considered lack of democracy in EU political process. The Lisbon Treaty specifies the requirements of petitions under ECI that must: «have at least 1 million signatories, from a significant number of EU countries; concern a policy area where the Commission has powers to act; and concern an issue for which people think an EU law is needed to implement EU Treaties»²⁴⁸. The Commission in the ECI views new possibilities to influence EU policy and an important symbolic and practical advance for European citizenship and democracy. The Commission sees the introduction of the ECI as an act of citizenship improving “active citizenship”²⁴⁹ and “democratic participation”²⁵⁰. The ECI adds «(some element of) direct or participatory democracy to (existing elements of) representative democracy»²⁵¹.

The EU citizenship tends to be considered as «piecemeal, thin, market-oriented (Beson and Utzinger, 2008)»²⁵² and according to the Commission the ECI can «contribute not only to European democracy, but also to EU policy making»²⁵³. The ECI promotes a way of engaging individual citizens of the Union instead of fostering active citizenship mainly through non-governmental organizations (NGOs), or organized civil society (Bellamy 2008), which is considered an ineffective strategy (Warleigh, 2006). According to Pollack (2007), there is «an impressive catalogue of deficits if UE governance is compared to (a stylized model of) national governance: the EU is a system of hybrid networks which hardly allow for political control, there is no collective identity, no lingua franca, a multitude of *demoi* and the legitimacy of institutions is not based on elections»²⁵⁴. The ECI can be a direct link between EU citizens and the Commission avoiding some problems with representative institutions and processes, such as flawed elections and/or perception of weak parliament and flawed elections. The idea

²⁴² Ivi.

²⁴³ Ivi.

²⁴⁴ Ivi.

²⁴⁵ Ivi.

²⁴⁶ Ivi.

²⁴⁷ Ivi.

²⁴⁸ Ivi.

²⁴⁹ Ibid., p. 223.

²⁵⁰ Ivi.

²⁵¹ Ivi.

²⁵² Ivi.

²⁵³ Ivi.

²⁵⁴ Ibid., p. 224.

of democracy can be analysed by three approaches:

- firstly, in “deductive terms”²⁵⁵, through the correct understanding of a specific basic political-philosophical principle (such as autonomy, political equality, fundamental rights, etc.) the appropriate set of institutions and democracy can be deduced. The deductive approach has been a peculiarity of Anglo-America democratic theory²⁵⁶ (such as Dahl, 1989).

- secondly, in “inductive terms”²⁵⁷, the operating mechanism of the institutions which are considered democratic (such as elected parliament) transforms into «more general models of what democracy “is”, and ought to be»²⁵⁸. The literature on “democratisation”²⁵⁹ is analysed in journals such as “Journal of Democracy”²⁶⁰.

- thirdly, by using the approach founded on the idea that «democracy is “enacted”»²⁶¹. Several actors and institutions or “devices”²⁶² enact or symbolize interpretations of favourite principles.

According to this approach, democracy in a particular time and place is «the contingent outcome of a particular understanding of which devices enacting which principles matter most»²⁶³.

There are some restrictions to what can be considered as democracy, however, reflexive view of democracy as enacted, partial, plural and revisable from the institutional design point of view, can call attention to some key issues which could be downplayed or ignored in a few debates or reforms. The statements concerning a specific polity-activating conception are: Europe equals the EU; European democracy equals making EU institutions more democratic; and European citizenship equals formal EU citizenship²⁶⁴. Aside from polity-activation perspective and without degrading the concepts of institutional democracy and citizen participation in UE, there are also alternative perspectives of European citizenship and European democracy.

In order to highlight the impacts of a polity-activation perspective from the ECI point of view, there some analyses are to be made on: «(1) discourses of direct and participatory democracy and what they reveal; (2) discourses of active citizenship and active participation and what they reveal; (3) the nature and effect of assumptions about borders of, and belonging to, a polity»²⁶⁵.

As regards the “discourses of direct and participatory democracy”, the ECI introduc-

²⁵⁵ Ivi.

²⁵⁶ Ivi.

²⁵⁷ Ivi.

²⁵⁸ Ivi.

²⁵⁹ Ivi.

²⁶⁰ “Journal of Democracy”, <http://www.journalofdemocracy.org/>.

²⁶¹ Michael Saward, op. cit., p. 224

²⁶² Ivi.

²⁶³ Ibid., p. 225

²⁶⁴ Ivi.

²⁶⁵ Ibid., p. 226

es a component of “participatory democracy”²⁶⁶ (not “direct democracy”) because citizens may only propose an idea to the Commission and Parliament for consideration. In direct democracy there are political procedures in which collective decisions are made directly by people, via referendum or «in face to face settings (such as Swiss *Landsgemeinde*)»²⁶⁷. As Plotke (1997) argued:

the opposite of representation is not participation. The opposite of representation is exclusion - and the opposite of participation is abstention. Rather than opposing participation to representation, we should try to improve representative practices and forms to make them more open, effective and fair²⁶⁸.

With respect to the notion of “active citizenship and active participation”, The ECI aims at promoting the concepts of (individualistic-liberal-democratic) “active citizenship, active citizens”²⁶⁹, “citizenly roles”²⁷⁰ and “participatory democracy”²⁷¹ in the context of European citizenship. However, the limits of the ECI concern a “scripted”²⁷² form of political participation in which citizens operate on existing, formal political stages, via standardised practices. «The ECI concerns activating European citizenship *within the present rules, procedures, legal competences and borders of the EU and its key institutions*»²⁷³. The ECI device allows exclusively those who are already formally EU citizens to suggest ideas for policy change to the Commission, but without any guarantee the issue raised will be considered by the authorities. ECI petitioners can only act to expand specific existing legal provisions. Despite limitations, these kinds of proposals might introduce persuasive non-institutional political actors into the scene of EU politics.

The ECI promotes a policy-activating conception of democracy. However, according to some scholars the EU has not yet achieved the phase where democratic citizenship in the Union can be activated. Consider Bellamy (2008):

Citizenship as it developed within the member states combined the values of belonging, rights and participation. EU citizenship has attempted to develop the first from an attachment to the second, and to employ new and more selective forms of the third. However, neither rights nor participation prove sustainable without a fairly strong sense of belonging, such as has already developed within the member states²⁷⁴.

²⁶⁶ Ivi.

²⁶⁷ Ibid., p. 227.

²⁶⁸ Ivi.

²⁶⁹ Ivi.

²⁷⁰ Ivi.

²⁷¹ Ivi.

²⁷² Ivi.

²⁷³ Ibid., p. 230.

²⁷⁴ Richard Bellamy, *Evaluating Union Citizenship: Belonging, Rights and Participation Within the EU*, “Citizenship Studies”, Vol. 12, n. 6, December 2008, pp. 597-611, p. 597, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1519910

These perspectives declare: (a) the EU cannot be a democratic polity because it does not have a *demos*, or at least a *demos* of the requisite character; (b) the development of a *demos*, produces changes which are extending the requisite sense of citizenship rights or belonging; «or (c) there is a *demos* capable of activation if certain approach is taken»²⁷⁵. The debates about the democratic deficit of the EU and the features of the ECI draw attention to the polity-activating conception of democracy, founded on a conception of a particular mechanism for active citizen participation.

The concept of “policy-constituting”²⁷⁶ is an alternative way to think about, and connect together citizenship and democracy in Europe. According to this viewpoint acts represent alternative manners of belonging, claiming rights and identities and, cooperating between formal citizens and others. This perspective implies «a conception of political identity and polity as constituted *through* enactment»²⁷⁷. It shows new ways in which persons and groups enact themselves as citizens, producing “new ideas of political subjecthood”²⁷⁸.

Acts of European citizenship are committed a lot of times, by different groups or persons (citizens and non-citizens), inside and outside EU borders. Therefore, there are diverse statuses which can carry out acts of European citizenship. In-depth and detailed analyses concerning specific acts of citizenship, are necessarily highly selective. This approach draws attention to the difference between the concepts of activist and active citizens. «While activist citizens engage in writing scripts and creating the scene, active citizens follow scripts and participate in scenes that are not already created (Isin, 2008; Isin 2009)»²⁷⁹. Studying act of citizenship means to analyse ways that individuals enact themselves as citizens remodelling «the very understanding of citizenship that they enact»²⁸⁰. An inductive approach gives rise to “polity-activating conceptions of democracy”²⁸¹.

Three interlinked points of focus (which are no exhaustive suggestions) can be analysed with respect to «the menu of democratic possibilities»²⁸².

Firstly the role of “alternative modes of representations”²⁸³ appears. Political representation in Europe is still too restrictive. The representative role of the Parliament, the Council and the Council of Regions along with the one of non-governmental and/or civil society organisations, such as the Economic and Social Committee, appear insufficient. Official elected and judicial representatives do «not speak for all and every significant interest»²⁸⁴. According to Saward (2010) «the notion of representation is a

²⁷⁵ See Michael Saward, op. cit., p. 230.

²⁷⁶ Ivi.

²⁷⁷ Ibid., p. 231.

²⁷⁸ Ivi.

²⁷⁹ Ivi.

²⁸⁰ Ivi.

²⁸¹ Ivi.

²⁸² Ibid., p. 232.

²⁸³ Ivi.

²⁸⁴ Ivi.

matter of performative claim-making and the reception of claims rather than a state of affairs resulting from the working of electoral or other formal mechanism»²⁸⁵. «Representation involves a process of aggregating the preferences of constituents who tend to differ in many ways (Richard Rose, 2010)»²⁸⁶.

Secondly, polity-constituting conceptions emphasize of the “political unit”²⁸⁷: democracy is considered “rule by people”²⁸⁸ and acts of citizenship invoke highly varied scales in terms of «which places are political or are sites of belonging»²⁸⁹. *Demoi*, polities, are unstable, fluid and contested products of different claims of solidarity, belonging and recognition. From the point of view of political units, open-mindedness to «the challenge of the non-contiguous, the local and the sporadic»²⁹⁰ is crucial.

Thirdly, the EU’s “active” citizens are those who exercise that particular set of rights to free movement and non-discrimination which is formally defined by EU citizenship. However notions of citizenship and of Europe are invoked in several other rights claims. Rights and freedom are not «possession of established authority and their defined jurisdictions»²⁹¹, they can suggest more senses and scales (of recognition or entitlement) and new emergent political actors.

The polity-constitution approach emphasizes the acts of citizenship which make “perceptible” claims and identities that are unlikely to be intercepted by established legal and political institutions. For this reason polity-activating and polity-constituting approaches can be placed at opposite ends of a common spectrum of approaches to democracy. Whether “the part/no part distinction”²⁹² is marked as “heard/unheard”, “see/unseen”, “formal/informal” or “powerful/powerless”²⁹³, there can be many parts, for example: “the key part”, “the visible part”, “the marginal part”, “the emergent part” and indeed “the no part”²⁹⁴. It depends on the fact that “having a part” is conceived in terms of «having a more or less visible and recognised social or political presence and role»²⁹⁵. There is «a distribution of the perceptible (Rancière’s *Distribution of the sensible*, 2006), and perceptibility is a key feature of relative power and powerlessness»²⁹⁶. Polity-activating approaches tend to ignore “visibility acts”²⁹⁷ associated with a wider conception of European citizenship. Selectivity is necessary in order to identify which specific acts we want to consider *as* acts of European citi-

²⁸⁵ Ivi.

²⁸⁶ Ivi.

²⁸⁷ *Ibid.*, p. 233.

²⁸⁸ Ivi.

²⁸⁹ Ivi.

²⁹⁰ Ivi.

²⁹¹ Ivi.

²⁹² *Ibid.*, p. 234.

²⁹³ Ivi.

²⁹⁴ Ivi.

²⁹⁵ Ivi.

²⁹⁶ Ivi.

²⁹⁷ Ivi.

zenship.

According to the model of “fugitive democracy”²⁹⁸ which was developed by Wolin (1996), «democracy is a project concerned with the political potentialities of ordinary citizens, that is, with their possibilities for becoming political being through the self-discovery of common concerns and modes of actions for realizing them»²⁹⁹.

13. Conclusion

The concept of citizenship as merely a legal concept has been considered too narrow for modern democratic society. The six ideal-types of participatory democracy, proximity democracy, participative modernization, multi-stakeholder participation, neo-corporatism, and community development - that are proposed as adaptations of the participatory budgeting model created in Porto Alegre and also experimented in European countries - highlight how a process like participatory budgeting whether combined with certain existing traditions of participation might lead to more transformative results than an artificial process with no links to existing structures. PB model alone represents just one of the several instruments which may develop a larger diffusion of democratic innovation.

The dichotomy in model such as “authentic vs. fake”, or “radical vs. neo-liberal”, or “bottom-up vs. top-down PBs”³⁰⁰ is insufficient to comprehend the complexity of the trans-national mosaic of citizen models of participation in the World. The development of a more sophisticated democratic system depends on the interaction between local, national e supranational (even European) contexts, but especially on an increased participation of civil society and social movements.

The knowledge of policy environments very much depends on what type of data is used. Conceptual imprecision - where studies lack a clear differentiation of member-enabling *versus* member-conditioning policies - can produce misleading conclusions. Theoretically underspecified uses of indices could ignore a larger image of which policy impacts exist, a few influences of the increasing and cumulative understanding as regards migrant-related policies and effects. With respect to the studies concerning the models of citizenship, «maximalist definitions tend to be so overburdened as to be of little analytical use and minimalist definitions run the risk of omitting relevant attributes in the definition of a concept (Munck & Verkuilen, 2002)»³⁰¹. Policy variables need to be conceived as “orthogonal”³⁰² as possible especially where potentially overlapping policies are analyzed. Aggregate policy measures reduce empirical complexity for parsimonious comparison.

Scholars should use indices not only for hypothesis testing but, as a first step, also in

²⁹⁸ Ivi.

²⁹⁹ Ivi.

³⁰⁰ Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, op. cit., p. 29.

³⁰¹ Sara Wallace Goodman, op. cit., p. 1932.

³⁰² Ivi.

hypothesis building in order to define parameters and scope conditions and produce more efficient concepts. Pairing quantitative results with qualitative analysis (where possible), empirical testing and comparative case study with a large group of countries, are useful supports which should be implemented. Improved analytical rigor, combining analysis with case studies, can show which specific policies and how they affect an outcome of interest, recognizing that all citizenship and migration policy dimensions are not defined by the same normative perspective. Also in practice, they do not “behave”³⁰³ similarly. It is useful to address the principle-implementation gap, where policy and practice differ. Mixed or multi method approaches corroborate measures and reinforce deductions. A large amount of diverse kind of indices, the development of studies on migration and citizenship over the last decade, the appreciation for interdisciplinary in this sector of study and the fundamental role of immigration and belonging in national politics in the European Union and elsewhere, represent some fundamental aspects of the research activity in the field of migration and citizenship.

It is increasingly complicated to ensure cohesion between social groups by means of common values of socio-cultural units (such as nations), or through the socialising function of conflicts. Communication between the (sub)systems of highly differentiated societies is a useful instrument to support social-cohesion and immigrant integration into the receiving societies. Cross-national comparison highlights national models are useful to describe differences in political discourse and public policies (see also Finotelli and Michalowski 2012), even though they are not always able to clarify the social process of integration. Integration process has more similarities and correlations - even though not exclusively - with the context of (Western) European societies. An increasingly systematic, comparative and interdisciplinary methodology is necessary in order to improve analysis of the integration of immigrants.

Furthermore, with respect to the concept of Post-national citizenship, it can be considered «a legal status that grants free access to economic, social and political rights to all residents living in a state, beyond national constraints, enabling a denationalized democratization of rights of public participation»³⁰⁴. This type of citizenship is found on the idea of a denationalized access to citizenship rights and a liberal-republican commitment to public action. A voluntary attachment to democratic participation is a necessary prerequisite.

Dissimilar conceptions of post-nationality are the result of peculiarities of each political culture and dissimilar levels of adherence to post-national citizenship. Flexibility characterises necessarily the concept of post-nationality and the idea of post-national citizenship across states. Post-national citizenship can be considered the expression of a new paradigm of relationships between state and society which influences individuals and groups beyond a national loyalty level. Post-nationality can be also conceived as a desirable quality of the political praxis but not always an implemented

³⁰³ Ivi.

³⁰⁴ Isabel Estrada Carvalhais, op. cit., p. 107.

concrete condition. Therefore, neither trans-state nor supra-state levels are able to guarantee the development of a post-nationality model whether they do not reproduce a logic of democratic openness favourable to the empowerment of people against national constraints and beyond an exclusively national loyalty.

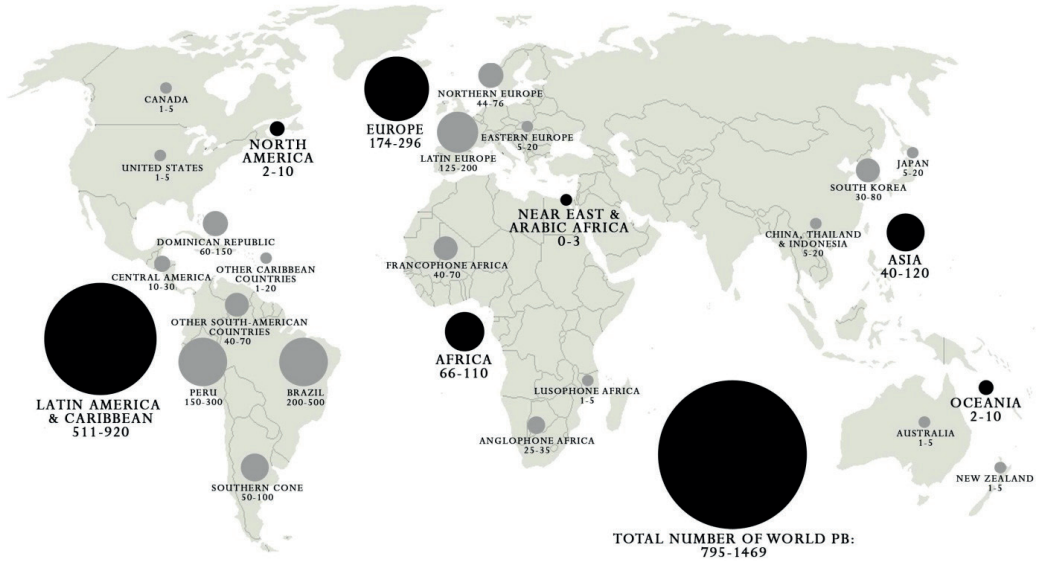
Lastly, the analysis of the politics of perceptibility - that is a politics closely linked to the impact of representative claim-making dynamics - highlights how the study of the acts of European citizenship both expands and makes more complex and composite the field of European citizenship.

The enjoyment of legal rights is insufficient to enable equal chances for both citizens and legal resident non-citizens to activate all their rights. The concept of “Participatory Citizenship” is broader than that of citizenship because it includes these dimensions, and it can be conceived as «Participation in civil society, community and/or political life, characterized by mutual respect and non-violence and in accordance with human rights and democracy (Hoskins 2006)»³⁰⁵.

³⁰⁵ Bryony Hoskins-Hermann Abs-Christine Han-David Kerr-Wiel Veugelers, *op. cit.*, p. 4.

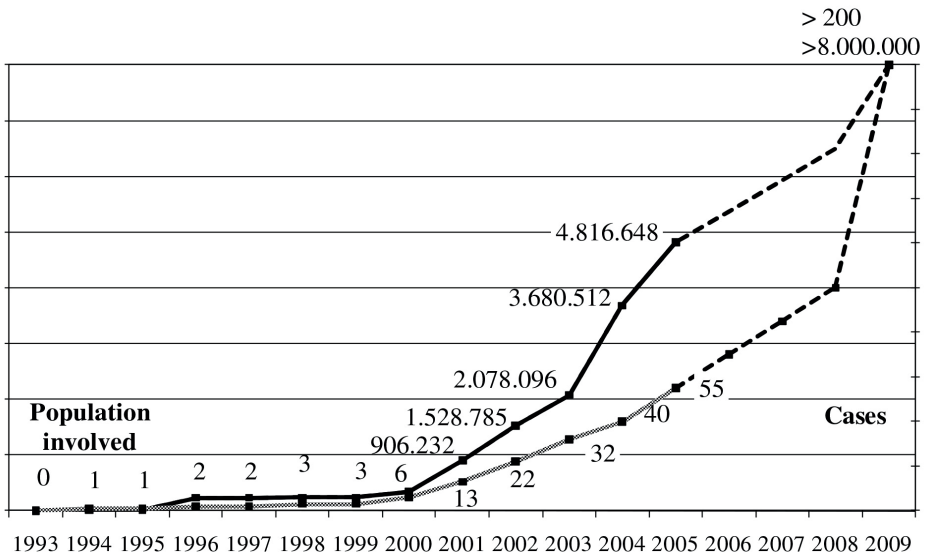
Appendix

Figure 1. Participatory budgeting across the world (2010)



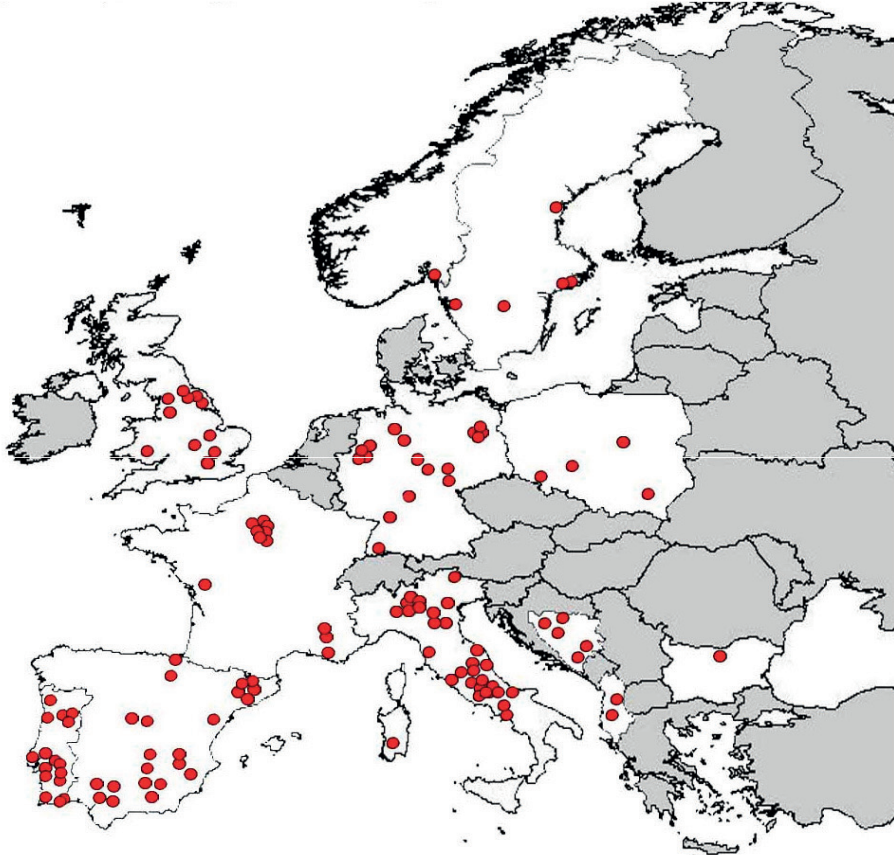
Source: Figure 1 in Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, *Transnational Models of Citizen Participation: The Case of Participatory Budgeting*, "Journal of Public Deliberation", Vol. 8, Issue. 2, Article 9 2012, p. 4, available at: <http://www.publicdeliberation.net/jpd/vol8/iss2/art9>

Figure 2. Number of participatory budgets in Europe and population involved



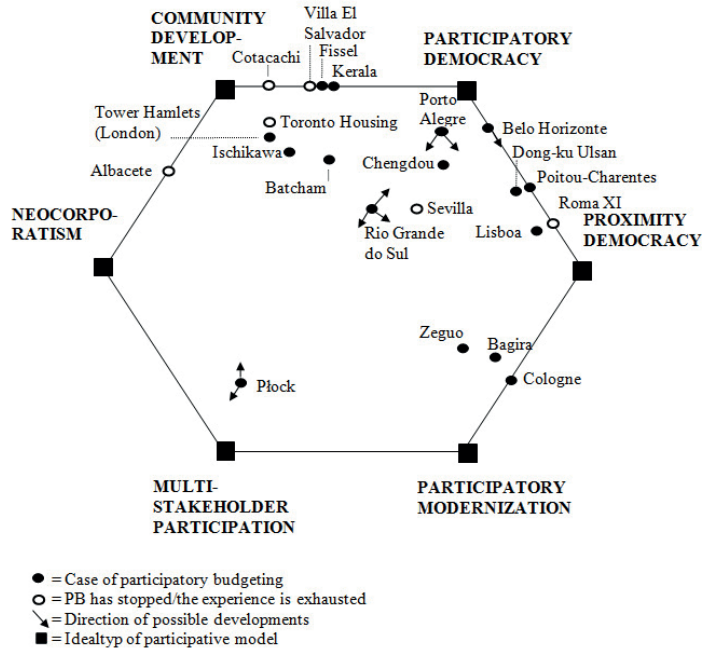
Source: Figure 2 in Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, *Transnational Models of Citizen Participation: The Case of Participatory Budgeting*, "Journal of Public Deliberation", Vol. 8, Issue. 2, Article 9 2012, p. 9, available at: <http://www.publicdeliberation.net/jpd/vol8/iss2/art9>

Figure 3. Map of participatory budgets in Europe



Source: Figure 3, in Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, *Transnational Models of Citizen Participation: The Case of Participatory Budgeting*, "Journal of Public Deliberation", Vol. 8, Issue. 2, Article 9 2012, p. 9, available at: <http://www.publicdeliberation.net/jpd/vol8/iss2/art9>

Figure 4. Typology of models of participation in the World (with the example of participatory budgets)



Source: Figure 3 in Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, *Transnational Models of Citizen Participation: The Case of Participatory Budgeting*, "Journal of Public Deliberation", Vol. 8, Issue. 2, Article 9 2012, p. 19, available at: <http://www.publicdeliberation.net/jpd/vol8/iss2/art9>

Table 1. Key characteristics of models of citizen participation

	Participatory democracy	Proximity democracy	Participatory modernization	Multi-stakeholder participation	Neo-corporatism	Community development
1. Context	Central role of state	Central role of state	Central role of state	Hegemony of the market	Central role of the state	Hegemony of the market, assertiveness of the third sector
Relationship between state, market and third sector						
Political leaning of local government	Left-wing	Variable	Variable	Variable (but no radical left)	Variable	Variable
2. Normative orientations						
Frames	Participatory democracy, post-authoritarian socialism	Deliberative-oriented version of republicanism, deliberative democracy	Participatory version of <i>New Public Management</i>	Participatory governance	Neo-corporatism, participatory governance	Empowerment, community organizing, pedagogy of the oppressed, libertarian traditions, left-wing liberalism
Goals	Social justice, inversion of priorities, democratization of democracy	Inclusion of user knowledge, renewal of social relationships, inclusion of deliberation to representative democracy	Inclusion of user knowledge, social peace, no re-distributive objectives	Inclusion of user knowledge, citizens considered clients, economic growth	Inclusion of user knowledge, consensus, social cohesion	Empowerment, affirmative action, no overall redistributive policy, delegation of power to communities
3. Procedures						
Rules, quality of deliberation	Clearly defined rules, good quality deliberation	Informal rules, deliberative quality weak or average	Rules may be clear, weak deliberative quality	Clearly defined rules, average to good deliberative quality	Rules may be clear, variable deliberative quality	Rules may be clear, average to high deliberative quality
Procedural independence of civil society	Strong	Weak	Weak	Weak	Variable	Strong
Fourth power	Yes	No	No	No	No (at local level)	Yes (at local level)
4. Collective action						
Weight of civil society in process	Strong	Weak	Weak	Weak	Strong	Fairly strong
Top-down vs. bottom-up	Top-down and bottom-up	Top-down	Top-down	Top-down	Top-down	Top-down and bottom-up
Consensus vs. cooperative conflict resolution;	Cooperative conflict resolution	Consensus	Consensus	Consensus	Consensus	Cooperative resolution of conflicts
Countervailing power	Countervailing power	No countervailing power	No countervailing power	No countervailing power	No countervailing power	Countervailing power
5. Link between conventional and participatory politics	Combination	Instrumental use of participation	Weak (participation is a management tool)	Weak (participation is a management tool)	Strengthening of conventional participation	Substitution (participation develops outside conventional politics)
6. Strengths, weaknesses, challenges	- Combining strong participation with social justice - Very specific conditions - Linking participation to modernization; avoid risk of coopting mobilized citizens	- Improved communication between policy-makers and citizens - Selective listening - Combining participation with formal decision-making process; and with state modernization	- Linking participation with modernization; broad political consensus - Low level of politicization - To increase participation and autonomy of civil society	- Inclusion of private corporations - Dominance of private interests - Balancing the weight of stake-holders; autonomy of NGOs	- Creation of social consensus - Exclusion of non-organized citizens; - Asymmetric power relations - Linking participation with modernization; autonomy of civil society	- Fits in contexts with weak local governments and strong community tradition - No overall vision of the town - Limiting managerial influence; going beyond the micro-local level
Countries	Latin America, Spain, South Korea	Europe, North-America, Korea, Japan, countries of Global South	Germany, Northern Europe, China	Eastern Europe, Africa	PB: Limited	PB: Anglo-Saxon countries, Japan, Global South

Source: Table 2 in Yves Sintomer-Carsten Herzberg-Anja Röcke-Giovanni Allegretti, *Transnational Models of Citizen Participation: The Case of Participatory Budgeting*, "Journal of Public Deliberation", Vol. 8, Issue. 2, Article 9 2012, p. 28, available at: <http://www.publicdeliberation.net/jpd/vol8/iss2/art9>

Table 2. Citizenship and Integration Policy Index Coverage and Content

	LOI (1997)	CPI (2009)	MIPEX (2010)	BNI (2010)	MCP (2013)	ICRI (2012)	CITLAW (2013)	Fitzgerald, Leblang, and Teets (2014)
N	8	27	33	18	21	8	36	18
Years	1995	1980s 2008 ^a	2010 ^b	1970-2005	1980 2000 2010 ^c	1980 1990 2002 2008 ^d	2011	1980-2006
Citizenship policy								
Access to citizenship (first generation)	X	X	X	X	X	X	X	By birth
Access to citizenship (second generation)	X	X	X	X		X	X	By birth
Material conditions	X	X	X	X		X	X	X
Conditions for settlement	X		X					
Loss/expulsion				Women after marriage		X	X	
Integration policy								
Antidiscrimination			X		X	X		
Access to labor market	X		X			Public service		
Family reunification	X		X			X		

(continued)

Source: Table 1, Sara Wallace Goodman, *Conceptualizing and Measuring Citizenship and Integration Policy: Past Lessons and New Approaches*, "Comparative Political Studies", Vol. 48(14) 2015, p. 1910.

Table 2 (continued). Citizenship and Integration Policy Index Coverage and Content

	LOI (1997)	CPI (2009)	MIPEX (2010)	BNI (2010)	MCP (2013)	ICRI (2012)	CITLAW (2013)	Fitzgerald, Leblang, and Teets (2014)
N	8	27	33	18	21	8	36	18
Years	1995	1980s 2008 ^a	2010 ^b	1970-2005	1980 2000 2010 ^c	1980 1990 2002 2008 ^d	2011	1980-2006
Political participation			X			Voting rights		
Education rights			X		X	X		
Cultural and religious rights					X	X		

I have excluded other indices from the table, namely, Goodman's (2014) CIVIX, as it is sufficiently analytically distinct, covering only cultural conditions (e.g., language and country knowledge requirements) for entry, settlement, and citizenship. Although there is some overlap, CIVIX is unique in concept and measure (for correlations that illustrate this, see Helbling, 2013). X denotes fulfillment of the cell; LOI = legal obstacles to inclusion; CPI = citizenship policy index; MIPEX = Migrant Integration Policy Index; BNI = barriers to naturalization index; MCP = multicultural policy index; ICRI = Indicators for Citizenship Rights of Immigrants; CITLAW = Citizenship Law Indicators; CIVIX = civic integration policy index. a. 2014 updates are available in (Howard & Goodman, in press).

b. MIPEX was also collected in 2004 and 2007. However, together, these cannot be treated as time series as different coding rules are used in each data set, making comparability a significant issue. A new wave of comparable data will be released in 2015.

c. The multiculturalism policy index measures in comparable policy areas, but only to the extent that states include or exclude policies of multiculturalism (e.g., measuring parliamentary/constitutional affirmation of multiculturalism, school curriculum, media representation/sensitivity, dress code exemptions, the funding of ethnic groups, funding of bilingual education, and affirmative action for disadvantaged immigrant groups).

d. An updating and expansion of cases is currently underway.

Source: Table 1 continued, Sara Wallace Goodman, *Conceptualizing and Measuring Citizenship and Integration Policy: Past Lessons and New Approaches*, "Comparative Political Studies", Vol. 48(14) 2015, p. 1911.

Table 3. Immigration Policy Indices Coverage and Content

	Ruhs (2013)	Fitzgerald, Leblang, and Teets (2014)	Peters (2015)	IMPALA (Beine et al., 2015; Gest et al., 2014)	IMPIC (Helbling, Bjerre, Römer, & Zobel, 2015)
N	46	18	19	25	33
Years	2009	1980-2006	Various years-2010	1960-2010	1980-2010
Immigration policy					
Border regulation (intake rules)	X	“Entry restriction” (restrictive or liberalized)	X	X	X
By category					
Labor	X		Low skill	X	X
Humanitarian			X	X	X
Family			X	X	X
Other				Students	co-ethnics
Demand restrictions	X		X	X	X
Enforcement (deportation)			X	X	X
Immigrant policy					
Immigrant rights and assistance	X		X		X
Citizenship		X	X	X	
Immigration enforcement			X		Immigrants within country

There is much more variation in countries covered for migration policy than citizenship. For example, IMPIC and Fitzgerald et al. cover OECD countries, IMPALA and Ruhs’s migration and openness indices include a wider swath of cases, while Peters covers a smaller sample of states (from the United States to Saudi Arabia) over a wider period of time (her earliest coding year is Canada in 1783). Unshaded with X denotes fulfillment of the cell; shaded cells denote that certain policy areas (defined in the first leftmost column) are not present in indexes.

Source: Table 2, Sara Wallace Goodman, *Conceptualizing and Measuring Citizenship and Integration Policy: Past Lessons and New Approaches*, “Comparative Political Studies”, Vol. 48(14) 2015, p. 1913.

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Stephen Castles, Hein de Haas and Mark J. Miller, *The Age of Migration*, Palgrave Macmillan, 2014.

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Female Genital Mutilation/Cutting in the context of migration: Stories from the lives of Nigerian exiles

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Abstract

The increase in migration flows from the African continent and the significant increase in the number of female migrants means that the phenomenon of genital cutting is now present in contexts of migration and settlement. It can no longer be regarded as a tradition to be analyzed solely in the cultural and social contexts of origin, but rather as a practice relocated outside this setting along with the beliefs and attitudes related to Female Genital Mutilation/Cutting (FGM/C).

This paper presents the results of the qualitative research conducted with nine women asylum seekers from southern Nigeria resident in the city of Perugia (Italy) who have undergone the practice of FGM/C. The study, using a transnational perspective and a gender-sensitive approach, explores the migration routes and lives of these women in order to understand how and if the migration process affects their system of opinions, attitudes and meanings in relations to FGM/C.

1. Introduction

This paper presents the results of a qualitative research study conducted with nine women asylum seekers from southern Nigeria and residents of the city of Perugia who have undergone the practice of Female Genital Mutilation/Cutting (the common acronym is FGM/C) in Nigeria.

The survey explores the migratory and life experiences of these women, and how they live while managing their migratory identities, in order to understand how the migration process affects the system of opinions, attitudes and meanings related to FGM/C as experienced by Nigerian women who were interviewed using a transnational perspective and a gender-sensitive approach.

On arrival into a new social context and following contact with the culture of the host country, over time there is a tendency on the part of migrants to assimilate the structures and models of the society into which they are accepted. Migrants try to relocate their cultural and symbolic categories within the new context¹. Hence, emigration and social assimilation in a different socio-cultural environment create an impact as migrants reconsider their so-called “traditional” models. In relation to cutting practices,

¹ Fortunata Piselli, *Il network sociale nell'analisi dei movimenti migratori*, “Studi Emigrazione”, Vol. XXXIV, n. 125, 1997, pp. 2-16.

it has been reported in several studies² that the attitudes of immigrants towards the practice are subject to change and are influenced by the host country's values; in particular, there is evidence that the higher the level of integration within the new social reality the stronger the propensity to abandon the practice.

With reference to the phenomenon of negation or rejection of the practice in migration contexts of new residence, the identified factors that may influence this attitude are manifold: increased awareness of the health problems associated with the practice, the recognition of the pain and psychological trauma experienced³, less social pressure from the community⁴, sense of diversity from uncircumcised peers⁵, the social condemnation of the practices in the new environment⁶ and the deterrent effect of laws and penalties which have evolved against the practice⁷. All these factors detected amidst the traditionally practising communities have encouraged the definition of genital mutilation/cutting as a «tradition in transition»⁸ in the countries of new residence. With regard to the terminology, the reference term adopted has become Female Genital Mutilation/Cutting (FGM/C). This tendency is favoured since it reflects a more sensitive and less judgemental approach that sustains the guiding principle on which rests the whole construct of the survey presented here. In addition, the expression FGM/C helps to keep in mind the aspect of the violation of the woman's body. In the following pages we will use other terms such as circumcision and cutting to respect the traditional terminology used in practising communities and used by the interviewed women themselves, the term excision is used to define the specific type.

² Sara Johnsdotter-Birgitta Essén, *Salute sessuale tra giovani donne somale in Svezia: convivere con ideologie sessuali conflittuali determinate dalla cultura*, in *Corpi e simboli. Immigrazione, sessualità e mutilazioni genitali femminili in Europa*, a cura di Aldo Morrone-Pietro Vulpiani, Armando Editore, Roma 2004, pp. 183-202; Sara Johnsdotter, *Persistence of tradition or reassessment of cultural practices in exile? Discourses on female circumcision among and about Swedish Somalis*, in *Transcultural bodies: female genital cutting in global context*, edited by Ylda Hernuld-Bettina Shell-Duncan, Rutgers University Press, New Brunswick 2007, pp. 107-134; Carla Pasquinelli, *Infibulazione, Il corpo violato*, Maltemi, Roma 2007; Ilaria Simonelli-M. Giovanna Caccialupi, *Le mutilazioni genitali femminili. Rappresentazioni sociali e approcci sociosanitari*, Prospettive Sociali e Sanitarie, "i Quid", n. 11, Istituto per la Ricerca Sociale, Milano 2014.

³ Inger Lise Lien-Jon Håkon Schultz, *Internalizing knowledge and changing attitudes to female genital cutting/mutilation*, "Obstetrics and Gynecology International", Vol. 2013, 2013, pp. 1-10.

⁴ Abdi A. Gele-Elise B. Johansen-Johanne Sundby, *When female circumcision comes to the West: Attitudes toward the practice among Somali Immigrants in Oslo*, "BioMed Central Public Health", Vol. 12, n. 697, 2012, pp. 1-10.

⁵ Sara Johnsdotter, *Somali in Western exile: reassessing female circumcision in the light of Islamic teaching*, "Journal of Muslim Minority Affairs", Vol. 23, n. 2, 2003, pp. 361-373.

⁶ Sara Johnsdotter-Kontie Moussa-Aje Carlbon-Rishan Aregai-Birgitta Essén, *"Never my daughters": a qualitative study regarding attitude change toward female genital cutting among Ethiopian and Eritrean families in Sweden*, "Health Care for Women International", Vol. 30, n. 1-2, 2009, pp. 114-133; Linda Morison-Ahmed Dirir-Sada Elmi-Jama Warsame-Shamis Dirir, *How experiences and attitudes relating to female circumcision vary according to age on arrival in Britain: a study among young Somalis in London*, "Ethnicity and Health", Vol. 9, n. 1, 2004, pp. 75-100.

⁷ Rigmor C. Berg-Eva Deninson, *A tradition in transition: factors perpetuating and hindering the continuance of female genital mutilation cutting (FGM/C) summarized in a systematic review*, "Health Care for Women International", Vol. 34, 2013, pp. 837-859.

⁸ Ivi.

1.1 Theoretical framework of Female Genital Mutilation/Cutting

The term “Female Genital Mutilation/Cutting” represents a set of procedures which include the partial or total removal of the external female genitalia and/or damage to these organs for non-therapeutic reasons⁹. The World Health Organization (WHO) has classified the different procedures in four types and their respective sub-types which differ in the extent of the invasive surgery and related complications. Type I consists of the partial or total removal of the clitoris and/or the prepuce. This procedure is also known as clitoridectomy, while in Muslim countries it is known as *sunnah* (“tradition”) which falls within the WHO subcategory “1a” and which entails only the removal of the prepuce. Type II, also known as excision, is a more brutal genital modification compared to the previous one and consists of the partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora.

Type III is infibulation, known as “pharaonic circumcision” in Sudan, while in Egypt it is known as “Sudanese circumcision”: after the removal of parts of the external genitalia, with or without excision of the clitoris, as in Type II, the two surfaces of the labia majora are sewn together; in rural environments rudimentary means are employed (such as acacia thorns, razor blades, broken glass) while in healthcare or paramedical facilities sutures are used. The suturing is carried out so as to leave only a very small residual orifice (as large as a millet or rice grain) to allow the passage of urine and menstrual blood¹⁰. This is the most invasive and destructive form of genital modification; due to its severity, women subjected to it risk severe consequences for their physical and mental health. Finally, there is Type IV which is defined as “non-classified”, it covers all other practices harmful to female genitalia with no therapeutic purposes.

According to the latest data presented by the United Nations Children’s Fund (UNICEF), it is estimated that in the world there are 200 million women and girls who have undergone some form of female genital modification¹¹, while every year 3.6 million children are likely to be subjected to the practice¹².

Such customs are widespread mainly in Africa where they were observed in 28 countries, involving vast and heterogeneous territories inhabited by communities with diverse languages, cultures and religions. This area includes the entire sub-Saharan region, from Mauritania and Senegal in the west, to the Horn of Africa countries (Somalia, Ethiopia, Eritrea and Djibouti) in the east; in the north the area includes Egypt, while in the south it extends to Tanzania and touches Mozambique. Genital mutila-

⁹ World Health Organization, *Eliminating female genital mutilation: an interagency statement UNAIDS, UNDP, UNECA, UNESCO, UNFPA, UNHCHR, UNHCR, UNICEF, UNIFEM, WHO*, WHO Publications, Geneva 2008.

¹⁰ Comfort Momoh, *Female genital mutilation*, in *Female genital mutilation*, edited by Comfort Momoh, Radcliffe Publishing, Oxon 2006, pp. 5-12.

¹¹ UNICEF, *Female genital mutilation/cutting: a global concern*, Unicef Publications, New York 2016, p. 2.

¹² Id., *Female genital mutilation/cutting: what might the future hold?*, Unicef Publications, New York 2014, p. 2.

tion/cutting is also practised in some countries of the Persian Gulf (Iraqi Kurdistan, Yemen, Oman, United Arab Emirates), and although limited to minority groups, it has been observed in South America (including some Amazon indigenous communities), in India (in the Dawoodi Bohra community) and in the Far East (Indonesia and Malaysia). In recent years, as a result of migration trends towards developed countries, the phenomenon has become evident also in New Zealand, Australia, Europe and North America.

Individual African countries where these customs prevail are distinguished by the type and dissemination of the practice. As for the type, infibulation is mainly concentrated in East Africa, while excision and circumcision are widespread mainly in West African countries.

As for dissemination throughout African countries, the available estimates show a very diverse incidence among women and girls aged between 15 and 49 years of age¹³. In some countries rates are high such as in Somalia (98%), Guinea (96%), Egypt (91%), Eritrea (83%) and Ethiopia (74%). While in other countries the incidence is lower but still shows significant values, for example in Ivory Coast (38%), Senegal (26%), Nigeria (25%), Kenya (21%). Finally, there is a low incidence in countries such as Ghana (4%), Togo (4%), Niger (2%) and Cameroon (1%). For each country attention must be given to the sub-regional and local dimensions in order to obtain a comprehensive and accurate picture. In most countries the practice of FGM/C is not present homogeneously throughout the country but varies according to geographical areas and the resident communities. These differences are generally more pronounced in countries that have a lower national incidence than in countries with a high or almost total incidence rate. According to the latest surveys in Nigeria, the country of origin of the women surveyed, given an average incidence of 25%, there is a dissemination rate of 60% in the southern regions against a value of 10% in the northern regions¹⁴. Specifically, the highest rates are recorded in the south-west areas of the country in Osun State (77%) and Ebonyi State (74%). In the southeast, the state which stands out significantly was Imo State (68%) and as regards the southern areas, the data shows 41.6% for Edo State and 40.3% for Delta State. In the north, the Kano State area shows a value of 41%¹⁵.

The presence and spread of excision practices within the territories are also distinguished above all in relation to the socio-cultural adherences and social norms that regulate community life. By way of illustration, in Nigeria, taking into account only the main ethnic groups, the practices are found with different rates of incidence among

¹³ Id., *The state of the world's children 2015: executive summary*, Unicef Publications, New York 2014, pp. 84-89.

¹⁴ Id., *Nigeria. Statistical profile on female genital mutilation/cutting*, Unicef Publication, New York 2013, p. 2.

¹⁵ National Population Commission-ICF Macro, *Nigeria Demographic and Health Survey*, National Population Commission and ICF Macro, 2013 Abuja, pp. 348-351; U.S. State Department, *Female Genital Mutilation (FGM) or Female Genital Cutting (FGC): Individual Country Reports - Nigeria*, available at: <http://2001-2009.state.gov/g/wi/rls/rep/crfgm/10106.htm> (accessed 23 April 2016).

the Yoruba (55%), the Igbo (45%) and the Hausa (19%) and are found with a lower value in the Fulani population (13%)¹⁶.

1.2 Significance and motivations for Mutilation/Cutting practices

These practices belong to traditions that are deeply rooted in the communities that perpetuate them and therefore they imply important social, economic and cultural significance. It is not easy to understand the many reasons behind FGM/C practices that determine their promulgation and support within the community. When asking why these practices are carried out, it is possible to reply by stating that:

There is no simple answer to this question. People have different and multiple reasons. Female circumcision is practiced by people of many ethnicities and various religious backgrounds, including Muslims, Christians, and Jews, as well as followers of traditional African religions. For some it is a rite of passage. For others it is not. Some consider it aesthetically pleasing. For others, it is mostly related to morality or sexuality¹⁷.

In different situations, the act of cutting is seen as an initiation ritual, which not only determines the transition of social status, but also distinguishes between outsider and insider status in relation to the group and the community. Genital modification, when ritualised, sanctions the passage from childhood to adulthood and also becomes a test of courage that aims to prepare the child to bear physical pain without external manifestations¹⁸. Physical suffering experienced during genital intervention is preferred to the ostracism which afflicts girls who have not been operated and therefore the event is accepted as a natural transition in the life of a woman. Such suffering is offset by the achievement of a new social status that generates pride for the family¹⁹.

Differences are also found with regard to the timing of the operation, which changes according to the community of membership, the type of modification and the symbolic meaning attributed to the practice. Whereas in some communities the age for the ritual is socially predetermined, in others it is linked to the occurrence of specific events such as first menstruation, physical development or marriage. In general, clitoridectomy and excision are practised in the period of early infancy (between the 3rd and 40th day after birth) and between the ages of 4 and 14 years²⁰, the latter being as-

¹⁶ National Population Commission-ICF Macro, op. cit., pp. 348-351.

¹⁷ Ellen Gruenbaum, *The female circumcision controversy: an anthropological perspective*, University of Pennsylvania Press, Philadelphia 2001, p. 33.

¹⁸ Aud Talle, *Female circumcision in Africa and beyond: the anthropology of difficult issue*, in *Transcultural bodies...cit.*, pp. 91-106; Hanny Lightfoot-Klein, *Prisoners of ritual: an odyssey into female genital circumcision in Africa*, Haworth Press, New York 1989, p. 46; Lyda Favali, *Fra leggi e modelli ancestrali: prime osservazioni sulle mutilazioni genitali in Eritrea*, Giappichelli, Torino 2002, pp. 51-52.

¹⁹ Efua Dorkenoo-Scilla Elworthy, *Female genital mutilation: proposals for change*, Zed Press, London 1992, p. 26.

²⁰ Raqiya Haji Dualeh Abdalla, *Sisters in Affliction. Circumcision and infibulations of women in Africa*, Zed Press, London 1982, p. 11.

sociated with the moment of puberty. As confirmed by the Nigerian women surveyed, excision is performed on the 7th day of life among the Ibo and Ishan, but it can occur at the time of marriage or during the first pregnancy, as in the Ibo and Aboh tribes²¹.

Another dimension to consider is the association with religion; in fact, there are significant interesting differences. The practice of female genital cutting is common to different beliefs and religious affiliations and its origin predates the spread of the major monotheistic religions; moreover, it is not prescribed in the holy texts. Yet, in countries like Mali, Guinea and Eritrea the belief is widespread that modifications of the external genitals are a religious obligation²² which, as a rite of purification, allows women to pray in a proper manner. Although it is not possible to find a direct relationship between religions and genital modification practices, in many countries the incidence of excision/mutilation among the Muslim population is higher²³ than the incidence found among women of Christian, Jewish and Animist faiths. But with regard to Nigeria, excision is more frequent among Christians²⁴ (60% of women are excised compared with 20% of Muslims), and only 15% of Nigerian women consider it to be required by their religion²⁵.

1.3 Migration and Mutilation/Cutting

The large migration flows, which increasingly affect the shores of the Mediterranean, also concern Italy, which since the 1980s has become a territory of both destination and transit to other European countries. Over the last decade, the flows towards Italy have been characterised by a significant increase in the impact of women on the overall migrant population. On January 1, 2015, in fact, women accounted for 52.7% of the total of foreign residents, totalling 5,014,437²⁶. Regarding migration of African origin in Italy, according to the latest national data available, at the end of 2014, just over 1 million people were identified as of African origin²⁷ with male presence at the aggregate level of 58%. From recent overall figures, it can be seen that the more prevalent “model” among African migrants envisages a long-term immigration project with a gender bias in favour of men, who tend to play the breadwinner role.

Yet Italy has been affected by a structural change in the African immigrant population which has become more numerous in recent years with an increasingly more

²¹ Berhane Ras-Work, *Female genital mutilation*, in *Sexual mutilations. A human tragedy*, edited by George Denniston-Marilyn Fayre Milos, Springer Science, New York 1997, pp. 137-152.

²² Janice Boddy, *Body Politics: continuing the anti-circumcision crusade*, “Medical Anthropology Quarterly”, Vol. 5, n. 1, 1991, pp. 15-17.

²³ Stanley Yoder-Shane Khan, *Numbers of circumcised in Africa: the production of a total*, DHS Working Papers n. 39, Macro International, Calverton 2008, p. 31.

²⁴ National Population Commission-ICF Macro, op. cit., p. 349.

²⁵ UNICEF, *The state of the world's children 2015...cit.*, p. 87; Id., *Nigeria. Statistical profile...cit.*, p. 3.

²⁶ ISTAT (National Institute for Statistics) data, 1 January 2015, <http://demo.istat.it/strasa2015/index.html> (accessed 3 May 2016).

²⁷ Id., 31 December 2014, <http://demo.istat.it/str2014/index.html>, (accessed 3 May 2016).

balanced gender mix²⁸ (of course with some exceptions). For example, the Nigerian and Ethiopian communities in Italy have always been distinguished by a greater female presence and the role of breadwinner is more typical of women than men. The feminisation of migration has had considerable effects, mainly contributing to greater stability of migrant groups and transformation of the «demographic collective in a population»²⁹. This finding is attributable to the process of normalisation within the migrant population, with a substantial balance between men and women³⁰, a process that has been favoured both by family reunification, made possible by 1990 legislation³¹, and by the birth and education of children in Italy. So migration is no longer the preserve of the male component, in fact, the growing presence of females is recognised as a salient feature of contemporary international mobility processes³². This change is important because it sheds new light on the composition of migration flows and this new mobility indicates that roles and gender dynamics play an important part in the functioning of global migration³³, specifically, the renegotiation of roles and family relations.

This current situation, characterised by the increase in migratory flows from the African continent and the relevant increasing feminisation, therefore obliges us to acknowledge that the phenomenon of Female Genital Mutilation/Cutting is now present in the countries of immigration destination and new residence. It is precisely in line with this awareness that this study has been undertaken. We can no longer consider it a tradition to be analysed solely in the cultural and social context of origin, but as a practice which has relocated to new areas together with the belief systems and attitudes related to it; it thus becomes urgent to undertake a new analysis with a cross-cultural and transnational perspective.

1.4 The FGM/C phenomenon in Italy and Perugia: Law 7/2006

In Italy there has been attention and interest in the phenomenon of female genital mutilation/cutting since the 1980s, years which saw the first manifestations of female migration from Africa. With the steady increase of this migration towards Italy,

²⁸ Aderanti Adepoju, *Trends in international migration in and from Africa*, in *International migration prospects and policies in a global market*, edited by Douglas Massey-Edward Taylor, Oxford University Press, Oxford 2004; Giovanna Campani, *Gender and Migration in Italy: State of the Art*, Femipol - University of Florence, Working Paper No. 6 - WP4, Firenze 2007.

²⁹ Istituto Regionale di Ricerca della Lombardia (IRER), *Indagine sulla presenza nel territorio lombardo di popolazione a rischio in relazione alla salute sessuale e riproduttiva e alle mutilazioni genitali femminili*, IRER, Milano 2010, p. 5.

³⁰ Maurizio Ambrosini, *Sociologia delle migrazioni*, Il Mulino, Bologna 2011.

³¹ Law n. 39 - 28 February 1990, in "Gazzetta Ufficiale", n. 49, 28 February 1990. At: <http://www.gazzettaufficiale.it/eli/id/1990/02/28/090G0075/sg>, (accessed 5 May 2016).

³² Stephen Castels-Mark Miller, *The age of migration: international population movements in the modern world*, Palgrave Macmillan, New York 2003; Kalid Koser-Helma Lulz, *The new migration in Europe. Social construction and social realities*, Macmillan press, London 1998.

³³ Philip Kretsedemas-Jorge Capetillo-Ponce-Glenn Jacobs, *Migrant Marginality: A Transnational Perspective*, Routledge, New York 2014.

and the reaction to the proposal (rejected) for the alternative symbolic rite, advanced in 2004 by the Centre for FGM prevention and treatment at the Careggi University Hospital in Florence³⁴, and in line with EU provisions³⁵, the Italian Parliament decided to introduce a new offence into the Criminal Code. In January 2006 the Official Journal of the Italian Republic published Law no. 7 “Provisions concerning the prevention and prohibition of female genital mutilation”³⁶. This *ad hoc* legislation introduces and regulates two independent criminal offences: the crime of female genital mutilation and the crime of genital injury, introduced as part of previous personal injury legislation and covered by the Criminal Code in two new articles, Art. 583b and Art. 583c. The penalties are very severe and include imprisonment from three to seven years. The legislation determines that the provisions also apply if the act is committed abroad (principle of extraterritoriality). In the relevant parliamentary debate, the article which provided for the granting of refugee status to women and their daughters who flee their country to escape FGM was not approved. Yet, according to recent data presented by the United Nations High Commissioner for Refugees (UNHCR), there has been a significant increase in the number of women in Italy seeking asylum from countries with cutting traditions - the greatest flows recorded are from Nigeria, Eritrea and Egypt³⁷ - and requests for asylum in 2013 amounted to 2,225. Italy is now the fourth country in Europe by number of requests received after Germany, Sweden and the Netherlands. The adoption of provisions aimed at regulating the practice has led to several concerns about the suitability and effectiveness of these instruments. The World Health Organisation has declared that the adoption of laws against female genital mutilation is one of the most controversial aspects of the movement for the eradication of the practice. It has been proven that laws alone are not enough to promote social change, especially when they are imposed from above *ex abrupto*, without providing for the real involvement of the communities concerned and in the absence of a plurality of attitudes which could testify to some willingness on the part of the com-

³⁴ For details, see: Omar Abdulkadir-Lucrezia Catania, *Ferite per sempre. Le mutilazioni genitali femminili e la proposta del rito simbolico alternativo*, DeriveApprodi, Roma 2005.

³⁵ See, for example, Els Leye, *Strategies for FGM prevention in Europe*, in *Female genital mutilation*, edited by by Comfort Momoh, op. cit., pp. 73- 94.

³⁶ Law n. 7 - 9 January 2006, *Dispositions regarding the prevention and prohibition of female genital mutilation practices*, in “Gazzetta Ufficiale”, n. 14, 18 January 2006. Italy, as well as several other European countries have enacted specific laws to ban the practice: Sweden (1982), Norway (1995), United Kingdom (2003), Spain (2003), Belgium (2001), Austria (2002), Denmark (2003). For details, see: European Institute for Gender Equality (EIGE), *Study to map the current situation and trends of female genital mutilation in 27 EU Member States (MS) and Croatia*, UE publication, 2013; Anika Rahman-Nahid Toubia, *Female Genital Mutilation: a guide to laws and policies worldwide*, Zed Books, Londra 2000. Since the early Nineties many African countries have enacted laws against female genital mutilation, such as: Egypt (2008), Ethiopia (2004), Benin (2003) Burkina Faso (1996), Côte d’Ivoire (1998), Eritrea (2007), Djibouti (1995), Ghana (1994), Guinea (2002), Kenya (2001), Niger (2003) Nigeria (2015), Senegal (1999), South Africa (2005), Tanzania (1998), Togo (1998). See, <http://www.npwj.org/it/GHR/Risorse.html-0> (accessed 14 May 2016).

³⁷ UNHCR, *Too much pain: Female Genital Mutilation & Asylum in the European Union. A statistical update (March 2014)*, UNHCR, 2014; Id., *Too much pain: Female Genital Mutilation & Asylum in the European Union. A statistical overview*, UNHCR, 2013.

munity to question their customary legal structure. In these situations social norms tend to outweigh the national law. Therefore, new laws, instead of defeating the practice, can push it underground, encouraging both the lowering of the age at which girls are subjected to it and reducing community recognition of the ritual values associated with the practice so as to avoid, or limit, the risk of prosecution³⁸.

In 2007 the region of Umbria was reported by the Ministry of Health as a “target” territory for the protection and prevention of Female Genital Mutilation/Cutting given its inclusion in the group of thirteen Italian regions in which the phenomenon was recorded³⁹. However, in the same document it was stated that the phenomenon was «almost entirely absent» in Umbria⁴⁰. Nevertheless, the inclusion of the region in this ministerial study led to the creation of the first regional level work group for cutting practices, attended by representatives of the social and health services and funds were allocated for the implementation of the first, and so far only, research project on the topic undertaken in this territory⁴¹. In August 2014, the press gave wide coverage⁴² to an arrest in the province of Perugia, later converted to house-arrest, of two Nigerian parents accused of having subjected their two daughters aged 4 and 10 years to “infibulation” (this is the word used by the newspapers). In addition, in early 2015, another couple, again of Nigerian origin, asked the doctor who was treating their daughter where they could go to have the child circumcised⁴³. These local episodes confirm that the FGM/C phenomenon is certainly present, but also that it is covered by a cloak of secrecy which is difficult to intercept and disrupt. Following certain statements recorded during the interviews conducted in the course of my doctoral research, it can be said that the phenomenon is present in this region and it exists in Perugia. Recently the Umbria region has begun working on the issue and in 2015 the “Umbria reference centre for the study and prevention of female genital mutilation”⁴⁴ was established.

³⁸ Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), *Female genital mutilation and legislation*, GIZ, January 2011; UNICEF, *Changing a harmful social convention: female genital mutilation/cutting*, Innocenti Digest, Unicef, Firenze 2005.

³⁹ Ministry of Health, Department of Prevention and Communication, Directorate General of Health Prevention, *Review of the services provided at regional level for women and girls who have undergone female genital mutilation (Fgm)*, Rome, 29 May 2007. Other regions reported by the Ministry are: Valle d'Aosta, Lombardy, Provincia Autonoma di Bolzano, Friuli Venezia Giulia, Liguria, Emilia Romagna, Marche, Lazio, Abruzzo, Puglia, Sardinia. In 2008 the Ministry of Health published the guidelines for healthcare professionals on the issue of female genital mutilation.

⁴⁰ *Ibid.*, p. 62.

⁴¹ Fondazione Celli (a cura di), *Mutilazioni genitali e salute riproduttiva della donna immigrata in Umbria*, Centro Stampa Giunta Regionale Umbra, Perugia 2014.

⁴² See, <http://www.umbria24.it/perugia-infibulazione-su-due-bambine-ai-domiciliari-coppia-di-nigeriani/307280.html>, news 7 August 2014, (accessed 29 April 2016).

⁴³ I owe this information to the Cidis Association which in spring 2015 was managing the welcome of this family in the Perugia area.

⁴⁴ The newly-established Centre aims to promote and create a national network of scholars and experts on the topic of female genital mutilation.

1.5 Research methodology

The complexity of the phenomenon under investigation, as well as the necessary sensitivity or delicacy in approaching the topic, has encouraged the adoption of qualitative tools for the handling of the relevant “field research” here interpreted as an environment within which to implement an «ethnology meeting ground»⁴⁵ where the subject phenomenon may be observed beyond the restrictions of the migrant local residence context. In this study, as a prerequisite for understanding, it was our intention to allow the women free expression as active and central subjects, protagonists of the African diaspora and cutting practices, in order to develop a “vision from within” of the people encountered. In the words of Emmanuel Levinas, we tried to give them voices and faces, as opposed to the usual vision of these women as a mere “objects” of investigation and therefore left unheard.

This paper analyses the life stories of nine Nigerian women asylum seekers and residents of Perugia who have undergone the experience of FGM/C in their country of origin. The survey, conducted in English, was undertaken between March and July 2015 according to the in-depth semi-structured interview method. A focus group was also established with sixteen Nigerian women, asylum seekers waiting for their claim outcomes from the competent authorities. The women involved in the survey were aged between 19 and 45, originating from Southern Nigeria, specifically from the Edo, Ondo and Lagos states; all are Christians. In order to guarantee and protect their anonymity, the interviews are identified by a code.

The semi-structured interview procedure has allowed the women plenty of scope to talk freely about themselves and their experiences within the interview rapport. This was necessary given that the words and experiences, the world view and life stories of the subjects interviewed are central to an understanding of the social context under investigation. The interviews were transcribed *verbatim*, retaining all grammatical inaccuracies with the intention of retaining as well as possible the expressiveness of oral rendition.

The interpretative summary of the texts exhibits a “thick description”, recalling a well-known concept of the anthropologist, Clifford Geertz⁴⁶ i.e. a “dense” description enriched with the meanings and interpretations of the social and cultural phenomenon investigated. To give more space and weight to the words of the women encountered, we have chosen to insert interview transcript *in vivo* fragments throughout the study in order to capture and render the semantic richness expressed in the body of the text.

Sixteen Nigerian women living in Perugia participated in the “Focus Group” (FG).

⁴⁵ Marc Augé, *Straniero a me stesso. Tutte le mie vite di etnologo*, Bollati Boringhieri, Torino 2011, p. 54.

⁴⁶ Concept theorized by Clifford Geertz as opposed to *thin description*, namely a superficial description deprived of meaning and interpretation. For details, see, Clifford Geertz, *The interpretation of cultures: selected essays*, Basic Books, New York 1973.

During the FG, held in English, a debate evolved which focused on the issue of female circumcision with the aim of exposing different opinions, interpretations and reactions. Precisely to facilitate the collection of information, a questionnaire was presented with 25 specific questions on the topic, “items”, also written in English. The FG was co-directed by the author and the Arci manager for immigration in Perugia. This decision was considered necessary in order to create a climate of serenity and confidence that favoured participation by the female asylum seekers.

2. Life Stories

The following pages present the analysis of the life stories, experiences and opinions of the Nigerian women interviewed in Perugia, the city where they live today waiting for their asylum claim outcomes from the competent authorities. As already mentioned, interview excerpts have been used.

2.1 Life in Africa, life in Italy

The interviews begin with the story of life in Africa before departure, before the voyage to Europe and Italy. This exchange, on the one hand, “breaks the ice”, putting the interviewee at ease and establishing a rapport for interview dialogue, while on the other hand, helping the researcher and the reader to understand the world view of these women in relation to their origins. Childhood and adolescence, as told by the interviewed women, is a carefree period. Nevertheless, children also contribute to the economy of the family by taking on housework and labour in the fields. The family conditions are mostly characterised by poverty, often with limited schooling, although exceptions are possible. In fact, the level of education among the respondents is very low and only a few have had the opportunity to complete primary school. This element emerged forcefully during the focus groups and when requested to complete a multiple-choice questionnaire in English many of the participants said they did not know how to read or write.

A first common element that emerges in their stories is the absence of the father figure, due to death or abandonment of the family, while at the same time there is evidence of strong bonds with different women; mothers, aunts and grandmothers. In fact, it is the women who look after the children, their needs and their education, as will emerge later. Among these female figures, one, in particular, appears frequently during the stories; she is not a member of the family and is called simply “the woman” or “the madam” and she offers to help the girl, to assist her education and supports her efforts to build a future:

I lost my father when I was 7 months old. I don't even know my father... Things was rough for my mother, she's taking care of my elder ones, so I decided to go. Somebody come to my mother and said they love the kind of person I am, if my mother will give me to them...to come

and be staying with them they will take care of me in school, they will put me in school. So that's how I go to Benin city and was staying with the woman. (Int. 6)

These “madams” in fact, are members of criminal organisations who recruit young girls into trafficking and international sexual exploitation. It has been found by previous studies⁴⁷ that «the approach with potential victims is characterised as being a kind of personal approach and based on false promises»⁴⁸. Young girls are attracted by the promise of a better future and the opportunity to continue their education and these aspirations are also viewed with favour by their families because they are perceived as the only chance to leave Nigeria in the hope of a comfortable life for the girl and her family. As expressed in the excerpt above, this new life typically begins with a first internal migration from the village of birth to the nearest town, in this case Lagos or Benin City, both cities in the south of the country. But when they become young women, they are ready to embark on a longer and more difficult journey within Africa:

so on a very good day she called me that now I have grown up to travel out, then I don't know where they were bringing me to, she said she wants to help me since I have been working for her, taking care of her children, doing sort of things for her, she wants to help, there is one man that want somebody, she said this country they are going to that place [she is referring to Libya], because I do... I was a stylist. (Int. n. 6).

Here then emerges the dramatic reality of the trip and this assistance which is most certainly not selfless: «she give me to somebody... so the person now take me to down to Libya, getting there she said that there is one place that she want to go and keep me, ... she said I will go to some area that girls is doing prostitution... she told me “that is the money” I am going to pay to her» (Int. n. 6).

The “madam” can sometimes take on the role of a sponsor who provides financial guarantees for the journey to Europe⁴⁹. Therefore, in undertaking this journey with the help of this “benefactor” in reality a debt has been contracted; it must be repaid and the expected method is prostitution - not the hairdresser work in which many of the girls have been trained and which they imagine will be their occupation upon reaching Libya and later Europe.

An important aspect in the trafficking of Nigerian women is the covert magical-reli-

⁴⁷ Adriana Bernardotti-Francesco Carchedi-Benedetta Ferone (a cura di), *Schiavitù emergenti: la tratta e lo sfruttamento delle donne nigeriane sul litorale Domitio*, Ediesse, Roma 2005; Emanuela Abbatecola, *L'altra donna. Immigrazione e prostituzione in contesti metropolitani*, FrancoAngeli, Milano 2006; Laura Maragnani-Isoke Aikpitanyi, *Le ragazze di Benin city: la tratta delle nuove schiave dalla Nigeria ai marciapiedi d'Italia*, Melatempo, Milano 2007; UNICRI-Associazione Parsec, *Trafficking of Nigerian girls in Italy. The data, the stories, the social services*, UNICRI, Rome 2010; Giuseppe Carrisi, *La fabbrica delle prostitute. Un viaggio nel mercato del sesso, dai villaggi della Nigeria ai marciapiedi italiani*, Newton Compton editori, Roma 2011; Vincenzo Castelli, *Il fenomeno della tratta in Italia*, in *Punto e a capo sulla tratta. Uno studio sulle forme di sfruttamento di esseri umani in Italia e sul sistema di interventi a tutela delle vittime*, a cura di Vincenzo Castelli, FrancoAngeli, Milano 2014, pp. 23-68.

⁴⁸ Franco Prina, *La tratta e lo sfruttamento della prostituzione di minori e giovani donne nigeriane in Italia*, Department of Social Sciences - University of Turin, Torino 2003, p. 13.

⁴⁹ Ivi.

gious attachment, namely that «element which at a symbolic and psychological level firmly subjugates the women and binds their destiny to the commitment undertaken, the debt incurred and, therefore, the will of Madame»⁵⁰. It is a magical practice called voodoo or *juju*⁵¹. During the ritual, the woman is stripped, some locks of hair are cut from the armpits and groin, pieces of nails are taken as well as a few drops of blood, usually from the wrist, in some cases, menstrual blood is collected⁵². The girl is made to swear that she will repay the entire amount of debt and will not report the “madam” to the police, once they arrive in Europe. The strength of these rituals and oaths expressed as warnings or threats is due to the belief system widespread among the people of Southern Nigeria. According to animist cults, if commitments made during the ritual are not maintained, one risks becoming a victim of evil that can lead to madness and death, not only for one’s self but also for one’s family.

The risk of being involved in trafficking and sexual exploitation is very high. There is concern and suspicion on the part of some social workers who follow the women interviewed that some of them can be “recruited” on reaching destination, if it has not already happened in Nigeria, for street or indoor prostitution thus capturing them into the thick mesh of sexual slavery. In addition, we must consider that according to some studies, 80% of Nigerian women in prostitution in Italy come from the states of Edo, Delta and Lagos with an age between 15 and 35 years⁵³, exactly like the women interviewed.

If initially the trafficking routes were independently based on air-travel, over time there has been a change caused by multiple factors, in particular the increase of controls at airports. In fact, today we see the emergence of overland travel through Africa and sea crossings with landings in Spain or Sicily. This has meant that the sex-trade trafficking routes and those of the people smugglers, once distinct, are subsequently often intertwined. Therefore a new strategy for criminal organisations has emerged in which the recruitment phase is simplified since girls to be exploited are intercepted amongst the women who migrate in search of a better life.

The decision is due to poor employment opportunities in their own country and the need for economic independence that would allow them to establish themselves and then to be able to improve their living conditions and those of their families. The journey towards a rich north, or an area portrayed as such, seems an opportunity to be seized without in fact knowing where one is going, even when the destination is a place like Libya, which cannot be drawn on maps anymore. «So one day one of his

⁵⁰ Ibid., p. 16.

⁵¹ Gerrie Ter Haar (edited by), *Imagining evil: witchcraft beliefs and accusations in contemporary Africa*, Africa World Press, Trenton 2007; Toyin Falola-Matthew M. Heaton (edited by), *Health, knowledge and belief systems in Africa*, Carolina Academic Press, Durham 2006.

⁵² Ivi.

⁵³ Esohe Aghatise, *Trafficking for prostitution in Italy*. Concept paper presented at the “Expert Group Meeting on Trafficking in Women and Girls”, 18-22 November 2002, Glen Cove, New York, p. 8; Osita Agbu, *Corruption and human trafficking: the Nigerian case*, “West Africa Review”, Vol. 4, n. 1, 2003, pp. 1-13 (p. 7).

sister now told me that she want to enter this route to come to Libya, because I don't know where they call Libya. I said what are they doing there? She said that there, if I should have work there they will pay me good salary» (Int. n. 3).

When telling their stories, the women interviewed preferred not to dwell on the trip because of very painful memories of what they experienced during the crossing of the desert before and later the Mediterranean, except for a few short memories:

The stressful thing was that you have to pass through the desert not by air... I started the journey, it was not easy, it was hell on earth, you pass through the sun, you pass through the hardship, you sleep on the cold floor, when you get to Libya you find out that it's not just easy. (Int. n. 1)

Once in Libya, in Tripoli, life is not easy, but for many an important role is played by the network of fellow countrymen, Nigerians, but also sub-Saharan Africans, met in that foreign land as a source of mutual help and support. The common origin creates a strong bond between people, a bond interpreted as that of a family:

We all are speaking the same language, so we are sisters, they take me to their house, I was living with them. (Int. n. 6)

When I get to Libya I have to locate Nigerian, my tribe, because it's a tribal thing altogether, even in the outside Nigeria, I found my tribe I now explained things to them. (Int. n. 1)

In addition, as expressed by the women, it is essential to reconnect with each other «black woman and black man» (Int. n. 23) also those arriving from other areas of sub-Saharan Africa. This highlights the feeling of belonging to a larger community where sharing a common faith plays an important role. In some cases the place of contact and socialisation is precisely the church for Sunday mass. Interestingly, however, once they arrive in Italy, this need to establish contacts with the community of fellow countrymen or to create a network is not so prevalent. The women relate mainly with the others being hosted in the same asylum seekers' hospitality facility. In fact, the focus group was attended by some women staying in another facility located in the same city but unknown to each other, it was their first meeting. Only for a few the Church is still a place not only for worship but also for community socialisation.

2.1.1 The escape

For all involved the arrival in Italy in August 2014 was by sea voyage with rubber dinghies or small boats following the resurgence of civil conflict in Libya in May 2014. Political instability and war have made departures from the Libyan coast to Italy more frequent and subject to fewer controls because of the lack of a central authority. The war has forced the departure of many African immigrants living in Libya, itself historically a country not just for transit but also a destination for African economic mi-

grants⁵⁴. But the situation, as reported by the United Nations⁵⁵, has been aggravated by the spread of unlawful killings, attacks on civilians, arbitrary detentions, torture and violence against migrants and particularly against women by the many irregular militias in the area. The women interviewed also described how the daily situation was dangerous, they reported high risks of being subjected to rape and restrictions on the movement of women «women were restricted to going out, so many things... raping, victimization». (Int. n. 1)

So the decision to escape, to leave Africa and come to Europe seems to be inevitable. In their stories the women recollected how they moved in the peripheral countryside areas, far from the city centre, waiting to set sail and risk their lives on the trip:

We now saw many plastic something like balloon [blow blow], they were pumping it, so that's how they put me inside the boat and in that thing, first of all, they will first of all put girls inside that boat [...] That's how I get to this place. (Int. n. 3)

Or in the words of another woman, who describes the role of Libyan soldiers who force people - the Africans - to set sail towards Italy:

They now captured us and put us especially blacks in one place. The next day, they push us into the sea, they say go and die, you're blacks are meant to die. They even raped us, so many... I don't want to talk about it. (Int. n. 1)

The stories vividly portray agitated moments of great fear and confusion about what to do or where to go, with a worsening and increasingly dangerous situation. With the outbreak of the conflict also the Libyans were leaving for Tunis. One girl was helped by the Libyan family for which she had worked as a maid: «She said: the only help I will give to you...people are running down to Italy. I said "where is Italy?" She said "it is a Europe country"» (Int. n. 6). The moment for escape takes place with the complicity of the night and the story continues with the following words:

One night she [the employer] took me down to one place, I was hearing the sound of water, I asked her "where are we?", she said I shouldn't ask her and to enter any boat I see people entering, that's how I found myself here. In the midnight, people were entering the boat, she said I should go. (Int. n. 6)

In telling these stories the women's voice are sometimes anguished. I understand that they do not want to remember the details of that trip, they speak with great difficulty of the experience that has seen them face so many threats and dangers, two of them were also pregnant. In 2014, according to available data, the number of refugees who crossed the Mediterranean to the Italian coast was 170,100 of which 9,000

⁵⁴ Mattia Toaldo, *Libya's migrant-smuggling highway: lessons for Europe*, "European Council on Foreign Relations" n. 147, 2015, p. 6.

⁵⁵ United Nation Human Rights Council, *Investigating by the Office of the United Nation High Commissioner for Human Rights on Libya*, A/HRC/31/47, 2016, pp. 8-9. Available at: http://www.ohchr.org/Documents/Countries/LY/A_HRC_31_47_E.pdf (accessed 7 May 2016).

originated from Nigeria, this latter figure doubled in 2015⁵⁶. The maximum quota of asylum seekers assigned to the Umbria region is 1,554 people, of whom 1,181 in the province of Perugia. To date the province of Perugia hosts 970 asylum seekers, the rest are in the province of Terni, mainly from the following sub-Saharan countries: Nigeria, Ghana, Mali, Somalia and Ivory Coast⁵⁷.

2.1.2 *The arrival in Italy*

Once embarked on the journey, all the women eventually arrive in Italy, landing initially in Lampedusa, to be subsequently transferred to Umbria and Perugia where they enter the refugee reception system operated by the Commune and the associations in the area that organise accommodation in hotels and private apartments. They start their wait for the response to their right of asylum requests. The arrival in Italy is experienced with joy, salvation soothes their fears, after all, they are still alive and now there are those who take care of them: «I can say that Italy is the one that rescue me» (Int. n. 6); «I'm happy, I feel cared and loved for because they pay me, I can't even believe it, they give me a comfortable home, I feel secured». (Int. n. 1)

There is evident hope for a new life in Italy, a country for which they express gratitude but also an initial disorientation. It is certainly not easy to fit into a new environment and start over when you do not know the language, social customs and norms: «In the beginning I was surprised how I am going to cope in this country? I don't understand the language, I do not understand their things» (Int. n. 2).

Albeit with difficulty another issue arises, that of racism. In addressing this topic during the interviews there was a certain tendency to appease the researcher, i.e. the interviewees tended to respond in a manner which they thought would satisfy the interviewer's expectations. This likelihood is well known in social research, and therefore it must be taken into account. When asked if they have ever been victims of acts of racism, the interviewees evidently played down the reality of the situation by stating that the attention given to this issue is exaggerated, that people are always friendly and kind to them. Yet, in the course of conversation, stressing the confidentiality reserved for them and the non-judgmental attitude on the part of the listener, this veil fell and some women revealed that they were involved in racist incidents which occurred in everyday situations such as receiving insults while walking on the street or getting a rejection of their offer to yield their seat on the bus because it was supposedly dirty. Women are much more exposed to such phenomena of discrimination, and particularly migrant women. Precisely in relation to these processes scholars of

⁵⁶ Ministry of the Interior, *Rapporto sull'accoglienza di migranti e rifugiati in Italia*, Roma, ottobre 2015, p. 5.

⁵⁷ For details, see, <http://www.consiglio.regione.umbria.it/accoglienza-profughi-la-prima-commissione-ha-incontrato-i-prefetti-perugia-e-terni-affrontata-la>, (accessed 7 May 2016). See also: Cooperativa Sociale Perusia-ANCI (a cura di), *Rifugiati in Umbria 2001-2012*, Perugia 2013, pp. 70-78. Available at: <http://www.perusiasociale.org/documenti/rapportoregionale2012.pdf> (accessed 7 May 2016).

“Gender Studies” have identified a triple discrimination: migrant females suffer discrimination as women, as migrants and in relation to social class. They thus form what has been termed a “Trimurti of characters” that defines the role of immigrant women in the host society⁵⁸. In addition, in our case, we can add the legal status as asylum seekers that relegates these women to a further state of social marginalisation due to the absence of personal documents and uncertainty about their chances of staying in the country.

Despite these incidents, all intend to remain in Italy and Perugia, they want to learn Italian and get a job that would enable them to live in dignity and be able to help their family in Nigeria with whom they keep in touch, for some even on a daily basis through social media and the Internet. These women now plan their future in Italy while waiting to see if they can stay or not. The latest available data relating to 2012 indicates that in the Umbria Region, only 20% of the refugees have gained the recognition of a form of protection, while the remaining 80% of the applications were rejected⁵⁹.

2.2 The practice of circumcision in Nigeria: «circumcision is beautiful!»

2.2.1 *The significance of the practice*

The dialogue with the Nigerian women now moves to the real focus of the research: cutting or female genital mutilation. As has been reported and as studied in anthropological literature within the context of initiatory rites of passage, genital circumcision is an ancient tradition for the practicing groups involved. Within the home-communities of the respondents interviewed, this ritual usually takes place within seven days of the child’s birth and is performed by a traditional midwife who has a special social status and, by virtue of her specific role in this task, receives payment in cash and in kind. In initiation ceremonies, the ritual assumes a fundamental symbolic value as an act of passage that marks a change of status from child/teenager to adult woman and then defines membership within a particular group.

In this context, however, given the very young age of the girl, this aspect of rite of passage does not prevail. Therefore, these rituals are better categorised as acts of demarcation⁶⁰ through which are established gender and sexual identity making the distinction between male and female and establishing social gender differentiation. According to a widespread ancient belief, the baby has two souls, a sign of sexual ambiguity that must be corrected and redefined. In some communities in Nigeria,

⁵⁸ Caroline Brettell-Rita Simon, *Immigrant women: an introduction*, in *International migration: the female experience*, edited by Caroline Brettell-Rita Simon, Rowman and Allanheld, Totowa (NJ), 1986, pp. 3-20; Giovanna Campani, *Genere, etnia e classe: categorie interpretative e movimenti femministi*, in *Donne migranti. Verso nuovi percorsi formativi*, a cura di Franco Cambi-Giovanna Campani-Simonetta Ulivieri, Ets, Pisa 2003, pp. 48-70.

⁵⁹ Cooperativa Sociale Perugia-ANCI (a cura di), op. cit., p. 76.

⁶⁰ Pierre Bourdieu, *Il dominio maschile*, Feltrinelli, Milano 2014, pp. 34-35.

particularly in the states of Ekiti and Osun⁶¹, it is believed that the clitoris if not cut, can be dangerous for the baby, later causing insanity or even death. The same belief is associated with contact with the male genital organ that could result in the death of her husband. In general, it appears as if the clitoris and female genital organs are conceived as potentially threatening for individuals and communities, and therefore must be cut, controlled and repressed.

Recently we have witnessed the reduction of the ceremonial element in some communities, in part presumably linked to punitive legislation against the practices that discourages public display, together with increasing medicalisation, namely the tendency to delegate operations on female genitalia to doctors and health care workers in hospitals to overcome the most serious immediate harmful consequences of the practice. The latter circumstance is a reality in countries like Nigeria where, in recent years, there has been a high rate of medicalisation⁶². During the course of the interviews, the women related how doctors, considered as people of science and therefore occupying prominent social positions, today have a fundamental role in the family's decision to circumcise their children or not: «It is the doctor who will decide whether I would do it or not... they have studied it, we have not studied, and they know the right thing to do» (Int. n. 2).

The operations carried out by trained personnel at health facilities are in demand because they certainly reduce the risk of infections due to the poor hygiene which characterises the operation as performed in the bush or in the home by traditional operators. It should be stressed that medicalisation of the practice can contribute to its continuation and promote the mistaken belief that it is a legitimate medical procedure and, therefore, promote its social standardisation. In addition, this trend could lead some doctors to perpetuate the practice for reasons of professional advancement and profit⁶³.

The women we met are not used to talking about the practice of cutting or genital circumcision, often considered a taboo in their families and communities. In fact, except for some who said that they had spoken with their mothers on the subject, for the others the occasion of the interview was the first time they had faced the question: «We don't talk about it, no one has told me "let's talk about it" before» (Int. n. 2). While a further confirmation that cutting is not a topic of discussion among women emerged during the focus group, during which the participants realised that not all women have their genitals altered, as one of them subsequently reported: «I think everybody in the world does it, I don't know that it's a crime in some parts of the world [...] I never knew that it's not even existing anywhere! I never knew until yesterday, I was

⁶¹ Mairo Usman Mandara, *Female genital mutilation in Nigeria*, "International Journal of Gynecology and Obstetrics", n. 84, 2004, pp. 291-298.

⁶² UNICEF, *Female genital mutilation/cutting: a statistical overview...cit.*, pp. 42-45.

⁶³ WHO, *Global strategy to stop health-care providers from performing female genital mutilation*. UNFPA, UNHCR, UNICEF, UNIFEM, WHO, FIGO, ICN, IOM, MWIA, WCPT, WMA, WHO Publications Geneva 2010.

shocked» (Int. n. 1).

We can consider this statement as a possible effect of migration: the chance to meet and talk freely with other women, compatriots or otherwise, helped to initiate discussion on the issue and to acquire a different awareness about cutting. The findings suggest that not only is the subject itself seldom treated in the family or in the group but also that little or nothing is known about the experience or the views of other women. Information is scarce because opportunities for confrontation are lacking. The theme is not conceived as a theme of interest or a pressing issue; it is taken for granted that all women carry this distinguishing mark which is perceived as normal and natural because, as originally stated, it pertains to tradition:

It's a kind of not much a problem, it's not much anything, no discrimination...because we believe in, we assume that everyone that is from Nigeria that [is] circumcise, so we don't even talk about it. So yesterday [referring to the focus group] was actually the first [time] in my life I have this kind of discussion about circumcision apart from my mum telling me the reason why they do it. I've not have any meeting or coming to talk about it, no. (Int. n. 8)

On the reasons for cutting women's genitals, all agree that it is a practice that belongs to tradition; it is a consolidated practice, handed down from mother to daughter as a commonly accepted inter-generational practice and as such is not called into question. Indeed the practice is considered as a duty to be fulfilled:

That's what they're doing in our tradition, according to our tradition, that is why she [referring to her mother] did the same thing to us. (Int. n. 3)

This is a normal thing they're doing...where I come from we see it as a homage, something you have to do. (Int. n. 1)

It's because our tradition, you must circumcise a child that's how we grow up in our family, all our family we are circumcised, so when we born our baby, our baby will be circumcised too. They must circumcise them... it's the law, so we cannot say no. (Int. n. 4)

But it is important to understand what is meant by "tradition", what is the precise motivation behind this act, deemed necessary, which modifies the body of women while still children. From the data collected, and extensive literature, it emerges that this cutting tradition is intended to regulate the woman's body, whose sexuality is perceived as a lustful instinct that must be subjugated, perceived as something immoral that can only be practised within marriage for reproductive purposes. In particular, as already explained the clitoris is considered by men to be an aggressive and menacing organ, as do women themselves who, through the act of cutting, avert the risks of infertility and promiscuity⁶⁴:

⁶⁴ The emphasis on female chastity is not solely due to the belief in the aggressive nature of women's sexuality, but it is concerned with the control of women's reproductive capacity and with the certainty of paternity associated with the retention of property and inheritance rights. See: Raqiya Haji Dualeh Abdalla, op. cit., p. 60.

It said that if a woman is not circumcised she would be...she will need sex every time, but if she is circumcised she would enjoy it without feeling anything, that's why I think it's good that I'm circumcised. (Int. n. 2)

Woman circumcision is good, that a woman that is not circumcision will be feeling scratch in her private part [...] because any girl that is not circumcised will like men, will like sex. (Int. n. 3)

Such motivations are characterised by the importance attached to female sexuality in order to assure the protection of virginity and control of chastity, considered essential elements to ensure fitness for marriage and purity of the woman:

In Nigeria, there is this mentality that it's good to keep your virginity for your husband, if not for being a Christian, they say that it's a dignity, it's a prestige. Your husband will know you're a good woman. (Int. n. 9)

Most of the social contexts in which the practices of genital modification are commonplace are characterised by a patriarchal structure in which the role of women is subordinate, where their sexuality and virginity are under male control and on which depends the honour and respectability of the whole family. The cutting practices are therefore justified as a means of subduing the otherwise uncontrollable sexual desire of women and thus preventing premarital or extramarital sexual relations, thereby ensuring the fidelity of the wife who has to assume a modest sexual behaviour⁶⁵. Otherwise, there is the risk of being stigmatised by society and by one's families:

In Nigeria if you're a married women and you sleep outside, if the people know, they will disgrace you, you'll go naked, they will disgrace you, they will even beat you up, they will chase you out, so that's our believe. (Int. n. 8)

The FGM/C phenomenon thus acts as a form of control of the body and sexuality that has serious physical and psychological consequences, as an act of subordination to male domination and an expression of gender inequality that assigns women a subordinate position in society. The regulation of sexuality and reproduction in women becomes a group expression of identity; women and their bodies are «the symbolic-cultural centre where societies register their moral system»⁶⁶. The bodies of women are shaped within and across cultural and social affiliation dynamics, the body thus becomes a space of social construction in which social relations are enacted.

From the evidence, it is clear that the practice, in its rituals and in its execution, is typically a female activity, for women only, whereas the male remains on the sidelines

⁶⁵ Michel Erlich, *La femme blessée: essai sur les mutilations sexuelles féminines*, L'Harmattan, Paris 1986, p. 177; Esther Hicks, *Infibulation. Female Mutilation in Islamic Northeastern Africa*, Transaction Publishers, New Jersey 1993, pp. 73-74.

⁶⁶ Seyla Benhabib, *La rivendicazione dell'identità culturale. Eguaglianza e diversità nell'era globale*, Il Mulino, Bologna 2005, p. 119.

if not altogether excluded. However, this does not necessarily mean that men are not taking part in the decisions to have their daughters cut, or complicit in the continuation of the practice. It is manifest, however, that it is women who take care of the preparations and who accompany the children to the ritual, during which they play the active role. Likewise, because of the well rooted and internalised social constraints, it is women who defend the continuation of the practice, required by families to protect their daughters, and assure them a future, since it is also this ritual that defines their social status within the community and their economic security as wives and mothers⁶⁷. In fact, men would not marry an un-excised woman, considered an outcast from society and a potentially unfaithful wife⁶⁸.

2.2.2 Marriage and bride price

Following on the previous discussion, it clearly emerges that genital cutting practices are closely associated with marriage because it is one of its fundamental preconditions; the operation which changes the female genitalia make the girl a future bride/wife and is therefore considered as a preliminary requirement for the wedding:

People they don't circumcise... they can't, they can't marry one man because one man will not be enough for them; say so many things that you will like to be sexing every time and no man will like to that especially in Nigeria. (Int. n. 1)

For if a woman has not been "purified" by the ritual operation she cannot marry and have children. It is a fundamental aspect in obtaining recognition of social status within the community, as well as a guarantee of economic security and thus a better life expectancy. In such contexts virginity becomes an important economic factor, as also the bride's dowry depends on it and it is therefore counted as part of the marriage transaction.

During one of the interviews we also had the presence of the husband of one of the interviewed women who, feeling personally involved on this issue, wanted to join the conversation by explaining clearly the function and meaning of "brideprice" in Edo State in Nigeria:

If I want to marry her, they [referring to the bride's parents] will ask me to come and pay the money for the bride price. The bride price simply stands for the money that they used to circumcise her. That is the respect and the honour of that circumcised. Then, if they have not circumcised her, the parents have to circumcise her [before the marriage], otherwise the bride

⁶⁷ Ellen Gruenbaum, *Reproductive Ritual and Social Reproduction: Female Circumcision and the Subordination of Women in Sudan*, in *Economy and Class in Sudan*, edited by Norman O'Neill-Jay O'Brien, Gower Publishing, Brookfield 1988, pp. 308-325.

⁶⁸ Cecilia Gallotti, *Le Mgf come posta in gioco nei processi di cambiamento culturale, migranti nigeriane e servizi socio-sanitari in Emilia Romagna*, in *Migrazioni. Generi. Famiglie. Pratiche di escissione e dinamiche di cambiamento in alcuni contesti regionali*, a cura di Daniela Carrillo-Nicola Pasini, FrancoAngeli, Milano 2009, pp. 185-265.

price have no value. (Int. n. 7)

The dowry, defined as “brideprice” or “bridewealth” by anthropologists⁶⁹, is the amount in material and symbolic assets⁷⁰, paid by the groom’s family to that of the bride after the conclusion of marriage agreements. Through these agreements, the bride’s family will be rewarded in exchange for the woman’s virginity and fertility, as ensured by the cutting practice. It is clear that within these matrimonial conventions, female genital mutilation/cutting plays a central role whereby «women believed that men would not marry an uncut woman, and men believed that an uncut woman would not be a faithful partner in marriage»⁷¹.

In this complex system which combines various factors such as virginity, chastity, genital modification and the ability to procreate, we understand that the concern for ensuring a proper marriage and offspring is one of the major determinants of the continuation of the practice together with the related social pressures⁷²:

In our culture, it’s like every woman must marry, but if you don’t marry people will laugh at you, if you’re above 25, 26 and you did not marry, you’re walking on the street someone insult you, if you come back to your home, your parents will make house uncomfortable for you, they will tell you your mates are married, you’re here eating my food, go and marry, face your home, they will chase you away, you will be in pains, maybe you will commit suicide, some people will take their bags, they will leave, they will never come back again, because we believe in family that a married person have dignity. (Int. n. 1)

2.2.3 *The opinion of women: the power of tradition*

What do the women interviewed think about the practice of mutilation or cutting of the external female genitalia? In light of the observations presented so far, it may not be surprising to discover that, in general, the practice is assessed positively by women, albeit sometimes judged to be painful «Female circumcision is good... is beautiful!» (Int. n. 3). Other respondents have been even more explicit on the subject:

I think it’s good to circumcise a child when it is delivered, that is just what I think. For me if I deliver a child when it is 7 days old, I will find someone to help me do it because it’s a normal thing to do. (Int. n. 5)

It’s a good practice to circumcise your body [because] I can resist it [the urge of sex]. (Int. n. 6)

⁶⁹ Carla Pasquinelli, op. cit., pp. 94-103; Mila Busoni, *Il valore delle spose: beni e persone in antropologia economica*, Meltemi Editore, Roma 2001.

⁷⁰ Premarital exchange agreement provides for the transfer of goods and economic resources, as well as for the fundamental stipulation of family alliances and kinship relations.

⁷¹ Gerry Mackie, *Female Genital Cutting: the beginning of the end*, in *Female “circumcision” in Africa: culture, controversy and change*, edited by Bettina Shell-Duncan-Ylida Hernuld, Lynne Rienner, Boulder, 2000, pp. 253-282.

⁷² Ellen Gruenbaum, *The female circumcision controversy...cit.*, p. 87.

The women's stories do not manifest the negative effects usually associated with cutting⁷³, this could be related to the fact that all have undergone the practice during their infancy, so they do not have those memories which are typically the source of trauma and mental disorder. Moreover, none of them has yet faced the moment of giving birth, considered by doctors to be a particularly difficult time when it is possible to suffer complications due to the modification of the genitals. Another factor to consider is the extent of the excision, which in milder forms may not be so devastating, and may not have significant consequences for the health of the woman. Numerous studies⁷⁴ have found that women who have undergone genital modification do not lose sexual sensation and pleasure, thus showing a lack of correlation between genital modification and the effective control of female sexuality, as has been clearly stated: «It is clear that female sexuality is neither destroyed nor unaffected by female genital cutting. [As] reported in a study of Ibo people in Nigeria that clitoridectomy did not diminish a woman's libido, contrary to the widespread belief that excision would affect sexual desire»⁷⁵.

It is particularly on this aspect that some women express their concerns and criticise about the effectiveness of the practice as a control of sexuality citing personal experience:

Some people when they grow up, even if they circumcised them, they always have urge for sex. So to me I now come to understand that this thing is crazy, it's not working. Like me, they circumcised me but I have feeling for sex, I can have sex anytime I want. (Int. n. 1)

In other accounts it emerges that cutting is considered important and the practice is judged favourably, but not to the extent that it guarantees the appropriate and compliant behaviour of the child. Therefore, a fundamental role is delegated to parents as educators of their children:

I said it's the way you train your child. Some people say that when they don't circumcise girl they will go like sex, sleep around but it's the way you train your child that will make her want to sleep or not. (Int. n. 4)

So according to these women, it is necessary to educate one's daughters on the im-

⁷³ For more information see: Dan Reisel-Sarah M. Creighton, *Long term health consequences of female genital mutilation (FGM)*, "Maturitas", Vol. 80, 2015, pp. 48-51; Peggy Mulongo-Sue Mcandrew-Caroline Hollins Martin, *Crossing borders: discussing the evidence relating to the mental health needs of women exposed to female genital mutilation*, "International Journal of Mental Health Nursing", n. 23, 2014, pp. 296-305; Rigmor C. Berg-Eva Denison-Atle Fretheim, *Psychological, social and sexual consequences of female genital mutilation/cutting (FGM/C): a systematic review of quantitative studies*, Report from Norwegian Knowledge Centre for the Health Services, n. 13, Oslo 2010.

⁷⁴ Carla Obermeyer, *The consequences of female circumcision for health and sexuality: An update on the evidence*, "Cult Health Sex", n. 7, 2005, pp. 443-461; Id., *Female Genital Surgeries: the known, the unknown, and the unknowable*, "Medical Anthropology Quarterly", Vol. 13, n. 1, 1999, pp. 79-106; Lucrezia Catania-Omar Abdulkadir-*et. al.*; *Pleasure and Orgasm in Women with Female Genital Mutilation/Cutting (FGM/C)*, "Journal of Sexual Medicine", n. 4, 2007, pp. 1666-1678.

⁷⁵ Ellen Gruenbaum, *The female circumcision controversy...cit.*, p. 156.

portance of virginity, to respect it and protect it regardless of genital cutting. Their behaviour in society depends on the education received and not only in relation to having been excised or not:

My mummy said that any female child that is not circumcised will like to go outside with man, she will do it, but if I advise her [referring to her future daughter] that any female child that is not circumcised needs to respect her virginity, she will did the same thing, she will respect herself [...] education is the best legacy for our children. (Int. n. 3)

However, what emerges is that these women have introjected the relevant meanings and beliefs based on the socio-cultural motivations, deeply rooted in their communities, that underlie the cutting practices and sustain their continuation. The key reference figures in this process are, once again, mothers and grandmothers. Many respondents defend the decision of their own mothers to subject them to cutting because they followed a well-established ritual tradition intended for a good purpose. When asked if they would themselves do it to their daughters, one of the interviewees replied:

I would love to do it to her, my mum did to me, this is what we do, I will do it, freely, because to me, I'm just thinking that it's a normal thing, I think it's nothing, to me, that's what they've been doing, they do it to everybody so I would love to do it to my kids. (Int. n. 1)

In the life stories gathered and reported here, what emerges on several occasions are the strong contradictions in what is expressed about the practice and the personal opinions about it: the women are in favour of its continuation because it is deemed a good practice but at the same time, they do not understand its effectiveness. These positions are not false or unreliable, but they clearly testify to an initial questioning of the significance of cutting, on the choice to perpetuate it or not, and on how necessary it is. Taking into account the migratory context in which these women are now living their daily lives and planning their future, it is important to assess the impact of migration, in a changed social context, on their opinions, attitudes and behaviour towards cutting practices. It can be assumed that this dichotomy can evolve in two distinct orientations: on the one hand, it could exacerbate the positions in favour of tradition while the other hand it may encourage a process of abandonment of the practice altogether. In particular, in the course of the migration experience, cutting practices may acquire relevance as an act of conservation of ethnic identity and social acceptance. Adhering to tradition meets the needs for a stable sense of collective belonging whereas a sense of insecurity and loss of their roots in the migrant context can push the members of diaspora communities to hold fast that value and normative system to which the cutting practice pertains. In the context of origin, family or community members, can exert pressure and influence on the "expatriates" to maintain and observe rituals and traditions; imperatives that are even more stringent in anticipation of a possible permanent return to the home country.

However, a different socio-cultural environment greatly influences the modes of

practice and manifestation of the culture of origin by promoting a process of redefinition of traditional models and cultural and symbolic categories. On arrival into a new social context and following contact with the culture of the host country, over time there is a tendency on the part of migrants to assimilate the structures and models of the society into which they are accepted⁷⁶. Women do play an important role in this contest which opposes modernity against tradition and identity transformations against cultural defences. The positions are still very mixed between those who support the practice and live out their traditions as a natural occurrence, a voluntary choice of which to be proud, and those who oppose the practice because they perceive it as a form of violence and oppression. It is women who are entrusted with the tasks of reproduction and transmission of cultures, for this they are defined as “cultural carriers”⁷⁷. But in migration contexts, these values and categories are redefined and renegotiated precisely because cultures and what they bring are not static and watertight but dynamic and changing.

Women of the diaspora play an important role in the processes of maintaining transnational ties linking the society of origin with the host society. Such ties are in part economic, as represented by financial remittances, but they also entail social and cultural remittances which convey to the family back home those emancipation-related values which have been part of their migration experience⁷⁸. Women are therefore actors in the construction of new female identities which combine elements of the cultural heritage of origin with those that are being acquired in the host country:

it is women who, by tradition, education and knowledge know how to renew, or maintain, the threads of affective life, restoring meaning and value to gestures and rituals, reinterpreting the norms and cultural practices in everyday life. These are the roles that ensure, on one hand, the links with the past and the collective memory, and on the other, the integration of values and behaviour of the present, of the here and now⁷⁹.

3. «This is not my father’s land». The impact of the law here and elsewhere

With reference to the above scenario, a major role is given to the Italian legislation prohibiting genital mutilation. It becomes a decisive factor in the system of opinions and attitudes adopted by women towards cutting practices. On learning that the practice of genital excision is considered a criminal offence in Italy, both in the course of the interviews and during the focus group meetings, the initial reaction of the

⁷⁶ In relation to the impact of migration on the abandonment process of cutting practices, please refer to the texts cited in the footnotes 50-58.

⁷⁷ Floya Anthias-Nira Yuval-Davis, *Introduction*, in *Woman-Nation-State*, edited by by Floya Anthias-Nira Yuval-Davis, Macmillan, London 1989, pp. 1-15 (p. 9).

⁷⁸ Peggy Levitt, *Social remittances. Culture as a development tool*, Wellesley University Press, Wellesley (MA), 1996.

⁷⁹ Graziella Favaro, *Per la famiglia, per sé, per i figli. Progetti, legami familiari e ruolo materno nella migrazione femminile*, in *Donne migranti...cit.*, pp. 443-462, (quotation on p. 445).

women was of amazement and dejection because none of them was aware of the legislation:

I was not comfortable, because I feel my kids, they belong to me, and I feel like they should experience some things like how we used to do it. it was real...shock! I think everybody in the world does it, I don't know that it's a crime in some parts of the world. I never knew until yesterday, I was shocked. (Int. n. 1)

It emerges from their words that they were totally unaware of the existence of the legislation and the related criminal offence due to lack of information about it from the institutions and reception personnel on arrival. This is despite the fact that the legislation itself provides for advice dissemination and the promotion of prevention and information activities for immigrants from countries with traditions of cutting upon their arrival at the Italian border or when processing the visa. Their frustration refers, in particular, to not being able to respect their traditions and therefore not being able to pass on to future children those values and educational models conceived as determinant for community cohesion and identity. As previously reported, those decisions fall on the entire extended family that can create pressure for the implementation of cutting rituals. Indeed, there is further evidence concerning the role of the family, in this case the future husband's family with regard to relations with the future mother-in-law or sister in law. According to established social codes, the elderly are the endowed with enormous respect because they are considered a source of wisdom and custodians of the traditions. These roles must be respected to the same extent that the relationships within the inner family must be protected:

If I am in Nigeria, if she [her mother in law] say I should do it in Nigeria, [if] she wants to do it to her own grandchild, we will do it...she should go ahead because it's her own grandchild...I don't [have] any option because it's not me that owns the child only. Because if I do not do it, she will go outside and say to people that my son's wife didn't respect me, she didn't do this. (Int. n. 3)

But while there is a clear identification of the role of the family in Nigeria, there is also emphasis given to the role of the criminal law in Italy. In fact, all the women surveyed promptly declared their intention to comply with the regulations of the country in which they reside. A position that highlights the difference between wanting and having to adapt to the legal provisions generating a sense of resignation and impotence due to the fact of being in a foreign country, not being at home:

I will follow the law, the rules and regulation in Italy, if they are doing circumcision here, I will circumcise my child, but if they're not doing circumcision, well, I don't have any option, I will take what they said. If they say they will circumcise the girls I will allow them, if they say no, I don't have any option, I will leave them, I don't have any option, this is not my father's land. (Int. n. 3)

And as reported by another interviewee:

I have to abide by the law, because I don't want to have any problem with the law. So even if I don't like it, but the law says don't do this. Like the experience I having in Nigeria, if you want to go to some far places, you enter bike, motorbike, it's not costly, but when I came to Italy....you have to buy ticket, 1.50 cents, so if I convert the money to Nigerian money, it's costly, so if they catch you, you have to pay *multa*. So even if I don't like it, I must do it, so I have to cope with the new things I've come to be. (Int. n. 8)

Also relevant to this effect are the following words that further underline the drive towards the adoption of appropriate behaviour required by the new life context in a spirit of adaptation:

If you cannot beat them you join them. Now we are in your country, all your rule we have to follow it. Italy don't circumcise, so if I have a child here, I will not circumcise them because I have to follow the rules and regulations. We can't beat you people, we have to join you people. (Int. n. 7)

The position taken by the Nigerian women is closely tied to their legal status as asylum seekers: they are all waiting for the outcome of the asylum application from the relevant authorities. Presumably this legal status has favoured the sudden rejection of a practice judged by them to be natural and traditional in order to comply with the rules and avoid problems with the Italian State, in particular the related risk of refusal of the asylum application. This is why the opinions expressed are characterised by contradictions based on the dichotomy favourable and contrary to the practice «because I don't want to have any problem with the law» (Int. n. 8). However, it must be emphasised that this distancing from the practice is not the result of a questioning of the reasons that are the basis of its perpetuation, such as the control of women, or the possible risks to health or the doubtful effectiveness of the practice; rather, it is the effect of fear of incurring penalties due to legislation that acts as a deterrent to the practice of cutting: «If there is a punishment, you will be afraid to do anything you want to do» (Int. n. 4). The opinion of women about female circumcision has not changed, for the respondents it is a good practice with positive results, with some exceptions, despite the presence of the law which has led them to distance themselves from it. This detachment is manifest only in Italy, because if they were in Nigeria they would certainly follow the local traditions and social customs that regulate circumcision. We note in fact a superimposition of meanings regarding the use of the term "law"; whereas in Italy this word is associated with the state law, in Nigeria it has the meaning of customary law as sustained by tradition:

It's our law in Nigeria, you must circumcise a child. When a baby is born you must do it. (Int. n. 5)

It is our own rules I will do it because if I don't do it, I will have a problem with my family relations. (Int. n. 7)

But the migrant condition changes the outlook, the desire not to have problems in the country of new residence and the need to integrate into Italian society pushes them to take a stand even against the family in Nigeria and to reject the pressures for female circumcision. The condition of no longer living in the home country frees the migrant from slavishly following tradition or the wishes of the family:

I have already respect them [traditions], if I am there I will do what they [the family] say I should do, but since I am not there, I don't have any option to do what they say...It's not compulsory that I must do what my tradition wants since I am not in that country again [...] So she [referring to her mother in law] don't have right to question me because of this circumcision issue say why did I not do it or why did I not come back home and do it. No! She will never ask me, because if she ask me, I'll told her that if she was on my shoe, she will did the same thing. (Int. n. 3)

The women encountered manifest an interior personal division marked by processes of identity renegotiation and to some extent, a reworking of traditional models that can lead to that hybrid state of dual belonging as a result of migration, namely the ability to be "here" and "there" simultaneously⁸⁰ and to maintain a multiplicity and fluidity of ties with the society of origin by building strong social networks people are able to maintain stable distance relationships with community members in the country of origin and thus to build bridges between two contexts: the society of origin and the hosting society.

4. Possible changes?

During the interviews, when focusing on the current situation in Nigeria, the subject of the presence or absence of changes *in loco* with reference to the issue of female circumcision was raised. The interviewees depicted their mother country as a place of constant change and turmoil. With reference to the issue of female circumcision, their perception is that of a reduction in the spread of the practice due both to information on health risks promoted by some doctors opposed to it and to the state ban on the practice in hospitals. Such statements in part reflect the available data published by UNICEF which indicates that the incidence rate at the national level has shown a decrease in recent years, but on the contrary, there has been increased recourse to the use of hospital facilities (the evolution of so-called medicalisation, see above).

The opinions of women are clear about how to activate a change in the phenomenon in Nigeria: according to them it can only come from above, i.e. government authority at the central level (Nigeria is a Federal Republic composed of 36 relatively autonomous

⁸⁰ Ralph Grillo-Bruno Riccio-Ruba Salih, *Here or there? Contrasting experiences of transnationalism: Moroccan and Senegalese in Italy*, CDE, Falmer 2000.

states), or by traditional leaders, influential figures such as the Oba in Edo State⁸¹ «In Nigeria, the only person that can do it [stop the practice] is just the Oba of Benin, the Oba of Benin. So if he say he don't want the law anymore, they change it» (Int. n. 4).

A change from the bottom up is inconceivable. There is no evidence of an active role played by the local community in making a change: the people, or rather the families, would not independently abandon the practice if not driven by a political decision «I can't bring a change, because it's their tradition, I can't change it. Maybe when they will change the governor, so they will change the tradition» (Int. n. 4).

It will therefore be interesting to watch future developments given that the Abuja Federal Government, on 5 May 2015, adopted the first federal law that prohibits and punishes various forms of gender-based violence including the practice of female circumcision, thus adding Nigeria to a list of 24 African countries associated with the practice that have enacted legislation to counter it. The Nigerian law, *Violence Against Persons (Prohibition) Act*, provides for a maximum penalty of four years' imprisonment and a fine of 200,000 naira (\$ 1,000) for whoever procures a circumcision. The promulgation of the law is one of the last acts signed by outgoing President Goodluck Jonathan, who was defeated in the last election in March 2015 by Mihammadu Buhari who took office to lead the country in late May of that year. An open question remains about the actual implementation of the legislation by the new president, a Muslim and originally from the north of the country. Among the interpretations advanced by scholars and practitioners from NGOs in the country on the initiative of now former President Jonathan is one that regards the law as a fleeting sign of good will towards the international community, enacted in the knowledge that it would remain a dead letter.

5. Conclusions

Through the life stories told in the voices of the protagonists we have come to know and understand other worlds so far away and yet so close. Projected into a new life and another context, these Nigerian women are questioning attitudes, models and traditions. Consequently, migration has an emancipatory potential for women within the family and society, both in the society of origin and that of arrival. Thus it becomes important to understand and study how migration processes have an impact on gender models, on gender inequalities and the roles assigned to women. The FGM/C phenomenon does not simply imply the act itself of genital mutilation/cutting of women's bodies, but it must be understood and included within a macro-dimension that concerns the status of women *tout court* which, as noted, includes access to education and the recognition of human rights as well as the risk of trafficking and sexual exploi-

⁸¹ Nigeria is based on the coexistence of two institutional frameworks: one relating to the democratically elected official institutions and the other one referring to the *chefferie* in which the local authority is regulated according to informal mechanisms of indirect representation.

tation of these same bodies.

Time will tell whether developing attitudes of detachment taken today towards the practice will be introjected and pursued, or if they are just a response to a temporary need due to the place of residence and the legal limbo concerning their current legal status. As already mentioned, this approach is strongly influenced by their legal status as asylum seekers and the Italian legislation on FGM/C. It may be that the presence of the law has functioned as a deterrent or as a means to subtract themselves and their daughters from the practice, yet it is difficult to believe that the legislation alone is sufficient to halt the practice. The limits of the legislation are in fact evident due to both its considerable ineffectiveness (to date there has been only one case in brought to trial) and its high symbolic value that stigmatises and condemns cultural affiliation, the latter element appearing insufficient for a change of behaviour concerning the practices. It is likely that the legal framework has pushed cutting practices underground into clandestinity within the migrant community in Italy.

There is therefore the risk of the emergence of strong cultural prejudice leading to a breakdown between the different communities and groups. Thus it has become necessary to launch training and information initiatives based on dialogue and intercultural exchange capable of stimulating in Umbria, and specifically in Perugia, reflection and participatory action on the issue involving *in primis* communities associated with cutting practices. Civil society and institutions should also be called upon to contribute, with particular reference to all facilities as well as operators and professionals in various capacities involved in the activity of reception for asylum seekers, including law enforcement. It is evident that now is the appropriate time to promote structural measures on the phenomenon, paying attention to the macro issues affecting women, especially migrant women. In this process, a coordination role could be assigned to the “Umbria reference centre for the study and prevention of female genital mutilation” with the aim of making it a fruitful collector of ideas and projects to be implemented in the area, serving the local area and the communities that inhabit it.

The representation of the immigrants' image on the Italian Media: between reality and falsifications

Reem Elbreki

Abstract

It is hard to deny that illegal immigration is already one of the most important crises that face the Mediterranean. Especially, after the "Arab Spring", and the new situation that has created after the collapsed of the dictator regimes in the North Africa. The problem today, I believe, it is not only the thousands of people who are crossing the Mediterranean every day or those who were less lucky and their life ends between the two Mediterranean shores. For this reasons this paper is focusing on different aspect of the problem.

In this paper, I'm focusing on the use of the language by the Italian media to describe illegal immigration, as well, the paper is focusing on the terminology that the media usually starts its editorials when describing migration, and how that can affect immediately the language of normal individuals. Moreover, the paper is analyzing the language that media uses when issues related to migrants come up. Not only, but the paper is also giving example about how this language is even becoming a common political language used during political campaigns.

1. Introduction

«Dal vù cumprà al vù spaccià. Nati per rubare e se non ubbidiscono sono botte e violenze. La droga viaggia in tram arrestati due clandestini». It is with such terminology that the media usually starts its editorials when describing migration, and normal individuals often repeat such terminology without being fully aware of its meaning. I would like to begin by analyzing the language the media uses when discussing issues related to migrants.

«Dal vù cumprà al vù spaccià»: the two Italian verbs *comprare* and *spacciare*, "buy" and "deal" in English, are being used in this Italian phrase to describe the immigrant when he first came to Italy, starting off by selling simple stuff to make money, but then swiftly progressing to a faster way of making money, through drug dealing.

«Nati per rubare e se non ubbidiscono sono botte e violenze» is another famous Italian phrase meaning, "They are born to steal and if they don't obey they suffer beatings and violence". The phrase is used to describe children who were born into delinquent families, they are considered by society as children who have no alternative way of living but to steal, and if they try to rebel are punished. Their life has already been decided for them. There are cases in which these parents wait for their children outside restaurants where they have been sent to beg, and if the money earned by the children is not to their liking they are beaten in front of everyone present.

«La droga viaggia in tram arrestati due clandestine» can be translated as "Drugs travel via tram, two illegal immigrants have been arrested". This phrase describes how drugs are transported from one location to another using public transport, and shows how immigrants are always being negatively perceived by the media which always

links them to drugs.

This entire phrase and more are just the tip of the iceberg when it comes to the way the Italian media describes foreigners who entered Italy illegally. Even the term *extracomunitario*, or “non EU citizen”, is now used exclusively to describe migrants coming from poor countries. Indeed, the list of pejorative terminology and phrases used in the media to describe migrants is long, and obviously it has direct and immediate effects on individuals in society.

There is no doubt, that media often affects public opinion, indeed, after the prejudiced editorials that Italian media (but not only the Italian ones) publish one should not be surprised by the reaction of the public.

«Non sono razzista, ma alla mie tradizioni ci tengo. Non sono razzista, ma non siamo pronti a ricevere tutti sta immigranti. Non sono razzista, ma ci manca le strutture. Non sono razzista, ma i delinquenti non li voglio»¹. We almost use such phrases so that it seems to be normal when we speak using expressions that seem natural, but instead are trivial, rough, and contradictory. They merely demonstrate evidence that we would like to hide: that we are often racist, starting from the language that we use. Such daily phrases are found commonly on the Web and in daily speech, even becoming a political right to use during political campaigns. It is with such examples that I start this paper, drawn from political and media language of at least the last decade, which shows how immigrants are not immune from the prejudices, and contempt of the media for immigrants.

In this paper, I will try to focus on how the Italian media are dealing with the immigration phenomenon. Moreover, I will show the solutions that the Italian state and Italian organizations have provided in order to assist journalists to avoid hate speech, to tone down prejudices, and the superficial language.

I have decided to choose this topic not only because it is an interesting and important argument to be studying and analyzing, but also because I come from an Arabic country, and therefore I can personally feel the way society looks at me after each terrorist attack or even after a heated discussion or argument between foreigners in the Street.

Dealing with such a complex phenomenon as prejudices towards immigrants in a modern society is not an easy task, and in my opinion any researcher should first consider the many facts that together lead to this situation. Economic and historical factors here are both essential. There are many elements in play, such as geographical and demographic facts, which combine both historical and economic factors, making it hard to separate one from the other.

If we begin with history, migration is not a new phenomenon. Commercial traffic throughout history, as well as invasions and wars, which spurred migration, has all contributed to our current geographical and demographic reality. However, wars and trade over recent decades in particular have caused the emergence of racial and eth-

¹ F. Faloppa, *Razzisti a parole (per tacer dei fatti)*, Laterza, Roma-Bari 2011, p. 3.

nic problems, which in turn has fueled our modern culture overflowing with prejudiced terms.

This being said, A. Giddens talks about the evolution of the travel pattern throughout history in his book, "The Consequences of Modernity", when he states that:

Migrations of population, nomadism, and the long-distance journeys of merchants and adventurers were common enough in pre-modern times. But the large majority of the populations were relatively immobile and isolated, as compared to the regular and dense forms of mobility (and awareness of other ways of life) provided for by modern means of transportation. The locality in pre-modern contexts is the focus of, and contributes to, ontological security in ways that are substantially dissolved in circumstances of modernity².

Indeed, modernity has gradually eroded the certainties at the base of the pre-modern world by replacing locality and limited mobility with the insecurity of movement and relationships, facilitating the creation of new personal or collective dynamics.

Today, thousands of people are fleeing to Western countries away from repression and dictatorships. Or they are coming in search of better living conditions, adequate wages, or more opportunities, fueled by the motivating images produced by the hegemonic cultures within our global system. The desire or illusion of the marginalized and the poor to leave behind the conditions and the limitations of local markets and poverty, or the harassment or persecution of authoritarian states, is the least we can expect from the millions of people that are moving and integrating into the global system³.

2. What is illegal migration?

"Irregular", "illegal", "clandestine", "undocumented", "unauthorized": all these words and terminologies - which are just the tip of the iceberg - are adjectives used to describe the immigrant person, a word that is applied when someone enters or has reached a specific point outside the limits of his homeland in an incorrect way, in particular when migration has taken place illegally. When such an action takes place a reaction needs to take place in order to control or respond to what has already happened. In this paper I will concern myself with the details and the differences between all the terms that refer to "illegal" exits from one's homeland or entry to another country. Indeed, some important clarifications are necessary. For instance, "clandestine" is the word that refers more to hidden movements across borders, and the existence of "smuggling" in the migration process⁴. In Italy for example, they refer to who has crossed the maritime border in particular and who has broken the law of entrance,

² A. Giddens, *The Consequences of Modernity*, Polity, Cambridge 1990, p. 103.

³ A. Dal Lago, *Non-persone. L'esclusione dei migranti in una società globale*, Feltrinelli, Milano, 2009 (1999), p. 251.

⁴ R. King-D. De Bono, *Irregular Migration and the 'Southern European Migration Model' of Migration*, "Journal of Mediterranean Studies", Vol. 22, n. 1 2013, p. 3.

by using the adjective *clandestino*. This description in itself carries with it a prejudice of the person who has already entered another country and who lives there without documents. The use of the term "illegal" in itself indicates the link between the immigrant and criminality⁵. And this is what might lead to personal problems for the migrant due to limited integration in the second society. However, illegal migration is a causal phenomenon, it is inextricably linked to regular or legal immigration.

Without legal immigration, there would be no illegal immigration. Illegal immigration can be seen because of a mismatch between the number of people who are forced to migrate and the available opportunities for legal immigration⁶. But once we start to argue about this hypothesis, one important question may arise: why do some people risk and turn to acting illegally? Here the phenomenon takes another turn, the reasons may be mostly economic, and historically as I mentioned above, and the migrant may have acted illegally based mainly on the lack of some basic needs, or it may also be due to different reasons such as an escape from ethnic, religious or political pressure. In this case the illegal immigrant is in need of legal protection. Here one needs to begin to address what already happened, in this way an appropriate reaction can start to take place; a set of policies to be applied according to legal actions. Indeed, that different policies and legal actions exist and are applied according to different illegal migration types and states. Moreover, not all illegal migrations are equal under the law, different states of illegal migration reflect their legal position, and there are wide ranges of illegal migrant states. We can consider, for example, someone who entered a country legally with a visa for various motives and then broke the visa requirements, or illegal residence with legal work, or legal work documents with illegal stay, or even a student with an expired residence permit, as well as a child born in new country while his parents are still illegal. Mainly I would just state that many situations could force the migrant to be illegally resident in a country where he wasn't born, not only crossing the sea or the land illegally⁷.

2.1 Why is the term "illegal migration" is a problematic term?

In summary the term "irregular" is a bit problematic, as I will set out in this paragraph. It is, however, considered preferable to the other term most commonly used in this context: "illegal". The use of the term "illegal" can be criticized in at least three ways. First its connotation with criminality, as I said before, and this may lead to limited integration in the second societies. According to a UN report on the Rights of Non-Citizens, most irregular migrants are not criminals. One recent report recommends that: «Immigrants [...] even those who are in a country illegally and whose claims are

⁵ Ivi.

⁶ Ibid., p. 4.

⁷ C. Boswell-A. Geddes, *Migration and Mobility in the European Union*, "Journal of Ethnic and Migration Studies", 2011, pp. 125-130.

not considered valid by the authorities, should not be treated as criminals»⁸. Second, referring to persons as “illegal” can also be regarded as denying their humanity, and this easily may lead to it being forgotten that migrants are human beings who possess fundamental rights regarding their status. Third, and of particular concern to the Office of the United Nations High Commissioner for Refugees (UNHCR), is the possibility that labelling asylum seekers who find themselves in an irregular situation as “illegal” may further jeopardize their asylum claims.

3. The Charter of Rome, “La Carta di Roma”

Political verbal excesses and scapegoating of immigrants are not modern methods of negatively perceiving immigration; this phenomenon is not a product of these times. Scholars need to go back at least one decade in the Italian public debate to better understand what is going on today.

According to Laura Boldrini⁹, there are several Italian political parties claiming that migrants are dangerous and criminals, as well as a risk to a security¹⁰. What is more, the majority of Italian media outlets seem to express the mainstream political point of view, which is that immigration is a national security risk. For years, Italian talk shows, which deal with immigration topics, have been lacking any real experts who deal with immigrants and refugees' settled in Italy. I use the word expert here to refer to those who deal with migrants on a daily basis in rescue and law assistance operations: essentially all those people able to analyze in an empirical way the immigration issue in Italy.

Meanwhile, such use of political verbal excesses does nothing more than feed the growing fear regarding migrants and immigration, as well as encouraging the growth of extremist speech towards immigrants and minorities and closing the doors of rational, tolerant dialogue. Moreover, anyone who has tried to raise the issue with a collective sense of responsibility has been considered as anti Italian¹¹.

However, the Italian press has been characterized by superficiality, alarmism, and political verbal excesses concerning information on immigration in the last few years. Indeed, in recent years Italian media has chosen a very dangerous editorial trend, which is to emphasize and link any crimes to migrants. This has of course led to the establishment of a stereotype of migrants in the mind of the normal Italian citizen, associating them with criminals.

One of the most controversial murders in recent Italian history was regarding *la strage di Erba*. On the 6th of December 2006, in a small town in the province of Como, Northern Italy, four Italians were murdered. Neither the investigators nor the

⁸ R. King-D. De Bono, op. cit., p. 3.

⁹ Italian President of the Chamber of Deputies since 16th March 2013, famous also as a journalist.

¹⁰ L. Boldrini, *In Italia non accadrà mai*, in *Rifugiati, vent'anni di storia del diritto d'asilo in Italia*, a cura di C. Hein, Donzelli editore, Roma 2010, p. 217.

¹¹ Ivi.

press had any doubts about the identity of the murderer. Indeed, according to the preliminary investigation, Azouz Marzouk, the Tunisian husband of the Italian wife and father to their young son Youssef, two of the murdered victims, pled guilty to the homicides.

What is more, the media had also started its superficiality, focusing all suspicions onto the Tunisian husband and relying on the preliminary investigation. However, more in-depth investigation revealed that the real criminals were the Italians neighbors Rosa and Olindo. On the other hand, the Italian media didn't consider these fact. They just turn the page of the story and a new day has already started. This tragedy was the catalyst for the launch of a new paper of ethics for journalism, the Charter of Rome.

Laura Boldrini, however, narrowed her personal story after this turning point. She understood that something more had to been done since the situation of Italian media was no longer acceptable when topics related to migration and crime came up. She proposed to write a letter to all editors in chief and all those in charge of the most important Italian media newspapers to raise awareness about the tone, asking them to gather all together to elaborate a kind of code of conduct which should be used when news related to migrants and crime come up. «A few hours after the letter was sent, I received a call from FNSI [*Federazione Nazionale Stampa Italiana*] president, Roberto Natale. He told me to share the main subject of the letter and that the FNSI was ready to collaborate with the project».

After a while a scientific Committee was set up in which Public Administration representatives, University Professors, Italian and foreigners journalist took part. However the elaboration of the text was not easy to achieve. Indeed it was approved in June 2008 by National Council of Journalists and the National Federation of the Italian Press (*Consiglio Nazionale dell'ordine dei giornalisti*) thanks to Roberto Natale the president of FNSI.

3.1 What is the Charter of Rome?

The Charter of Rome is an ethical Protocol regarding asylum seekers, refugees, victims of trafficking, and migrants, which has been in force since June 2008. It was drawn up by the National Council of Journalists and the National Federation of the Italian Press, sharing the concerns of the UNHCR about the information relating to the above categories.

Referring to the dictates of ethics present in the Charter of Duties of the Journalist - with particular regard to the fundamental duty to respect the person and their dignity and not to discriminate against anyone for their race, religion, sex, mental and physical conditions or political views, and to the principles contained in the national and international standards on the subject - the Charter of Rome invites journalists to adhere to the fundamental ethical criterion «respect for truth in the observed facts»

contained in Article 2, "Legge istitutiva dell'Ordine"¹², which is the law that established the order of journalism. This Article urges journalists to adopt the proper and right juridical words in order to convey to the reader the events in a way which corresponds as closely as possible with the actual and concrete facts, therefore avoiding the improper use of words. Similarly, the Charter of Rome has, in order to avoid the use of synonymous terms such as "immigrant", "clandestine", "illegal", "refugee" and "asylum seeker", attached a short glossary that defines the meaning of the main definitions¹³.

3.2 Prejudices on the News after the Rome Charter. "Notizie fuori dal ghetto"

Two years after the publication of the Charter of Rome, in December 2013, the report "Notizie fuori dal ghetto"¹⁴ was published by the same association. The reports include data, analytical insights and reflections that have animated the life of associations since its inception, monitoring the issue of migrants and its consideration by the Italian media. The Association of Rome Charter and the representatives of the University Network have lead a survey work in which they highlighted the main features with which the front pages of Italian newspapers represent the figure of migrants and refugees in 2012. This first part of the report shows that the data on the front pages suggest a possible shift of focus of the representation of migrants and minorities to the topic of security and crime in a richer and more articulated theme.

The survey is split up into two parts: the first concerns the front pages of newspapers and news related to migrants and minorities, the trend of the news during the year, some general trends of representation of migrants and minorities and the differences that exist in the representation between one headline and another. The second part presents three case studies, having as criteria the presence on the front page and within most headlines, of a single event or topic.

Interestingly, the migratory flows are represented almost exclusively through the phenomenon of the "landings" and "invasions" by sea, this has become a kind of iconic media representation of migration in recent years. Migrants are almost always labelled as illegal: the specific issue of asylum seekers emerges in a clear manner only with the latest tragedies of late 2013.

The report shows an increase of news linked to immigration and asylum related to society; in particular regarding population issues, work, the economy, education and the rights of citizenship. Also stories of the so-called "second generation", the children of immigrants, have been narrated and analyzed even from television information, through the telling of personal experiences, recounting the difficulties they face on a

¹² «adottare termini giuridicamente appropriati sempre al fine di restituire al lettore e all'utente la massima aderenza alla realtà dei fatti, evitando l'uso di termini impropri».

¹³ <http://www.odg.it/content/allegato-3---glossario-carta-di-roma>.

¹⁴ <http://www.cestim.it/argomenti/08media/2014-01-rapporto-carta-di-roma-notizie-fuori-dal-ghetto.pdf>.

daily basis, thus becoming true protagonists and making them closer to their native peers. The veil that covers the hair used by Muslim women, the *hijab*, for example, has taken on a different meaning: no longer a symbol of oppression, a liability and sign of non-Italian character, but an integral part of the identity of these “new Italians”.

Nationality also, according to the same report, remains a central matter essential to providing the only explanation of the facts and data reported in the newspapers: in 32% of the total of the analyzed news one or more nationalities are indicated on the front page; for the crime news in 59% of cases nationalities are attributed to the crime events. The Rom and Sinti minorities are still the most affected by journalistic discrimination, through the use of incorrect terms like “gypsies” and “nomads” and the ethnicization of the offenses, which found in the media, pillory an entire community.

By restricting the sample to “Corriere della Sera”, “La Repubblica”, “La Stampa”, “Il Giornale”, “Libero”, “l’Unità” and “Il Giornale di Sicilia”, the most debated news in 2012 was the murder in “Torpignattara” district of Rome, where a trader of Chinese origin and his nine month old daughter were killed following a robbery in which the wife and mother was injured. Initially it was thought that the killers were Italians. Thereafter the investigations demonstrated the guilt of two immigrants of Moroccan origin, one of them who a few days later was found hanged. On the headlines taken into account in the report, there were 146 articles identified on the subject. Initially the event was presented on the one hand emphasizing the humanity and the professional profile of the victims, the other showing a positive picture of the neighborhood from functioning multi-ethnic perspective. In the days after the murder the picture was completely reversed: in some articles a number of suspects and victims appeared and there was a negative view of Chinese migrants, described as a closed group and economically suspect, and in some cases the city of Rome was presented as a place of confrontation between the Chinese community and the Maghreb one, leading to simplifications in which all Chinese became rich evaders unwilling to report crimes and Moroccans criminals eager to take advantage of an easy target.

4. Immigration and insecurity

The relationship between crime and immigration is undoubtedly one of the most important topics and headlines in Italian media, in particular the link between immigration as an international phenomena and national and international security, or rather, insecurity. These topics continue to affect public opinion as well as social science theorists; indeed, insecurity is a fundamental aspect of daily life. In the Italian context in particular, the headlines become more and more exacerbated when topics such as security/insecurity, risk to personal safety and irregular immigration are touched upon. In the late nineties and the beginning of the new millennium there was a rapid growth in the trend of discussions about the need for security.

However, these topics have been directly affected by many factors: distrust in institutions, globalization and a loss of locality in the face of an increasingly changing

world, the process of European integration and enlargement of the European Union borders to the East, the gradual disintegration of traditional social and solidarity networks and, finally, the exponential increase of the presence of foreigners on the ground. In this period topics related to security have begun to take up more space in the media and in the political agendas of both political parties, particularly those of conservative ones. Some political parties in particular work as interpreters of the growing concerns over safety, playing the role of “fear entrepreneurs” (as in the case of the Lega Nord, which incites recurrent mobilizations over these issues). They try to turn the great sensitivity of the voters on these issues into political consensus. Crime and criminal incidents have now assumed a central role in both television and press agendas as well; indeed Stuart Hall relates the high value of newsworthiness of the criminal acts with their intrinsic difficulty in his crime and insecurity basic study on news production and social control. They are acts that break the consensus, a set of rules and values widely recognized within the society.

We began by noting that news is shaped by being set in relation to a specific conception of society as a ‘consensus’, and against this background newsworthy events are those which seem to interrupt the unchanging consensual calm. Crime marks one of the major boundaries of that consensus. We have already suggested that the consensus is based around legitimate and institutionalized means of action. Crime involves the negative side of that consensus, since the law defines what society judges to be illegitimate types of action. Ultimately the law, created by Parliament and executed in the courts, embodying the will of the population, provides society with the basic definition of what actions are acceptable and unacceptable: it is the ‘frontier’ marking ‘our way of life’ and its connected values. Action to stigmatize and punish those who break the law, taken by the agents formally appointed as the guardians of public morality and order, stands as a dramatized symbolic reassertion of the values of the society and of its limits of tolerance¹⁵.

This situation fuels a vicious circle in which an increase in fear is linked to an increase in crime rates, followed by a strong alarmist media reaction, which amplifies the social impact of the theme and emphasizes the same perception of citizens¹⁶. The foreigner therefore becomes the keyword related to increases in crime rates, aggravating his social position of otherness, as an alien within the community. The intensification of this bias that considers the foreigner as a new element, or at least as different, in a native well-integrated community has fueled the immigration-crime association.

Several sociological studies have shown that the image of the immigrant is involved very frequently in illegal contexts. One of these studies¹⁷ noted a large prevalence of news focused on the issue of security and public opinion, compared to all other

¹⁵ S. Hall-C. Critcher-T. Jefferson- J. Clarke-B. Roberts, *Policing the Crisis: Mugging, the State and Law and Order*, Macmillan, London 1978, p. 66.

¹⁶ I. Diamanti- F. Bordignon, *Sicurezza e opinione pubblica in Italia*, “Rassegna Italiana di Sociologia”, XLII n. 1, 2001, p. 123.

¹⁷ R. Bracalenti-C. Rossi, *L'immagine dell'immigrato e dell'immigrazione attraverso la stampa quotidiana: una ricerca empirica svolta nell'area romana*, 1998.

possible categories. Another quantitative analysis study¹⁸ focused on safety and security news published by “Corriere della Sera” showed the use of terms such as “drugs”, “prostitution”, and “public order” in articles in which the protagonists are foreigners. Similar analyses seem to support this hypothesis¹⁹, in a cross-section of news from several newspapers, there was a prevalence of news dealing with conflicts between Italians and immigrants, in spite of the reality being predominantly non-conflict and cooperation.

This trend has also been confirmed in the following years. Some studies show how articles discussing immigrants with relation to news and terrorism alone covers about 50% of the total, at the expense of topics related to the economy, culture and integration²⁰. Even decisions made regarding precautionary measures and sentences against immigrants suffer from defects linked to cultural bias in the media²¹.

4.1 Immigration or criminal?

Scholars of Communication Sciences agree that the Italian media represent immigrants and immigration negatively. According to the scholars, the image of immigration given by the Italian media could be compared to a photograph, which is something static, since it shows no change over the last thirty years; a representation, which is contrary to the real nature of the migration, understood as a changing phenomenon. The Italian media would choose to describe immigration from its more problematic aspects, through a language related to crimes, pain, fear, invasion and degradation. Speech on immigration, then, would have remained flattened on the dimensions of safety, in a perspective that tends to highlight the problematic aspects of the migration phenomenon presenting them as if they were natural features²².

In this context, immigration would keep being presented as an emergency and as a problem that needs to be solved; this is a result that is achieved by the simplification of the migration phenomenon within the media discourses. The study of M. Binotto, M. Brown and V. Lai (2012), shows how the main Italian newspapers highlight immigration always in criminal news. According to the study, foreigners being represented by the Italian media in crime are responsible for 76.2% of all cases. Indeed, the foreigners would receive a different journalistic “treatment” depending on their nationality. Immigrants have appeared in the media as protagonists of criminal acts at a higher

¹⁸ S. Toppiello, *Nomi e immagini dell'altro. Un'analisi multidimensionale della stampa*, “Studi Emigrazione/Migration Studies”, XXXVI n. 135, 1999, pp. 395-416.

¹⁹ M. Cotesta-S. De Angelis, *Mass media, immigrazione e conflitti etnici in Italia. Analisi quantitativa dell'informazione sull'immigrazione*, “Studi Emigrazione/Migration Studies”, XXXVI n. 135, 1999, pp. 395-416.

²⁰ M. Binotto, *La cronaca*, a cura di Binotto e Martino, 2004, pp. 45-81.

²¹ F. Quassoli, *Immigrazione uguale criminalità. Rappresentazioni di senso comune e pratiche organizzative degli operatori del diritto*, “Rassegna Italiana di Sociologia”, XXXX Vol. 1, pp. 43-75.

²² M. Binotto-M. Bruno-V. Lai (a cura di), *Gigantografie in nero. Ricerca su sicurezza, immigrazione e asilo nei media italiani*, Lulu Press, Raleigh (North Carolina), 2012.

percentage than Italians: 59.7% of foreigners instead of 46.3% of Italians. However, the studies add that the widespread media image of immigration is “falsified” also considering the type of crimes that are reported by the news.

Moreover, immigrants appear frequently on the Italian news related to cruel crimes such as; sexual violence (24.1% compared with 7.2% in the case of the Italians), personal injury (24.1% *versus* 10.9%), kidnapping (17.0% vs. 4.4%) and theft (11.3% vs. 8.7%). On the contrary, in the news, which deals with legal processes, the trends diverge: trials of immigrants accounted for 16.5%, of the total, while those related to Italians are up to 27.3 %. Immigrants, therefore, tend to disappear in the news related to legal processes in which their actual degree of guilt may or not be proved²³.

The migrants' nationality or ethnicity is one of the few characteristics that the media uses to describe immigrants in the news, a feature that appears many times in the front pages by creating a direct link between immigration and criminal news stories. Nationality would be linked to the fact mentioned in 18.6% of the news, being “an immigrant” without specifying the nationality, in 11.5% of cases. In 49.5% of the news, however, the ethnicity of the foreigner is indicated, while immigration in general appears in 30.1% of news²⁴.

The Italian media system is therefore a prime source of reality falsification, by their creation and reinforcement of negative stereotypes on immigration issues. In addition, it would seem that when news related to murders, assaults that are particularly frightening, migrants presence in media would be amplified compared to that of Italians, according to this reality falsification. Therefore, we could say that the media creates alarm and reinforces the stereotype that being “immigration equals crime”.

The quantity of news on foreign criminality would not coincide neither quantitatively with the crimes committed by non-nationals and Italians, nor qualitatively, from the point of view of the type of crime given in media coverage. The official statistics on crime in Italy, in fact, show a lower incidence of foreigners compared to Italians ones, in relation to serious crimes, including murder and rape, a relationship that would be overtaken by within the news media. Foreigners, indeed, tend to commit crimes to a greater extent than Italians however only certain types of crime, such as trafficking in human beings and the exploitation of prostitution.

Moreover, the most frequently used word related to immigration is “clandestine” and in both cases of television news and newspapers, it is a word that has a negative connotation and is associated with a security issue and national security. The word “safety” and “Gypsy”, occupy the second and the third position in the opening pages; the third place is occupied by the word “Government”, followed by the word “Italy” and then, “Rome”. In this sense, the media would tend to tackle questions related to immigration as a social problem of national importance, which should be managed through central government measures²⁵. In newspapers the word “clandestine” is

²³ Ibid., p. 28.

²⁴ Ibid., p. 35.

²⁵ Ibid., pp.164-168.

the one most used in titles, an aspect which has a significant effect on immigration stigmatization. The second most common word used in the headlines is “immigrant”, the third “Italian”, followed by the words “rom”, “EU”, “nomads” and “crimes”. In this sense, the analysis confirms the hypothesis that the phenomenon is mainly themed as a problem and as a threat, using words that give a negative connotation to the foreigners in the territory. Also it appears as negligible the lack of attention related to some issues, including the right to asylum²⁶.

4.2 Migrants, international terrorism, integration and hate speech

On the evening of November 13 2015, a series of coordinated terrorist attacks were carried out in Paris, France. Beginning at 21:20, three suicide bombers struck near the “Stade de France” in Saint-Denis, followed by suicide bombings and mass shootings at cafés, restaurants and a music venue in Paris. The very heart of the French capital had been attacked. Suddenly, France and Europe found themselves weak and helpless in the face of an unpredictable escalation.

On the 14th of November, the day after the Paris attacks, the Italian newspaper “Liberò” published an article on its front page about the attacks, describing Muslims as bastards (see figure 1 at the end of the article). In this article “Liberò” emphasized the seriousness of the presence of Muslims in Western societies, and warned of their integration into Italian society, calling for their isolation and the closing of borders. Of course, this is not the first case of this newspaper publishing article and headlines of this nature, indeed, the history of this newspaper is full of prejudices. For example, on the 8th of January 2015, the day after the famous Charlie Hebdo attacks in Paris in which two Islamist terrorists stormed the offices of the French satirical weekly newspaper, “Liberò” published another article under the headline “Questo è l’Islam” (see figure 2). Translated as “This is Islam”, the article described the third monotheistic religion as a violent religion which calls for murder and criminality, once again warning of the increased presence of Muslims in society.

I think it is very important to stress that in the recent terrorist attacks in Paris the protagonists were second generation immigrants born and raised in the country where the attacks happened. Their attitude against their own country where they are citizen has been fostered after years of marginalization within the societies where they were born and raised creating their own society inside society. Thus, of course a result of self-ethnicity, and lack of integration may happen because of the destructive opinion of the second society or even the religious diversity²⁷.

Therefore, today more than ever we ask whether it is more or less right to look for a way to integrate with immigrants who are living in the second society or in western

²⁶ Ibid., pp. 169-173.

²⁷ A. Momigliano, *Cosa c’entra Schengen con il terrorismo?*, in “Studio, attualità e cultura”, available from: <http://www.rivistastudio.com/standard/cosa-centra-schengen-con-il-terrorismo/>, Accessed 8 May 2016.

country from one, two or more generations giving birth to new popular nationalist feelings that lead only to increased hatred and new forms of racism, or should we rather be questioning the importance that covers the second generation today. This is the very narrow topic which has to be discussed and emphasized for the future of our societies, for the new forms of social cohesion we are dealing with every day as well as for the production of new cultural, fluid, composite identities which need to be dealt with daily²⁸.

Of course, the media in the short term may succeed in inciting public opinion against immigrants. Or even link the image of migrants to terrorism, forgetting that most of the protagonists of terrorist groups were originally children of the families who lived in their second country. Thus, hate speech against immigrants will not serve the interests of the host community in the long term. In my opinion, I believe that, one solution might be to open a dialogue, and create deeper channels of communication, which is the role that media should follow in this case, in order to fill the gap, between two different cultures and different religions, dialogue might be the key to mutual understanding, which in turn must find a way to integrate second generation immigrants into society. Spreading alarm by the media against immigration and migrants will never help the interest of both the main actors of the society.

5. Conclusion

Media language point toward an important phenomenon like immigration, it shows little responsibility for its use of linguistic terminology. The immigration crises in Italy shows beyond doubt that the Italian media are not aware of its continuing mistakes in dealing with the immigration crisis, as a hot topic showing little awareness of its important role. However, the representation of the immigrant in the Italian media has not yet realized the seriousness of this issue.

The Italian media in fact, even after the establishment of the Charter of Rome in 2008 still represents the immigrant in a theme of insecurity, linking them directly to the image of criminality and insecurity. The racism and xenophobia that the Italian media provides towards the immigration issue might be justified in a few areas of the country, but even this is not proved. However, by analyzing the phenomenon of migration in relation to media discourses, a picture emerges in which foreigners are almost solely seen as an object of communication, namely an information content which is defined solely in terms of the settlement company. Ever since the foreign presence in society has taken on a significance and visibility to attract the attention of the media, this topic has entered the political agenda and has been "built" as a phenomenon to be controlled, since it is connected to urban decay, crime and, therefore, a topic able to create feelings of citizen insecurity and social unrest. Conservative political parties,

²⁸ M. Ambrosini, *Il futuro in mezzo a noi. Le seconde generazioni scaturite dall'immigrazione nella società italiana dei prossimi anni*, in *Un futuro per l'immigrazione in Italia: l'orizzonte delle seconde generazioni* a cura di Fondazione Giovanni Agnelli, p. 3.

mostly belonging to the center-right, exploiting immigration for the purposes of electoral support, have strengthened its image as a problematic phenomenon to be managed through more controls and in this way legitimizing the demands of those struck by the diversity of the population, degradation and the incivilities that accompany the arrival of immigrants. In the absence of appropriate policies for the reception and social integration of newcomers, since the late nineties, immigration has been linked to a lack of monitoring and crime, a phenomenon, therefore, dangerous to control and limit, rather than manage through social policies.

The media representation of immigration has certainly helped to create, disseminate and strengthen a widespread feeling of insecurity among members of the native population, unprepared to live together in a multicultural society and intimidated by the presence of foreigners. The importance of the media in creating social alarm is understandable if we consider the techniques of news making, which often tend to "filter" the news events with emphasis on aspects that align with the interests of the those drafting the news and with the institution's point of view.

Appendix

Figure 1. "Libero" front page 14th November 2015

Source: <http://edicola.liberoquotidiano.it/vnlibero/books/151114milano/index.html#/1/>
 (Url accessed September 27, 2016).

Figure 2. "Libero" front page 8th January 2015

Source: <http://edicola.liberoquotidiano.it/vnlibero/books/150108milano/index.html#/1/>
 (Url accessed September 27, 2016).

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Biographical notes

Biographical notes

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“ The Mediterranean has long been a place of journey and encounter. People from many different shores moved and often their journeys were one-way trip. This collection of essays by young researchers analyzes, through various innovative approaches, the role of the Mediterranean and migration experiences. Essays that are like open windows to a space – the Mediterranean Area – and a time – the decades between the 20th and the 21st century – in which is hard to find a way for living together between different people, for economic and social development in stuck countries, for dialogue between religions. Some open windows on this space and time can't permit to understand everything but certainly they help us to see those who cross the Mediterranean, perhaps on a one-way trip, with more awareness and empathy.

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