

The London School of Economics and Political Science

The Ambiguities of Documentation:
Migrants' Everyday Encounters with Italian Immigration Law

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DECLARATION

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ABSTRACT

This thesis is about migrants' everyday encounters with Italian immigration law and its bureaucracy. Centred on research conducted in an advice centre for migrants, I explore the ways in which various actors within the immigration nexus (migrants, brokers, advisers and officials) interacted with what I call the documentation regime. The documentation regime was characterised by pervasive uncertainty. Everyday encounters with it created frustration and anxiety for migrants and those who worked on their behalf. The bureaucracy's arbitrary nature, however, also allowed for its manipulation. Rule bending and loop-hole finding characterised the strategies which migrants developed in order to successfully navigate the regime: strategies which were referred to as "Italian-like". Immigration law, therefore, simultaneously produced migrants as both structurally marginalised *and* as resourceful and tactically astute agents, embedded within a particular social context.

While focusing on migrants' active navigation of the regime highlights their agency and resourcefulness, I do not suggest that these were acts of resistance. Rather, I wish to situate their practices within the wider socio-economic setting in which they took place. Although in some ways migrants became insiders through their bureaucratic encounters, they did not escape the racialised category of low-level worker. The requirement of a work contract for legal status, and the kinds of work available to migrants, continually reproduced their marginalisation in Italian society, even among the most integrated. By exploring the situation of the second generation, who were socially Italian yet subject to the same immigration laws as their parents, I highlight the racialised discrimination which migrants experienced. It is this situation which motivated migrants' desire to move on from Italy, which was considered as only a stepping-stone country: an entry into the rest of Europe and beyond

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GLOSSARY

Amnesty/ Sanatoria/ Emersione – An amnesty is a law that legalises “illegal” migrants in relation to their employer. In 2002 an amnesty to legalise all employed “illegal” migrants was passed. In 2009 a second amnesty was passed, which was designed to legalise “illegal” domestic worker migrants. In common parlance both amnesties were referred to as the *Sanatoria* or *Emersione*.

Bossi Fini Law – The current immigration law in Italy. It was introduced in 2002.

Carta d'identità – Identity card. All those legally living in Italy (Italians and non-Italians) are required to have an identity card. For Italian citizens it can be used as a travel document, but not for non-Italian citizens.

Carta di soggiorno (card to stay, also known as ***Permesso di soggiorno di lungo periodo*** [long-term permit to stay]) – This is the long-term permit. This permit lasts indefinitely unless a migrant is convicted of a criminal offence.

Comune – Municipality

Contratto di soggiorno – A specific work contract which migrants from non-EU countries must hold and present in the renewal of their permits.

Decreto flussi – This is a law that allows for the legal entry of a restricted number of foreign workers who are desired by Italian-based employers. They are based on accords that the Italian state holds with “sending” countries.

Dichiarazione d'ospitalità – Hospitality declaration. This can be used in applications for permit-renewal as proof-of address.

Kit – This is the name of the application form for immigration permit-related applications.

Permesso di soggiorno (Permit to stay) – The permit that non-EU migrants must hold to live legally in Italy. It usually lasts for two years.

Prefettura – The Prefecture, which plays a role in the process of family reunification and citizenship applications

Questura – The Police headquarters in which the Immigration Office is situated. Permit applications are processed here.

CHAPTER ONE

INTRODUCTION



Figure 1: The outside of the *Questura* at the end of the morning
(Anna Tuckett)

Wednesday 9th December 2009

I arrive at the Questura¹ at 7.45am, much later than everyone else. The entrance's steel gates are open, revealing a concrete slope leading up to the long and flat immigration office building. Metal barriers snake around the slope, forcing people into an orderly but bulging line as they wait for a police official to hand out numbers. The numbers are for appointments to collect permits, submit applications and various other reasons. From the size of the queue, it is evident that people had started to arrive some time ago. It is freezing, although there is some warmth created

¹ The *Questura* is the police station, and the immigration office is located within it.

by everyone being crammed inside the barriers. There are all sorts of people waiting: old, young and groups of families with small children and pushchairs. Most people are holding plastic folders filled with papers.

At eight o'clock a policeman emerges. His manner is aggressive and he keeps flashing the raffle style tickets in the air as he asks people to calm down and stop pushing – he has plenty of numbers to distribute, he states. The level of confusion is high. At one point the policeman says the tickets he is distributing are only for the afternoon. I repeat this to Ahmed,² an Algerian man who is standing next to me in the queue, but he seems to think otherwise. Ahmed receives ticket number 13, which surprises him given his late position in the queue. I ask him if it is for the afternoon but he does not seem to think so.

After the numbers have been distributed, some people leave to get coffee but most wait for the immigration office to open. We stand around in the small courtyard directly in front of the building observing the well-dressed police officers purposefully entering and exiting the adjacent buildings which house other departments of the police station. At around 8.30am the office opens and people begin to shuffle in. It is a long corridor-like room with very limited seating and it soon fills up. After a while, Ahmed and I go outside, joining others who can no longer bear the cramped and oppressive atmosphere inside.

At about 8.35am they start to call the first appointment times and corresponding names. Ahmed explains to me that the people who are being called are those with appointments to provide their fingerprints for permit renewal. The appointments are scheduled every minute, which explains the huge backlog.³ Although it is still only 8.35am, the police officers call the names of those with appointments up to 8.48am. I realise that those with the earliest appointments are in the best position, since the next roll of names (those with appointments for 8.49 and afterwards) are not called until after 10am.

By 11am there is an increasing sense of chaos as those with the early appointments (and also those with the later appointments, as everybody arrives early) have now been waiting since 8.30am. People are becoming tired and the sound of small children's crying rises above the loud din of the crowd. Just after

² All informants' names, with the exception of public figures, have been changed.

11am a different policeman starts calling out the names. His manner is aggressive and intimidating, his large physique lending extra menace. Under his breath Ahmed mumbles, "this one is tough [duro]." Taking a different approach to the first officer, he calls people by their names. This slows down the roll-call as people struggle to hear their names through the noise and mispronunciation. The tension, frustration and confusion mount and people begin to complain to the policeman. He quickly becomes angry and tells people to calm down and get away from the door. Responding to the crowd's lamentation, he says that there is one appointment per minute and they simply cannot work any faster.

The use of space exacerbates the intimidating atmosphere. More metal barriers divide the long room, and at tense moments people are rudely told to stay behind the barrier. At one point, a policewoman shouts: "are you joking? Don't you see the barrier? Get outside! [state scherzando! Non vedete la barriera? Andate fuori!]" At other times, towards the end of the morning when the crowds have diminished, people flout the rules: they stick their heads around the door to see what is going on, or lean against the front wall on the forbidden side of the barrier.

In the pauses, between the episodes of number calling, the mood relaxes slightly and fleeting camaraderie develops among the waiting. Conversations turn to past experiences of long waits, horror stories of being issued with expired permits and accounts of how early people woke up in order to receive a number. During the exchange of such stories people raise their eyebrows and shake their heads: their anxiety is accompanied by a general feeling of annoyance about the chaos and delays.

At 11.30am the appointments from 9.26am are announced. At this point most people have been waiting on their feet for three hours inside the Questura and since 5am in the queue outside. As the morning turns to lunchtime, the tension starts to lift. The numbers are slowly reduced and those who have been waiting since the morning slump against the walls exhausted. When I leave at 13.15pm, the last few people have been called and the room is empty.



Figure 2: People waiting inside the *Questura*
(Anna Tuckett)

Being a migrant in Italy involves a close and long-term relationship with what I call the Italian documentation regime. Experiences with the bureaucracy of Italian immigration law are characterised by long waiting times, mix-ups of information, the issuing of expired permits, endless queues, chasing up “blocked” applications, documents being lost and a host of other daily challenges that make fulfilling bureaucratic requirements tantamount to a full-time job in itself. Italy’s migrants are a heterogeneous group, significantly varying in their language abilities, the period of time they have spent in Italy and their country of origin. Despite these differences, encounters with the immigration bureaucracy, which are frequent and enduring, are experiences shared by all. The difficulty in attaining citizenship, or even long-term permits, means that most migrants face permit renewal every two years. For those lucky enough to have secure legal status, encounters with the regime continue to be played out, but now through family and friends. Thus, dealing with the documentation regime is a defining feature of what it means to be a migrant in Italy, and is experienced as all pervasive and intrusive. These everyday encounters with immigration bureaucracy are the central focus of this thesis. Drawing on data mainly gathered at a trade union’s immigration advice centre in Bologna, I explore the

strategies which migrants, and those who work on their behalf, must employ in order to survive the Kafkaesque nature of migrant life in Italy.

In the following sections of this introduction I outline the particular setting of Italy as a relatively recent migrant receiving country. I examine the way in which Italy's own history of state formation and nation building has set the tone for the population's reaction to non-EU migration. Having explored the social and political setting within which migration is situated, I turn to the immigration laws that have accompanied it. Analysts have suggested that Italy's rather delayed and ad hoc approach to immigration policy is reflective of the country's late reception of migrants, and its ambivalent feelings towards them (King and Andall 1999, Pratt 2002, Giordano 2008). The track record of immigration policy in the country reveals that, despite divergent rhetoric, the immigration policies of the centre-left and centre-right have not differed greatly (Zincone and Caponio 2006). Accordingly, while the centre-left have implemented more exclusionary laws than one might imagine, the policies of the centre-right, while harsh in some regards, are more lenient than their anti-immigrant rhetoric would perhaps suggest. Situating Italian immigration policies in a wider context, I show how the conflicting interests which guide immigration policies can also be found in the rest of Western Europe and the United States. This analysis of the ambiguities in immigration law sets the scene for the contextualisation of how these laws play out on the ground.

Having outlined the setting within which this thesis is situated, I turn to the way in which immigration law has been theorised. A sizeable body of literature posits that "illegal" migrants are in fact desired by "receiving" states for the cheap and exploitable labour they provide (Portes 1978, Kearney 1991, De Genova 2002, Calavita 2005ab). Immigration law constructs "illegality", not only through the creation of the statuses "legal" and "illegal", but also through the bureaucratic processes of legalisation and document renewal (Calavita 2005a). In the Italian setting, where legality is contingent upon employment and is usually experienced by migrants as temporary and precarious, these arguments hold considerable weight. States' economic desire for migrant labour, however, has to be balanced with the voting public's often anti-immigrant sentiment; a sentiment which in the Italian case is taken advantage of, and fuelled by, right-wing parties. These dual concerns have created, and continue to create, immigration policies across different "receiving" countries which are riddled with contradiction.

Studies have often turned their gaze to street-level bureaucrats in order to explore how policy is implemented and how contradictions play out on the ground (Lipsky 1980, Heyman 1995, Triandafyllidou 2003, Dubois 2009, 2010, Hoag 2010). Supplementing these studies, this thesis turns the focus onto the interaction between migrants and a body of advisers who work on their behalf. These interactions highlight how immigration law is experienced as contradictory, harsh and unfair, yet also as malleable and as offering possibilities. Examining migrants' navigation of the Italian documentation regime, which often requires engaging in seemingly "illegal" or "extra-legal" methods, shows how contradictions in top-down policy are reconciled on the ground. My analysis reveals the way in which the "formal" and the "informal", the "legal" and the "illegal", are mutually produced. This not only contributes to the work which has aimed to de-naturalise and blur the categories "legal" and "illegal", but also shows how they are co-constituent. In the last part of this introduction I will outline my research methodology.

A NOTE ON THE TERM "ILLEGAL"

Throughout this thesis I aim to denaturalise the terms "legal" and "illegal" when referring to migrants with or without permits, in order to show that such statuses are products of legal and political processes (Coutin 2000, De Genova 2002). The status "illegal" does not exist outside of the state but is formed by, and exists in relation to it (De Genova 2002: 422). Rather than fixate on which term to employ, I present ethnographic data which reveal the way in which "legal" status is variably constructed, and hence shifting and contingent. My focus on migrants' everyday encounters with immigration law highlights in various ways the temporariness and fluidity of the categories "legal" and "illegal", as well as "official" and "unofficial". Law not only creates "illegality" by its definitions. Closely examining the playing out of policies on the ground in everyday life shows how "illegal" practices are necessary in order to fulfil "legal" requirements. This reveals how these categories are not only constructed, but also mutually productive.

As literature on law and migration has elucidated, “illegal” migrants do not live the underground lives they are assumed, in popular perception, to live. Rather, like most “legal” citizens, they are integrated in the everyday social fabric through work, family, public spaces and friends. It is also common for people to live in mixed-status families, where different members hold varying citizenship or (non)-legal statuses. As also observed by Coutin, in particular moments the lack of legal status may come to the fore, but in much of everyday life, legal status is inconsequential (2000: Chapter 2). The context of Italy particularly highlights the fluidity of such statuses and their temporary nature. Due to the contingency of permits on work and salary, under Italian immigration law, legal status can easily be lost. However, at the same time, due to relatively frequent legalisation programmes it is also fairly easy for those who have lost legal status to re-regularise, providing they possess the appropriate resources. Therefore, being “legal” or “illegal” was often experienced by my informants as transient and temporary, and it was common for migrants to have experienced both statuses, as well as others in-between. In fact, during renewal periods, which usually lasted at least six months and sometimes longer, migrants inhabited a limbo status in which they were legally resident in Italy but unable to access all the rights and services they were entitled to (see Chapter 3). Due to the particularities of immigration and citizenship laws, it was not uncommon for long-term migrants – even those born in the country – to fall into “illegality” (see Chapter 6). Legality and citizenship status were not, therefore, necessarily indicators of integration or belonging in Italian society.

However, as my case studies illustrate, this is not to suggest that these statuses were insignificant. The very real impacts of lacking “legal” status restricted a whole range of everyday activities: employment opportunities, access to health care and social welfare, everyday transactions requiring the signing of a contract (such as buying a SIM-card for a mobile phone or connecting one’s home to the internet), and, perhaps most seriously, the restriction of one’s freedom of movement. Yet, due to the “institutionalization of irregularity” (Calavita 2005a: 43) inherent in the Italian system, becoming “illegal” was always a possible reality and one which had usually been experienced at some point in the past.

An additional way in which the categories of “legality” and “illegality” were shown to be blurred was the frequent overlapping between “official” and “unofficial” practices. Due to the nature of immigration law, the actual processes of completing

legal applications often require engaging in “illegal” or “extra-legal” practices (Mahler 1995, Coutin 2000). In her work, Coutin shows how Salvadorans “bargain in the shadows of the law” (2000: 104). They purchase fake papers and engage with unofficial immigration “experts” in order to be granted “legal” status: “official law is thus inextricably entangled with the illegalities that it creates” (Coutin 2000: 70). In my fieldsite, such activities included producing paperwork containing false information, paying individuals to act as “employers”, “wives” or “husbands”, rule-bending by officials, and the proliferation of immigration “experts” who charged high rates for bureaucratic services. In line with anthropological work which has taken an approach that denaturalises the state (Abrams 1988), Heyman and Smart argue that, although “the line between ‘legal’ and ‘illegal’ is held to be clear and definitive inside a given state”, in practice legality and illegality are “simultaneously black and white, and shades of gray” (1999: 11). In my context, this porosity between the “official” and “unofficial” was evident through, for example, officials advising migrants to falsify information on paperwork, or the common knowledge of the “misuse” of the 2009 domestic worker amnesty (see Chapters 3 & 5). The data presented in the following chapters will depict the ways in which migrants’ engagement with legal processes revealed how the “formal” produces the “informal”. That is, migrants’ strategies, which involved “illegal” or “extra-legal” practices, took place within the parameters set by the state bureaucracy.

ITALIAN CONTEXT

Italy is a pertinent place to study migration for a variety of reasons. After long being a nation characterised by emigration, in the 1970s-80s Italy became a country of immigration. This rather late influx of migrants propelled a rise in racist and xenophobic attitudes, which right-wing political parties and an inflammatory media have both incited and antagonised (Mai 2005, Stacul 2006). Analysts have argued that the often xenophobic rather than sympathetic character of attitudes towards migrants is related to a sense of discomfort with Italians’ own identity as a nation and the country’s position in the EU (Grillo 2002, Pratt 2002, King and Mai 2008, Stanley 2008).

With its long coastline thought to provide ample potential for clandestine entry to the country, Italy has faced accusations that it is the “soft underbelly” (Grillo 2002: xv) of Europe, and has responded by implementing harsher and more draconian policies and laws around its borders in a bid to be seen as appropriately “European”. Shore has argued that this emphasis on the boundaries of Europe and the extreme anxiety over their permeability is what gives rise to increased racism and xenophobia (1997). Countering this, in Italy as in other countries, “demographic trends, the polarization of job markets, and changing expectations about employment lead to labour demands which immigrants alone can fill” (Grillo 2002: 9). This creates, therefore, a situation where all migrants, including those sought after for employment, suffer discrimination and prejudice. Italy’s anxiety regarding its “European” identity, combined with the fact that it functions as a stepping stone into the continent for migrants, has resulted in a heady mix, with increased discrimination towards migrants as one of its key ingredients.

Over the years, as migrants have arrived and settled with their families, the migrant population has greatly increased, numbering over 4.3 million according to official figures in 2010 (*Dossier Statistico Immigrazione Caritas-Migrantes* 2010).⁴ The constitution of this migrant population is remarkably diverse. Italy’s relatively weak colonial history, as well as delaying the arrival of migrants to the country, also means that it houses a wide range rather than a narrow band of nationalities. For example, migration to the UK has historically been dominated by those who originated from countries in the British Empire. In Italy, in contrast, migrants seem to hail from anywhere and everywhere. In 2009 the most numerous nationalities were Romanians, Albanians, Moroccans, Chinese, Ukrainians, Filipinos, Indians, Poles and Moldovans (*Dossier Statistico Immigrazione Caritas-Migrantes* 2010).

Migrants’ occupations vary considerably according to region, sector, nationality and gender. While in the South of Italy migrants commonly work in the agricultural sector, in the North they more often occupy industry-related jobs. Overall migrants fill the manufacturing, construction, agriculture, domestic work and other service sectors (Calavita 2005a: 58). Generally, these jobs are low-level, poorly paid and sometimes dangerous: jobs which most Italians refuse to do. Accordingly, migrants’ contribution to the Italian economy – ten percent of Italy’s GDP in 2010 –

⁴ While indicative, such figures offer only a partial insight due to the large number of “illegal” migrants resident in Italy’s borders.

is often a central rationale cited by those who support policies allowing for legal entry and regularisation (*Dossier Statistico Immigrazione Caritas-Migrantes* 2010). Due to the unspecialised and low-status nature of the work which migrants tend to do, a *Caritas* report has suggested that unemployment in the economic crisis has affected migrants less than Italians, who occupy a separate labour market.⁵ The report does note, however, that due to the economic crisis migrants are being forced to accept fewer hours, to search for jobs in various places and probably to work more hours in the “black market” (*Dossier Statistico Immigrazione Caritas-Migrantes* 2010: 237). While male migrants occupy a diverse range of work sectors, female migrants are predominantly employed in the domestic work sector in private homes: working as either a *colf* (cleaner) or *badante* (carer), although in practice often fulfilling both of these roles.⁶ In Italy the employment of live-in *badanti* and *colf* is very common. The country’s ageing population and limited state provisions for care of the elderly have created a high demand for such labour. Indeed, as will be explained below, Italian families’ support for domestic workers is often a key component in the pressure to make immigration policy more lenient.

Italian society’s response to immigration, despite these needs for low-paid labour, has been largely negative. Scholars have argued that this must be understood in terms of the country’s own peculiar relationship with nationhood and nationalism. It was only in the second-half of the nineteenth century that an Italian nation-state was constructed from historically diverse regions (Grillo 2002: 11). Regionalism is a significant feature in understanding identity and nationalism in Italy. Indeed, Italians often identify more strongly with their region than with the nation as a whole (Pratt 2002, Stanley 2008: 46). Conversation in Italy frequently revolves around the differences in food, language and culture in different regions. As Maritano has noted, “to be Sicilian, Piedmontese or Neapolitan is not only a matter of geographical origin but also carries strong cultural identities” (2002: 62). As well as regional difference, the country’s North-South split is also highly significant. A considerable body of literature has analysed the “Southern Question” as a key component in the Italian reaction to outside immigration (Pratt 2002, Mai & King 2002, Maritano 2002, Mai

⁵ Caritas is a Catholic charity and a major player for migrant politics and welfare in Italy. Annually it produces a factual document outlining trends with regard to the migrant population in Italy.

⁶ *Colf* is the abbreviation of *collaboratrice familiare* (family collaborator [feminine singular]). *Badante* is the singular, *badanti* the plural.

2003, Giordano 2008). The title of Schneider's book *Italy's Southern Question: Orientalism in One Country* (1998) is a telling example of the legacy of exclusion and prejudice that lies at the heart of questions of Italian nationhood. The South has historically been stigmatised by the North as lazy, backward and "African" (Pratt 2002: 30): it is commonly referred to as the *Mezzogiorno* – land of the midday sun – and those who are from the South are derogatorily referred to as *terroni* (country bumpkins). Nicola Mai and others have argued that the stigmatisation of Southerners has been "translated on" to modern day non-EU migrants (King & Mai 2002, Pratt 2002, Maritano 2002, Mai 2003, Giordano 2008: 590). As these analysts have suggested, this is part of a discourse which aims to present Italy as part of a white, civilised Europe: "the representation of the arrival and presence of foreign immigrants worked to construct a positive image of Italian people in terms of efficiency, tolerance and civility through the devaluation and criminalization of the image and identity of the newcomers" (Mai 2003: 85). These commentators have argued that such discursive trends must be understood in light of several key historical processes: the mass migration of poor Italians – mainly Southerners – to the industrial heartlands in the 19th Century, Italy's struggle to "enter the colonial contest" (Giordano 2008: 590); the political scandals and subsequent collapse of the political system in the early 1990s,⁷ and the ongoing pressure put on Italy by the EU regarding its ability to comply with the economic parameters of the Maastricht treaty, and the control of its borders in accordance with the Schengen accord (Mai 2003: 88).⁸ In this context, these scholars have argued that migrants have come to represent the ultimate "other".

Anti-immigrant rhetoric has flourished in the media in recent years (Mai 2002), focusing on the entry and control of flows of migrants rather than on the potential for meaningful integration (Gomez-Reino Cachafeiro 2002). The right-wing separatist party the *Lega Nord* (Northern League) is a key player in refining and perpetuating this rhetoric. *Lega Nord* leader Umberto Bossi and other key party figures frequently voice racist and anti-immigrant rhetoric in the media which typifies the normalisation of an exclusionary and discriminatory agenda. Indeed, the

⁷ *Tangentopoli* (bribesville) is a term used to describe the period of political corruption that was uncovered during the *Mani Pulite* ('clean hands operation'). The revelation led to the collapse of the previously dominant Christian Democratic Party and its allies.

⁸ The current "Euro-zone crisis" is also exerting such pressure.

party has perpetuated, and taken advantage of, people's fear of immigration in order to promote its political platform (King and Andall 1999: 154). In February 2010 a Bolognese politician from the *Popolo della Libertà* (PDL)⁹ blamed the rise in bus fares on "immigrants and gypsies who travel on the bus without paying [*immigrati e zingheri che girano sul'autobus senza pagare*]", while in December 2009 the Northern League mayor of a town in Lombardy initiated an operation labelled "White Christmas". The operation involved inspectors knocking on migrants' doors demanding to see their permits. Those discovered without valid permits would supposedly be expelled from the country.

In his work on migrants' political participation, Però (2002) has explored how the Left is also to blame for the normalisation of such anti-immigrant discourses. In his study of the *Forum* – a project based in Bologna, aiming to enable migrants to voice, organise and channel their politics – Però argues that, as well as the Right, the mainstream Left in Italy has "contributed to the construction of immigrants as political minors" (2002: 96). He notes that there exists a sharp discrepancy between the Left's inclusionary multicultural rhetoric and its exclusionary everyday practice, which – founded on paternalistic attitudes – ultimately constructs migrants as second-class, ethnically marked subjects (2002: 96). Zincone also discusses the limitations of movements supporting migrants' rights. She notes that although campaigns to improve the basic rights and legal status of migrants do exist, the "commitment to political and citizenship rights for long term residents is less tenacious" (Zincone 2006b: 13). Similarly, King and Andall have noted that because advocacy on behalf of migrants is dominated by Catholic associations focused on emergency situations, the assistance migrants receive tends to be aimed at helping to achieve short rather than long-term ends (1999: 152). Such advocacy on behalf of migrants is thus paternalistic in nature and does not challenge the unequal inclusion which they encounter.

Encouraged by an inflammatory media and a normalised discourse of discrimination, the absence of political will has meant that discussions about immigration are limited to the perceived need to control borders and emergency solutions, rather than focusing on the potential for meaningful social inclusion. When

⁹ The People of Freedom – Berlusconi's party.

advocacy does take place it is not concerned with rights but instead is limited to offering basic care, which only works to perpetuate processes of differentiation. As the scholars cited above have argued, the process of “othering” that present-day migrants must wrestle with is thus a deeply engrained set of practices and attitudes that is closely linked to the political and ideological history of the Italian nation. The next section of this introduction examines the way in which these social and political attitudes are reflected and contradicted in immigration law and policy.

AMBIGUITIES IN LAW

Reflecting Italy’s relatively late status as a “host” country, its first comprehensive immigration law was passed in 1986. The law was introduced following concerns from trade unions and opposition parties about a growing number of “illegal” immigrants being exploited, as well as pressure from the EU concerned over its borders (Calavita 2005a, Zincone 2006). Other acts were later introduced including, most significantly, the *Turco-Napolitano* law, which was brought in under a centre-left government in 1998. This law aimed to prevent and combat illegal entry, regulate new flows of foreign workers, promote the integration of immigrants holding valid residence permits and grant basic rights to illegal immigrants (Zincone & Caponio 2006: 4). In 2002 the *Bossi-Fini* law was introduced under Berlusconi’s centre-right government. Created by Gianfranco Fini, a right-wing politician, and *Lega Nord*’s leader Umberto Bossi, the law has been criticised as discriminatory and driven by anti-immigrant sentiment. It has two main purposes: firstly, to make legal status more dependent upon employment; and secondly, to combat illegal entry (*ibid*: 5). Reflecting the government’s restrictive approach towards immigration, under the new law the length of the job-seeking work permit was reduced from twelve to six months and the length of other permits’ duration was also decreased. Under this law a migrant’s legal status is contingent upon presenting a regular work contract. Consequently, regardless of how many years one has lived in the country, losing one’s job or being employed unofficially in the “black market” can result in the loss of legal status. In 2009 the so-called Security Packet [*Pacchetto di Sicurezza*]

furthered this apparently tough stance on immigration. The bill included a dramatic rise in the cost of permit renewal and made the status of illegality a crime.

The *Bossi-Fini* law has been criticised as harsh and exclusionary, but Zincone and Caponio note that, in practice, it does not greatly diverge from its centre-left predecessor, which “already demonstrated a restrictive approach” (2006: 6). The authors attribute this convergence across the political spectrum to the growing hostility towards immigration by the voting public, as well as a response to constraints set by the Schengen accord and pressures from other EU member states (Zincone and Caponio 2006: 6, Zincone 2011: Chapter 7). Due to the same set of pressures, therefore, immigration policies retain surprisingly similar characteristics on both sides of the political spectrum. This in turn produces policies which are riddled with contradictions and ambiguities.

The diverse pressures that affect the *Bossi-Fini* law provide a good example. Alongside the centre-right government’s tough rhetorical stance on immigration and its exclusionary law, there exist frequent programmes for legalisation and entry quota systems for new foreign workers to enter the country legally (Schuster 2005: 761). In 2002 when the *Bossi-Fini* law was introduced, alongside its vehement criminalisation of “illegal” migrants it implemented an amnesty to legalise such migrants. A second amnesty for “illegal” migrants followed in 2009. Indeed, in line with this trend, during my 19-month fieldwork period there was an amnesty for domestic workers, which legalised approximately 270,000 people, and a *decreto flussi*,¹⁰ which allowed for the legal entry of over 98,000 people through work contracts with employers based in Italy. There were also several seasonal *decreto flussi*, which allowed for the entry of temporary migrants employed on short-term work contracts. These seemingly contradictory public discourses and policies have been explained in a number of ways. Zincone has discussed the influence of the so-called “advocacy coalition”, which includes Catholic organisations, industries desiring foreign labour, left-wing NGOs, trade unions, and Italian families who employ migrant domestic workers (2011: 259). As noted above, due to the recognised need for such a labour force, and the kind of migrant associated with

¹⁰ *Decreto flussi* are accords that the Italian state holds with “sending” countries. They allow for the legal entry of workers who are desired by Italian-based employers. How this policy functions on the ground will be discussed throughout this thesis.

domestic work – female and “unthreatening” – Italian families do not object to such migration and in fact actively demand it. Zincone notes that the pressure from such advocacy groups has led to immigration policy being on a “zigzagging path” (2011: 278) in which immigration law is harsh and exclusionary yet also allows for large-scale and fairly frequent legalisation programmes. Accordingly, the voting public’s hostility towards immigration, the pressure exerted by the advocacy coalition, and Italy’s “objective need for foreign manpower” (Zincone 2011: 278), in particular care-workers, create contradictory immigration policies which are simultaneously harsh and lenient.

The fact that immigration policy follows a “zigzagging path” (Zincone 2011: 278) is not unique to Italy. Studies focusing on states’ immigration laws have examined the “gap” between the objectives and outcomes of migration policy (Freeman 1995, Sassen 1996, Joppke 1998, Favell and Hansen 2002, Collyer 2012). These scholars point to the various different groups who, driven by divergent interests, pressure states to exercise leniency in their immigration policies. Similar to the “advocacy coalition” identified above, there are various influences affecting immigration policy, which among others include: businesses and employers, humanitarian groups, unions, ethnic organisations and a host of other interest groups (Sassen 1996: 98, Collyer 2012: 507). These influences come from both within and beyond the nation-state. For example, EU member states have joint as well as individual policies (Sassen 1996: 69) and human rights laws are, in theory, international. However, in opposition to these diverse groups who advocate leniency with regard to immigration policy, across Europe there is also an established bedrock of hostility towards migrants, consolidated in the member states’ border agency Frontex.¹¹ The recent electoral success of parties espousing anti-immigrant sentiments across Europe demonstrates a relative spike in such attitudes in recent years. Accordingly, it is unsurprising that immigration policies which appear restrictive have been pursued by national governments.

An additional factor contributing to the ambiguities within immigration law is the extent to which immigration policies are diversely implemented across Italy’s different regions and cities (Triandafyllidou 2003, Zincone and Caponio 2006). As

¹¹ Frontex is the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. In other words it is the European Union’s border agency.

will be outlined in Chapter 2 in relation to Bologna, the *Questura* (police station where the immigration office is situated) in each city implements policies variably.¹² This means that requirements and procedures for particular applications change by city. For example, Zucchini's study of how top-down legislation is differentially implemented in Turin and Brescia reveals that while the *Questura* in Turin holds regular meetings with third sector organisations in order to develop common understandings of regularisation procedures, in Brescia no such collaboration exists (Zucchini 1998 in Zincone and Caponio 2006: 14). Similarly, Triandafyllidou's study of the Immigration Office in Florence (2003) shows that the contradictions and tensions present in top-down legislation are transferred to street-level bureaucrats. Her study of the micro-level implementation of immigration policy reveals how discretionary practices create unequal rights and access to services (2003: 294).

While this thesis focuses on the ambiguities of immigration bureaucracy in particular, many of the features described are pertinent to the experience of all bureaucracy in Italy (Zincone 2011: 273), as well as bureaucracies more generally (Dubois 2009, 2010). Writing about a French welfare office, Dubois has argued that the transference of policy contradictions to street-level bureaucrats is a contemporary phenomenon that requires a reconsideration of the classical distinction between decision-making and implementation (2009: 222). He argues that the discretion necessarily exercised by street-level bureaucrats is due to the vagueness of top-down rules, and cannot be reduced "to the traditional opposition between law in books and law in action" (2009: 226). Street-level bureaucrats' increased power gained through conducting inspections on welfare recipients' homes takes place in a context where welfare is distributed according to an evaluation of an individual situation, rather than because of an established right (2009: 223). The vagueness of the top-down rules means that recipients' circumstances and needs are increasingly evaluated, and their entitlements determined, by individual officials on the basis of their personal assessments and interpretations. Taking a Foucauldian view, Dubois argues that through these inspections, "the relationships of socio-economic domination are reproduced on the stages of 'micro-power' (Foucault 1976), where preferential treatment and arrangements (Bourdieu 2005) lead to the reinforcing of economic

¹² *Questura* is singular. *Questure* is plural.

dependence, with a dependence on the good will of street-level bureaucrats” (2009: 226). Overall this leads to an emphasis and reproduction of individualisation and responsabilisation as the solution to social problems, reflecting the deep changes which are affecting the social state in Europe (2009: 225). Placing the focus on migrants and those who advocate on their behalf, this thesis will explore how the vagueness of top-down immigration laws was dealt with by its recipients. Contradictions in law enabled migrants to creatively navigate the documentation regime to their advantage. However, their strategic manipulation of policies also enabled the covert reconciliation of fundamental contradictions within Italy’s immigration laws. Focusing on migrants’ everyday encounters with the Italian immigration bureaucracy, this thesis will detail how these top-down ambiguities were played out on the ground.

ZIGZAGGING PATH: IMMIGRATION LAW’S CONTRADICTIONS

The ambiguities in Italian immigration law are characteristic of immigration policies studied elsewhere, and relate to a fundamental tension between what governments say and what they do. Studies on immigration and legality, which have largely focused on the US-Mexico border, have argued that nation-states desire the entry of “illegal” migrants for the cheap and disposable labour which they provide (Portes 1978, Kearney 1991, Heyman 1995, Coutin 2000, De Genova 2002). Through the creation of perpetual fear of arrest and deportation, migrants’ “illegal” status ensures their acceptance of poor and unfair working conditions. While, as Kearney notes, migrants’ labour is desired, the bodies in which the labour resides are not (1991: 58). Immigration law’s construction of “illegality” and, in consequence, undocumented migrants’ “nonexistence” (Coutin 2000: 27), expresses and partially resolves this problem (Kearney 1991: 58). If one does not officially exist, one cannot make claims on the state, creating a cheap, pliable and undemanding section of society. According to this argument, contrary to the views espoused by the media and politicians, “illegal” migrants are not a “problem” but rather a “solution” for both “sending” and “receiving” countries (Portes 1978: 470).

Immigration laws are, therefore, not designed to exclude migrants, but rather include them under certain conditions (De Genova 2002: 429). Following earlier work (Portes 1978, Kearney 1991), De Genova has argued that immigration laws act tactically to create undocumented migrants who are socially included “under imposed conditions of enforced and protracted vulnerability” (2002: 429). With this in mind, the categories of “legal” and “illegal” must be de-constructed, showing how official procedures of legalisations and amnesties play a role in the production of “illegality” (2002: 429). Premising a theory of “deportability”, De Genova argues that migrants’ endurance of years of “illegality” serves as a “disciplinary apprenticeship in the subordination of [their] labour, after which it becomes no longer necessary to prolong the undocumented condition” (2002: 429). That is, after a prolonged experience of “illegality”, even after having obtained documents, migrants sustain a sense of “deportability”, and thus continue to accept poor working conditions. Immigration law does not only create “illegality” through the legal inclusion of some and the exclusion of others: “illegality” is also created in processes of legalisation. Focusing on the Italian case, Calavita has shown how the *Bossi-Fini* law makes “illegality” inevitable by making legal status contingent upon employment. Under this law, without proof of employment, migrants fall into “illegality”. This both “institutionalizes irregularity” (Calavita 2005a: 43) and perpetuates migrants’ occupation in low-paid and insecure jobs. Immigration law and migrants’ labour function are thus inseparable and, due to their precarious and temporary legal statuses, migrants remain perpetually “other”. Calavita argues that this is a “critical ingredient of their flexibility” and ensures that they remain in low-level, poorly paid and insecure jobs – the so called “non-EU” jobs (those that native European citizens refuse to do) (Calavita 2005a: 64).

However, while migrants’ labour may be desired by states for the economic benefits they provide, voting citizens’ anti-immigrant sentiment means that in order to win elections, political parties and governments must appear to be tough on immigration, in particular “illegal” immigration. Calavita has described how these conflicts have historically unfolded in the US context. Exploring the significance of the contradictions present in the US 1986 Immigration Reform and Control Act (IRCA), she argues that US immigration policy has historically been driven by “economic realities” which treat immigrants as a source of labour (1989: 41).

Despite the economic benefits which immigration creates, anti-immigrant backlash has meant that restrictionist interventions targeting certain groups have punctuated policy. But, and not unintentionally, rather than creating any real change in immigration numbers or policies, these appeasing interventions left immigration laws riddled with contradictions (1989: 42). Calavita has also explored these conflicts in the Italian context, drawing similar conclusions. The capitalisation on, and fuelling of, anti-immigrant sentiment by right-wing politicians, has pushed parties on both sides of the political spectrum to favour tough immigration policies. But, as Calavita notes, those politicians who demonise immigration flows must also cope with the economic and demographic realities in Italy which make migrant labour essential. Paralleling what she describes in the US, this conflict leads to simultaneously restrictive and lenient immigration policies which, in their execution, are fuelled by contradictions and inconsistencies, and are highly contingent on the implementation of low-level officials (2004: 376). How then do these contradictions play out on the ground?

Officers of the Immigration and Naturalization Services (INS) on the Mexico-USA border are the subject of Heyman's (1995) ethnographic study, in which he explores how contradictions in immigration policy are made coherent through INS officers' worldviews (1995: 261). Heyman shows us how policy is thought about in different ways, depending upon individual officers' statuses. Lower-level officers, who work on the front line, believe in "enforcing the immigration law effectively, which means going after higher-cost offenders" (1995: 267). In contrast, managers need to ensure that "low-cost, ineffectual but politically visible arrests of Mexicans near the border" (1995: 267) take place, as these arrests benefit the INS budgets. This difference in approach results in the "voluntary departure complex" – an alternative to formal deportation. Arrested border-crossers are encouraged to return to Mexico without a deportation hearing, avoiding the time and expense of such a hearing and enabling them to re-attempt migration at a later date. This game of cat and mouse satisfies the desire for visible arrests while permitting "labour migration in numbers well beyond those permitted by law" (1995: 267). In a separate article, Heyman notes that: "we should pay particular attention to the way bureaucrats go about their work, especially in the zone between official policy and unofficial routine and discretion, as clues to wider political arrangements and governing ideologies" (2004: 489). He achieves this in the above study by showing

how officers' practices enable the implementation of contradictory policies to fulfil covert goals (Heyman 1995: 276).

A focus on officials rather than border-crossers, however, obscures the role which migrants themselves play in the production and implementation of immigration law. Given the labyrinthine nature of immigration bureaucracy, migrants must necessarily be active agents in its navigation. My focus on migrants' interaction with law *inside* the border through mundane paperwork procedures uncovers the diverse strategies that can be employed in order to bend the law to one's advantage. These strategies also highlight the ways in which migrants' and states' economic interests converge. This points to how migrants, like Heyman's INS officers, play key, if silent, roles in the working out of contradictory policies on the ground.

CHALLENGING LAW

Drawing on Calavita (2005ab), De Genova (2002) and others, I have highlighted the way in which the categories "illegal" and "legal" are co-constituent. Coutin likewise views "legality" and "illegality" as intrinsically interconnected, acknowledging that the law "demarcates the boundaries of illegality" (2000: 12). But she also understands processes of law to be in a dialectical relationship with those upon whom they have impact. For Coutin, writers like Portes (1978), Kearney (1991), De Genova (2002) and Heyman (1995) privilege an "interest-oriented approach" (Coutin 1996) in which law appears merely as a tool for economic and structural forces and not as powerful in its own right (Coutin 1996: 13). In her opinion, this overlooks the way in which the power of the law can work in different directions. As well as adversely affecting the lives of migrants, law can also be used by them "to resist the forces and groups that oppress them" (1996: 14). Rather than being solely a product of economic interest and structural forces, immigration law can also shape these forces (1996: 17). To illustrate this point, Coutin describes the way in which, when the political situation changed in El Salvador, Salvadorans in the US adapted their legal strategies. Activists rejected the status "refugee" in favour of that of "immigrant", which permits the right to hold permanent status in the US. As she

describes, “activists reasoned that if Salvadorans could obtain legal status, and ultimately citizenship in the United States, they could influence US policy and continue to provide El Salvador with much-needed economic support through remittances” (1996: 17).

The argument that law is not simply a product of economic and political forces is an important one. Among other things, it allows space for contradictions, ambiguities and indeterminacies to emerge. Writing about the British context, James and Killick also counteract the understanding of law as totally repressive. They argue that the dissemination of expert legal advice at law centres can concretely affect migrants’ applications and, in some cases, challenge the law as presently constituted (2012: 431). James and Killick, like Coutin, emphasise the blurred and dialectical nature of law, adding important nuance to those “interest-oriented” approaches discussed above. It is worth noting that their particular ethnographic contexts perhaps offer more possibilities for challenge and influence than others. Coutin’s argument draws on a particular social and historical context of Salvadorans in the United States, where laws were passed and adapted specifically for this group of people. Also showing the contestable nature of law, James and Killick’s ethnographic fieldwork was situated in a British law centre where, via legal-aid, advisers were attempting to challenge legal decisions on behalf of migrants. The main subject of the article is in fact about how current changes to the legal-aid system will exclude the possibilities for such challenges in the future.

As we shall see throughout, migrants similarly shaped and challenged top-down policies in my own case. This allowed them to use the power of the law to their own advantage and change the meaning of such policy. But, in contrast to the cases discussed above, Italian migrants’ manipulation of bureaucratic paperwork offered them only minimal advantages. By viewing these strategies within the wider Italian social, political and economic context, it becomes apparent that their manipulation of the documentation regime could not be considered as challenges to the law. Due to the underhand nature of migrants’ strategies, they did not contest the structural injustices which the law produced. Rather, these strategies offered migrants only basic gains, while they enabled the Italian state to covertly and successfully implement policies which would not be favoured by the voting public. By looking at the material objects of immigration law and the minutiae of bureaucratic processes with which migrants must engage in order to become and stay legal in Italy, I suggest

that although migrants' strategies enabled them "to get by", they were not "beating the system".

However, acknowledging the way in which immigration law "institutionalizes irregularity" (Calavita 2005a: 43) and in turn ensures the subordination of migrants' labour, is not to ignore the unexpected, contradictory and divergent effects that encounters with immigration law create (James and Killick 2012: 453). In my fieldwork context, the opaque nature of immigration law gave migrants possibilities for learning wily strategies (see Chapter 3), finding business opportunities (see Chapter 4), developing cultural learning (see Chapter 5) and cultivating flexible citizenship (Ong 1996) (see Chapter 7). While migrants' structurally marginalised position in Italian society may have been reproduced by their interactions with the law, these interactions also caused unexpected consequences. These exchanges, and their effects, will be the subject of this thesis.

FIELDWORK



Figure 3: Map of Italy
(<http://www.tourvideos.com/maps-Italy.html>)

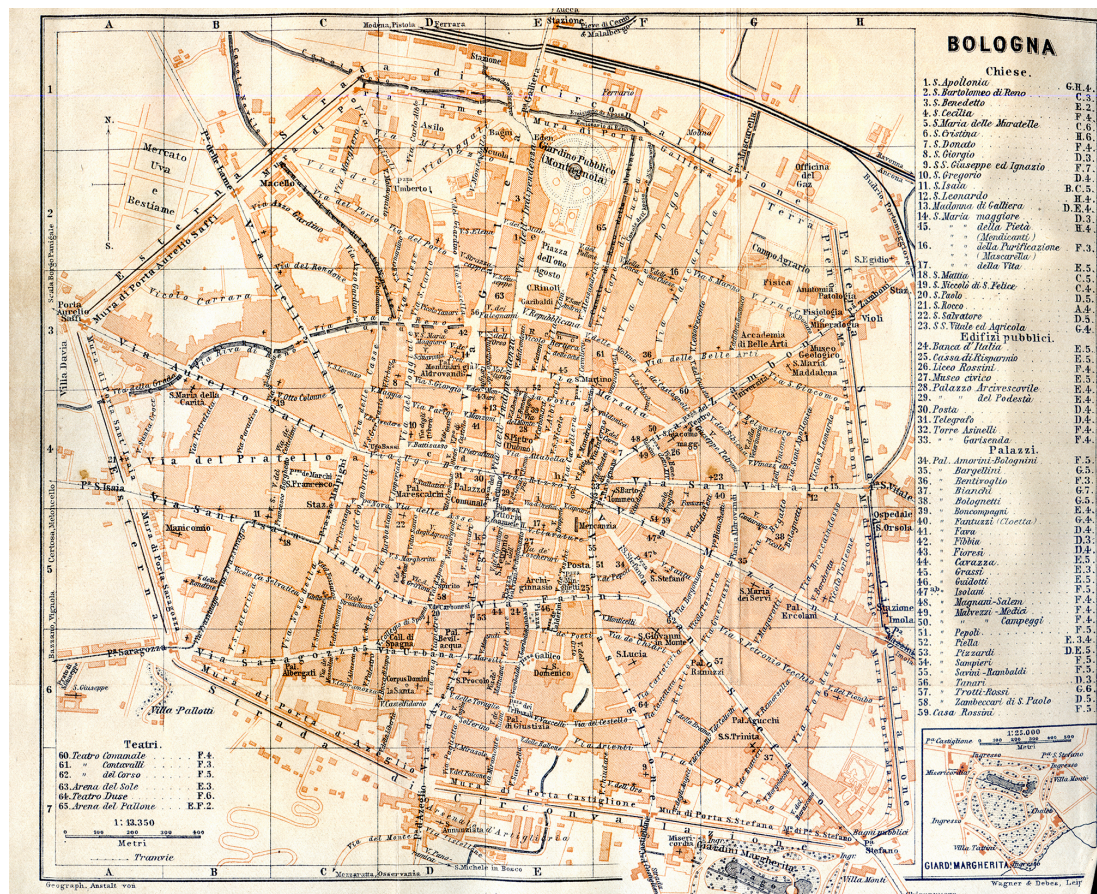


Figure 4: Map of Bologna
(<http://www.tourvideos.com/maps-Italy.html>)

Following migrants' relationships with Italian bureaucracy as they sought to become and stay "legal", I conducted 19 months fieldwork from October 2009 to May 2011 in Bologna, Italy. Bologna, capital of the region Emilia Romagna, is a city with a population of approximately 370,000. The city is known as *La Dotta*, *La Grassa* and *La Rossa*. *La Dotta* - the learned one - refers to the fact that the city houses the oldest university in Europe. Students, hailing from all over Italy and the world, make up a significant portion of the city's population. Subject to the same procedure of permit renewal as other categories of migrants, foreign students were also frequent visitors to the *Questura* and the centre where I conducted fieldwork. *La Grassa* - the fat one - refers to Bologna's famous culinary tradition, which is heralded as the best in Italy. Delicatessens' shop windows filled with homemade tortellini, mortadella and many other mouth-watering offerings, live up to the city's reputation for its rich cuisine. *La Rossa* - the red one - refers to Bologna's reputation as the "heart of the political left" in Italy, as well as the attractive orange-red *palazzi* which characterise

the city's architecture. Leftist political parties have consistently been successful in Bologna. From the end of the Second World War to 1991 the Communist party (PCI) governed until the left-wing PDS (Democratic Party of the Left) took over. Leftist rule was briefly disrupted from 1999 to 2004 when an independent candidate, who led a centre-right coalition, took power (Però 2007: Chapter 2). During my fieldwork period, following the resignation of the centre-left mayor after a corruption scandal, a state-appointed prefect was in charge until Merola, leading another left-wing coalition, was elected.



Figure 4: *Le due torri* (the two towers), Bologna
(Anna Tuckett)

This history of left-wing politics has had an impact on migration politics and services in Bologna which, on the *Comune di Bologna* website, is labelled as the “*Citta*

Multiculturale” (Multicultural City).¹³ Davide Però has noted that in the 1990s the city, in line with the mainstream Left in Italy, sought to present itself as dedicated to “the improvement of the conditions of immigrants” (2001: 169). His fieldwork on migrant services, however, tells a different story. Studying housing shelters and refugee camps, Però concludes that these services were characterised by a “mix of neglect, inertia, inconsistency, paternalism, authoritarianism, marginalisation, essentialism and cultural imperialism” (2001: 183). Additionally, in his work on the *Forum* – a political space for migrants set aside by the mainstream left-wing institutions – he observed a similar discrepancy between inclusionary rhetoric and exclusionary practices (Però 2002: 98). Però’s ethnography shows that, instead of being empowering, by participating in the *Forum*, migrants were “essentially kept at the margins of the polity” (2002: 98) and constructed as “‘ethnic’ political subjects” (2002: 106). My experience of social services, the *Questura*, housing associations and other institutions which offer services to migrants, was similar to that described by Però. With only a few exceptions, migrants were generally treated either paternalistically – as subjects in need of charity – or with xenophobic disdain.

Emilia Romagna is characterised by the proliferation of small and medium sized industries, providing a fruitful terrain where migrants have sought, and found, work opportunities. They predominantly do so in the manufacturing, agricultural, construction and domestic care sectors. Mirroring the diversity of migrants’ nationalities in the country as a whole, Bologna’s migrant population is heterogeneous. In the city of Bologna migrants count for approximately ten percent of the population. Overlapping partly but not totally with the list for Italy as a whole, the “top ten” nationalities, which are relatively equal in number, are Romanians, Filipinos, Bangladeshis, Moldovans, Moroccans, Chinese, Albanians, Pakistanis and Sri Lankans.¹⁴

¹³ <http://www.comune.bologna.it/bolognaper/contenuti/127:7601/>
 Accessed 20th October 2013.

¹⁴ http://www.comune.bologna.it/iperbole/piancont/Stranieri/menu/indice_Str_studi.htm -cittadini stranieri a Bologna - le tendenze 2011
 Accessed 15th October 2013.



Figure 5: A typical Bolognese delicatessen at Christmas time
(Anna Tuckett)

Given my interest in the documentation regime, my research started with the tracing of migrants' trajectories as they contacted landlords, employers and the *Questura* in different parts of the city in their application processes. By observing the system of documentation at its various stages and in its various sites, my fieldwork focused on how the practices of documentation played out on the ground in the city itself. Two months into my fieldwork period, I discovered an advice centre for migrants run by a trade union. I came across it thanks to Mohamed, a Tunisian migrant, whom I met while conducting participant observation at the *Questura*, and it was here that much of my fieldwork came to be based (see Chapter 2).

As reflected in the opening vignette, in the first stage of my research I visited the *Questura* early in the mornings, mirroring the routines of migrants who, in the midst of completing applications, arrived there from around 5am in order to obtain a ticket to be seen by an official when it opened at 8am. I waited around in the queue observing the goings on and occasionally conducting informal interviews. One morning, squashed between the metal barriers designed to order the queue, I met Mohamed. After a brief chat in which I told him about my research, he advised me to

visit the centre: “you see everything there,” he told me. Following his advice, the next day I went to the centre in order to ask permission to conduct participant observation there. After speaking to a volunteer called Naveed, I was told to e-mail the centre’s director. Receiving no response, I e-mailed Naveed, who told me to re-visit the centre that week. On arrival I was placed behind the reception counter and briefly introduced to the other volunteers and staff-members. Several minutes later another volunteer, Mehdi, told me that I ought to make myself useful. He thrust a list of requirements for permit renewal into my hands and ordered me to explain to the enquirer the process of application. “Come on, come on!” he barked at me while I hesitantly looked at him, unable to understand half of the technical terms that the list designated. Obediently, I began to go through the list with the enquirer, looking to Mehdi for confirmation and explanation of terms. This was how my fieldwork began and continued, as I began to act as a volunteer at the centre, learning the ins and outs of Italian immigration law and how they were experienced by migrants on an everyday basis.¹⁵

METHODOLOGY

Conducting fieldwork at the centre, which I frequented most days, included spending many hours at the reception counter: I would check the status of permit renewals on the computer, hand out information regarding requirements for particular applications and answer clients’ queries.¹⁶ I would also consult with staff members on behalf of clients and observe interactions between clients and staff members, both at the reception counter and at the desks in the back-space of the office. At times my research at the centre required me to visit other sites: I accompanied clients to the *Questura*, delivered citizenship applications to the *Prefettura* (Prefecture – where some immigration paperwork is completed) and participated in protests and strike-days. In addition to acting as a research site, the centre was also a space in which I met further research participants involved in the immigration nexus, such as

¹⁵ See below for a discussion on ethical considerations with regard to acting as both an anthropologist and a volunteer/advisor.

¹⁶ I use the term client to refer to those who frequented the advice centre. I recognise this is problematic and I discuss the issue in Chapter 2.

migrants, advice centre workers and officials. These meetings served as a first point of contact, enabling me to use the extended case study method (Mitchell 2006). Once I had developed relationships with particular individuals, I accompanied them across the city as they completed tasks relating to their applications. This included visiting the *Questura*, *Prefettura*, Post Offices, *Comune* (municipality), and other sites. I also developed longer-term relationships with clients and staff members I met through the centre: I met them for drinks or dinner, I went to their homes and, on the weekend, we regularly went shopping together or met in the squares to socialise.

My data can be broadly categorised into three types: information received through long-term and close relationships (formed inside and outside of the centre); information gained through ongoing encounters with regular centre clients with whom, although I did not develop close relationships, I spoke to at length at the centre regarding their applications and personal stories; and information gained through brief encounters at the centre, *Questura* and other research-sites. Unsurprisingly, the data I collected from informants with whom I had close relationships was the most in-depth and nuanced. I learnt not only about their bureaucratic encounters but also about their life-stories and worldviews. This information broadened and enriched the other data which I received. I also ensured I triangulated my data, confirming facts with close informants about the technical aspects of other informants' stories, or asking their opinions regarding other cases. Long-term fieldwork at the centre offered several key advantages. It enabled me to develop close relationships with staff members and some clients, and to collect and compare hundreds of case studies. The catalogue of case studies I created enabled me to analyse the nature and frequency of particular encounters with the immigration bureaucracy. Additionally, given the highly complicated and technical nature of Italian immigration bureaucracy, long-term fieldwork allowed me to develop sufficient understanding of the law and its everyday workings.

I met several of my close respondents outside of the centre. At one point I lived with foreign students (from Albania and Israel) and, with their permission, I accompanied them and their friends on their document trails. At the beginning of my fieldwork I had planned to work exclusively with the Albanian community, and early on I made contact with the Albanian student society. Although my fieldwork focus changed, I continued to frequent several of these original contacts. As with other

informants, I accompanied them on their visits to the sites of the documentation regime and also conducted informal and semi-structured interviews with them. Other people I met in Bologna, who did not have any direct interaction with the documentation regime, also acted as respondents: conversation often turned to my research topic and they offered their opinions about Italian bureaucracy and immigration. Sites and actors within the documentation regime sometimes overlapped, since on several occasions people I knew from beyond the centre visited it in order to obtain information. Additionally, when at the *Questura* or Post Office (where applications are submitted), I often saw individuals I knew from the centre or elsewhere.

The extended case study approach enabled me to trace how places and events chained onto one another, and were linked through time (Mitchell 2006: 29). Tracing individuals' permit renewal application processes across their duration, which usually lasted several months, provided valuable insights into the process, as well as people's experiences of it. Following different people's multiple encounters with the various stages and sites of the documentation regime was useful in order to understand how the same process was experienced differently by different people. In the earlier stages of my fieldwork I accompanied my flatmate Eda and my friend Florim, on separate occasions, to the various sites necessary in the preparation and act of permit renewal. For Eda's renewal we started at the Post Office, where we waited for several hours to be seen in order to send off her *kit* (application form and accompanying photocopied documents). On submission of the *kit*, Eda was issued with an appointment for two weeks time at the *Questura* to provide her fingerprints. Two weeks later I accompanied her to this appointment. Although the officer at the appointment had told Eda that her permit would be issued within two to three months, she was aware that the procedure usually lasted much longer, sometimes even up to a year. She was concerned because in six weeks' time she was due to fly to Paris to visit her boyfriend. With their receipt for renewal and passports, permit renewal applicants are permitted to leave Italy in order to visit their own countries, but they are prohibited from entering any other nation-state. Given this, it would be difficult for Eda to travel to Paris if her permit had not yet been issued, which was highly unlikely. She was not, however, overly worried because a similar situation had arisen during her last renewal period and she had passed through airport security with her Italian identity card without the official noticing that the document read,

“Nationality: Albanian”. In this case Eda had been fortunate, as only Italian citizens are allowed to use identity cards as travel documents. Two weeks after the fingerprint appointment, Eda lost her identity card and, as is the usual procedure, went to the *Carabinieri* (military police) to report the loss. While there she caught the attention of the *carabiniere* who was serving her and he asked for her phone number. On return to our flat she joked that perhaps she could ask this *carabiniere* to speed up her permit renewal, which she did do. That same week her permit was ready for collection.

Completing the same application, my friend Florim, whom I met through the Albanian student association, had a very different experience. As with Eda, I accompanied Florim to the photocopy shop (in order to make copies of his documents), the Post Office and then two weeks later to the *Questura*. Lacking contacts at the *Questura*, Florim’s permit was not issued for almost a year. Concerned, because he was due to go to China in the summer, he sent various e-mails to the *Questura* asking for information. These e-mails, however, bounced back to his account. Finally, over eight months after the fingerprint appointment, he received a reply to one of his e-mails, informing him that he had not included his examination booklet in the *kit*. This was not in fact true as Florim *had* included the booklet in the original application. In any case he obediently sent the booklet via registered post, and several weeks later he was finally issued with the permit. This was typical of the cases I followed. During my fieldwork period I traced renewal and other application processes of many other respondents whom I met at the centre, as well as beyond it. Repeating similar encounters with different informants revealed the divergent experiences of my respondents. As the two cases above illustrate, the application process was contingent upon various factors, not least the individual applicant and whether or not they had personal contacts within the different institutions that constitute the documentation regime. While the difference between these two cases owed much to Eda’s drawing on a favour from the *carabiniere*, other such incidences of good or bad fortune were not always so obviously apparent.

Early on in my research I conducted informal, semi-structured interviews with participants, which I recorded with their permission. While these were enlightening to some extent, I found it more useful to conduct informal, conversational interviews with people as they hung around at the centre and with

those who I knew better in other everyday spaces. Given the frequently long waiting times at the centre, people were generally very happy to speak to me. Like most ethnographic research, my key data was usually collected in informal and unexpected moments: lingering outside the centre as informants smoked, over an after-work *aperitivo* or lunch with staff members and volunteers, or on walks around the city. Conversations and interviews with informants were generally conducted in Italian. On occasions I spoke English with those who came from Anglophone countries such as African countries, the Philippines, Pakistan or India. At times, I also acted as a translator between clients and staff members.

During the day at the centre, I would write bullet-point style notes on scraps of paper, which I would later write up in full at home. When unable to take brief notes, I would remember conversations in as much detail as possible and then write extended notes later. At other times, I wrote drafts of text-messages on my mobile phone in order to take note of verbatim quotations. Given my interest in public and media discourse around migration, I also regularly read newspapers and saved relevant articles. In order to gain a broad perspective I read both the *Resto del Carlino* (a conservative local Bolognese newspaper) and the national broadsheet, *La Repubblica*, which is regarded as centre-left.

ETHICS

Due to my position behind the counter, clients at the centre generally thought that I worked there. To those with whom I spoke at length I explained my background and research project, although often these conversations were only very brief, so I could not always elaborate on my situation. Clients frequently enquired about my origins, often assuming that I was Eastern European – typically Moldovan – or Italian. When I explained that I was English, people were often surprised and incredulous. “What would an English girl be doing here?” they exclaimed, reflecting the commonly held view that the UK was a superior destination to Italy (see Chapter 7). On some occasions Eastern European migrants reacted in a hostile manner towards me after I told them I was unable to speak or understand Russian, presuming that I was an arrogant compatriot. Similarly, initially staff members and volunteers were also

puzzled about my origins. They detected that I was not Italian and, given that it was usual for migrants to volunteer at the centre, assumed that I must be Eastern European. On learning that I was from London, staff members and clients responded in awe: “from London. London, London?” Their attitude towards me also shifted. From being slightly suspicious and disdainful towards me, staff members became intrigued and respectful. Migrants who visited the centre also responded excitedly, frequently relaying to me their hopes (past or future) to move to the UK or stories of family or friends who lived there. My status as a privileged European did not create the perception that I would provide material benefits. But, like other staff members, volunteering at the centre did mean that people thought I might be able to do them favours. In response to such queries I answered that I was a student and volunteer only.

In my original research proposal I noted that a particular sensitivity was required when working with undocumented migrants. Firstly, I pointed out that I would not take undocumented migrants as “an epistemological and ethnographic ‘object’ of study” (De Genova, 2002: 423), since doing so would perpetuate the notion that “illegal” migrants exist separately from mainstream society, and would conceal the reality that they are partially included given that they live with and among “legal” migrants and citizens. As I noted above, in my fieldwork context “legality” and “illegality” were considered fluid and temporary categories. At the centre clients were open about being “illegal”, frequently asking for information about upcoming regularisation procedures. Many others visited the centre because they were on the cusp of “illegality”, and were trying to find out how they could “save” their permits. Still others were even nonchalant about their “illegal” status (see Chapter 6). During fieldwork, and in my writing, I was sensitive to the vulnerable position of those who were “illegal”. But, perhaps paradoxically, in my fieldwork setting “illegality” was not viewed “clandestinely”. Instead, it was part of the “normal” experiences of the documentation regime and being a migrant in Italy.

In my original proposal I also noted that it was my intention to write my ethnography in such a way that it could not be used to aid states’ attempts at capturing undocumented migrants (De Genova 2002). I proposed that I would achieve this by theoretically and methodologically focusing on the experiences of migrants in their total social context, rather than on specific techniques of

“documentation evasion”. In what follows, I do discuss respondents’ specific strategies of navigation (sometimes evasion) in order to survive the immigration bureaucracy. Much like “illegal” status, these strategies were not secrets but rather were openly advised on by staff at the centre. Additionally, these strategies were often also reported in newspapers and advised as courses of action by immigration officials themselves. Rather than viewing migrants’ strategies as illicit, I aim to show the way in which they formed part of immigration policies. In order to protect my informants’ identities from detection I have changed their names and in some instances particular details of their cases.

A point which I did not consider in my original research proposal, but which is my greatest ethical concern, was the fact that I became an adviser myself, and thus potentially responsible for the outcomes of applications which may have had serious repercussions on individuals’ lives. At the beginning of my fieldwork period at the advice centre I tried to stand at a distance, observing the interactions between staff members and clients, listening to common enquires and concerns and talking informally to visitors as they waited for their appointments. In the busy and sometimes understaffed centre, however, such a position was untenable. “You have to work! Brigadini [the head of the centre] will kick you out if you just stand there,” Medhi, a volunteer, barked at me in my first week at the centre. Early on my role was confined to the computer, taking appointments and checking permit renewal status. As the months passed, however, I became more knowledgeable, sometimes being more experienced than other volunteers at the reception desk, and I was required to give information as well as take appointments. When I began to feel more confident at the centre I moved around the space more freely, sitting at different staff members’ desks as they advised individual clients. In particular, I developed a close relationship with Alberto, a senior staff member (see Chapter 2), and spent many hours with him at his desk observing more in-depth interactions. I largely resisted filling in *kits* (application forms). Technically completing permit renewal forms was exclusively the role of paid staff members, but when the staff were running behind schedule some volunteers also took on this responsibility. In order to avoid being asked to complete forms, and thus run the risk of making mistakes that could have an impact on migrants’ applications, I purposely did not learn how to fill them in. (Although occasionally staff members did ask me to do so under their guidance.) In January 2011 I was asked to fill in *decreto flussi* applications (see Chapter 3). While

I was concerned about the ethical implications of completing application forms and potentially making an error, completing the online application was very simple and the procedure offered me valuable insights. I continuously emphasised my role as a student-researcher and non-expert to staff members and clients but, despite my unwillingness, through my role at the centre I did myself become an actor in the immigration nexus that I was analysing. This required reflexivity, but also provided me with insights that would not have been otherwise available.

WHERE ARE THEY FROM?

Anthropological ethnographies on migration, whether based in “host” or “sending” countries, tend to focus on migrants from the same nationality or regional area. Following this trend, my original research proposal was to focus on Albanian migrants’ experience with the Italian documentation regime. However, after starting fieldwork, I realised that the nationality of my migrant informants was not a determining factor in the issues with which I was concerned. Undoubtedly nationality and cultural background are significant factors in how people engage and interact with systems of immigration bureaucracy, as are factors such as the length of time spent in the country, language abilities, education, class, gender and occupation. Given my focused interest in the documentation regime and its diverse interactions, selecting a nationality group, and assuming some homogeneity of experience due to nationality or background, would have been arbitrary, obscuring as much as it revealed. Given my specific interest in the documentation regime itself, my informants turned out to be those who were in some way engaged with it. Besides migrant applicants and their families, they included people as diverse as activists, brokers, officials, advisers, lawyers, and Post-Office workers.

I do not make distinctions between types of migrants according to their legal status. Due to the specificities of Italian immigration law holding work permits, student permits, family permits, political asylum permits and other kinds, were frequently experienced as fluid because, depending on different circumstances, individuals often passed between different statuses. Additionally, although there were obvious differences between those applying for asylum or not, and in

applications for those who were family members of Italian citizens, the application and renewal of most kinds of documents generally resulted in similar processes, interactions and experiences.¹⁷

THESIS OUTLINE

Chapter 2 provides a detailed overview of the advice centre. I describe its history, leadership and some of the people who worked and volunteered there. Trade unions have a central function in the Italian welfare state, and the centre's role in completing migrants' application forms is closely connected to this. Although part of the trade union, both in the eyes of its visitors and in practice, the centre's role was often blurred with that of the *Questura* and the state in general. Because the centre acted as a mediator between migrants and the *Questura*, the quality of assistance which clients received could determine application outcomes. Not all staff members were equally able or interested in migration matters, and the quality of assistance they provided was highly variable.

Chapter 3 sets the scene for migrants' encounters with the Italian documentation regime. In the first half of this chapter I illustrate some typical characteristics of migrants' encounters with the immigration bureaucracy. These were characterised by long waiting times, contradictory information, changing rules and the issuing of expired permits. In the second half of this chapter I draw on concepts of social navigation to show how long-term and frequent interactions with the documentation regime required and induced the development of strategies. Here I show that the bureaucracy's arbitrary and uncertain nature also allowed for its manipulation, which enabled migrants to have applications accepted. The ambiguities in documentation, therefore, held both advantages and disadvantages. To conclude this chapter I suggest that ultimately migrants' strategies only worked to achieve short-term goals and were thus limited.

In Chapter 4 I explore the system of brokerage which existed in the documentation regime. Due to its uncertain nature, as well as the possibilities for its

¹⁷ Those with permits for asylum face similar procedures to others in renewal. However, the process of *obtaining* asylum is distinct from other immigration procedures and will not be discussed in this thesis.

manipulation, there existed a flourishing market offering expertise, reassurance and false documents. I examine the way in which the ambiguity of the bureaucracy led to migrants attempting to personalise it. This offered certain individuals the opportunity to become immigration “experts” and fashion themselves as professionals. At the centre, practices of personalisation and attempts to become non-anonymous were also prevalent. While staff members did not accept bribes, clients attempted to become non-anonymous through gift-giving and the cultivation of personal relationships. The centre attempted to distance itself from such personalistic relationships, but due to the heavy workload practices of favouritism often occurred.

Chapter 5 situates migrants’ strategies of navigation within the Italian context. “It is *il sistema paese* [system of the country],” my informants would say when referring to the way in which Italian bureaucratic and legal systems were both manipulated and open to manipulation. The first half of the chapter explores people’s attitudes towards engaging in *il sistema paese*. Reflecting on other Italian ethnographic data, I suggest that my informants’ rationales were intertwined with ideas about the inefficient and corrupt nature of the “official” system, the idea that bureaucratic laws were designed to impede migrants, and the fear of losing out by not bending the rules. The second half of the chapter examines the rules of rule-bending. I show how, while the Italian system offered flexibility to migrants, successful rule-bending required careful manipulation and finesse. Migrants needed to be well-informed regarding the technicalities and details of the “official” system in order to effectively manipulate its loopholes and not be caught out.

Chapter 6 discusses citizenship and the situation of the 1.5 and second generation (those who were born in the country or arrived at a young age).¹⁸ I analyse the way in which immigration and citizenship laws create disjunctures for the 1.5 and second generation, who live with the paradox of risking illegality in a country in which they have grown up. I begin the chapter by exploring the discriminatory discourses which migrants experience in the Italian context. I then turn to explore the way in which, despite their legal precarity and the exclusion they frequently face, the 1.5 and second generation are challenging seemingly rigid ideas

¹⁸ The term 1.5 generation refers to those who migrated at a very young age. See also Gonzales 2011 and Gonzales & Chavez 2012.

about Italian-ness and citizenship. In spite of this, however, the exclusionary immigration and citizenship laws act as blockages to create real social change.

Chapter 7 centres on migrants' often-stated desires to leave Italy. It was a commonly held view that Italy was inferior to other "destination" countries. Drawing on various case studies, I will recount the stories of those who finally left Italy and others who used it as a legal base to take advantage of opportunities across Europe. I will then turn to discuss how narratives of leaving Italy infused the experiences of those who remained. Many of these individuals felt disappointment and failure regarding their inability to move on. In the last section of this chapter, I discuss how some of my informants became "flexible citizens" (Ong 1999), showing how their use of Italy as a stepping stone was situated within an ideology of capitalist accumulation (Ong 1999: 6).

CHAPTER TWO

THE CENTRE

INTRODUCTION

This chapter explores the advice centre in which I conducted the bulk of my fieldwork. The centre was affiliated to one of Italy's biggest trade unions. In Italy the main trade unions represent workers from all employment sectors. Within each trade union structure there are different federation categories that represent workers from particular sectors. For example, there is a federation category that represents workers in the commerce, services and tourism sector, a separate federation category that represents workers in construction and woodwork, and further categories for other employment sectors. The Italian welfare state has a particular structure in which trade unions play a central role by providing certain services. In the case of the migration advice centre, this involved the completion of applications for permit renewals and other applications. In this chapter I will describe the history and leadership of the centre as well as the nature of its ambiguous position. The centre was not part of the *Questura*, but, as I will show, it often behaved and was treated as if it was. Indeed, many of those who frequented the centre were unaware of its trade union affiliations and presumed it was part of the state infrastructure.

Good advice was essential for migrants navigating the immigration bureaucracy, and, as well as completing paperwork, the centre disseminated advice regarding application procedures. Providing advice, however, was a difficult task which required experience, knowledge and finesse. Given this, there were vast discrepancies in the quality of advice offered by different staff members at the centre. After introducing the centre's staff members, who provide an important backdrop to the subsequent chapters in this thesis, I will briefly describe the documentation regime's shifting terrain. As I will explore, the characteristic nature of the immigration bureaucracy profoundly shaped the workings of the centre.

HISTORY AND DAILY WORKINGS

The centre was set up in the early 1990s by Paolo Brigadini, an activist passionate about social inequality, discrimination and migrants' rights. When it first opened, the only paid staff member was Brigadini himself, and its single room, a cupboard-like office, was staffed by volunteers. It grew rapidly, so that by 2009, when my fieldwork began, the centre employed seven staff members and a number of volunteers. During my research period the centre was situated around the corner from the central trade union offices that housed the different federation categories. The space was divided into two halves: the inner office, where the majority of administrative duties were carried out, and the outer waiting room and reception counter (*sportello*). The waiting room varied from being extremely busy to barely populated. Families, friends and individuals sat in the plastic chairs either chatting or sitting in silence. Babies were breast-fed, children ran around playing and phone-calls were frequently taken and made. Notices of upcoming protests relating to the trade union decorated the walls, alongside posters showing migrant children accompanied by slogans reading, "We are all the same [*Noi siamo tutti gli stessi*]".

Staff members at the centre, and from other departments in the trade union, often remarked that the migrant advice centre was the trade union's most frequented office. Before the centre opened in the morning, and after the lunch break, queues of people would wait for its doors to open. The reception counter was typically busy and hectic. People bustled around it trying to make appointments for application completion or checking the status of their renewals online. Queries regarding applications ranged from those concerning the requirements for a particular application, to those involving complex and often unsolvable situations. How the latter were dealt with depended on who was on the counter and how many other people were waiting. Some members of staff would dismiss such queries, telling clients that they needed to go elsewhere, or that what they were asking was not possible. Others consulted more experienced staff members, who were usually in the inner office, and the issue was either dealt with immediately or deferred. It was common for clients to return multiple times before their problem was resolved, and without persistence cases could easily become forgotten. As well as issues regarding documentation, many clients asked for help with other problems, such as housing, problems with social services or the police, bills, fines and employment. Again the

attention and service that people were given depended on which staff member they saw and when, but they were usually then referred to different offices specialising in the particular issue. Working at the reception counter was stressful, and staff bore the brunt of migrants' frustrations regarding immigration bureaucracy and long waiting times. Voices of both clients and staff members were frequently raised. Clients were sometimes accusatory, believing that they were not receiving fair treatment, and other times staff members were openly aggressive or irritated by clients' lack of understanding or perceived rude manner. In contrast, the atmosphere of the inner office was more relaxed. Here there were six desks where staff members completed application forms on computers, usually by appointment. Staff members and clients chatted as applications for permit renewal, family reunification or citizenship were completed. Those working on the counter would come in and out to photocopy or ask advice from other staff members.

The centre's growth reflected both the increasing number of migrants in Italy and increased bureaucratisation of immigration processes. Given the contingency of permit issues and renewals on employment, it was a logical step for the trade union to become involved in immigration bureaucracy for two central reasons. Firstly, the sectors in which migrants largely work – industry, construction, services and domestic work – have the largest number of members represented by the trade union. Therefore, by offering permit application completion and advice, the trade union was providing an essential service to its current members, as well as potentially cultivating new ones. Secondly, trade unions have historically played a role in the formation of immigration policy in Italy, being part of the original “advocacy group” (Zincone 2011) discussed in the introduction. The centre's services were free, but clients who were not already members of the trade union were gently encouraged to join. Membership cost one percent of a member's monthly salary. Similar migration advice centres existed across the trade unions in Italy, but due to the particular trajectory of Brigadini, the Bologna site was considerably larger, better staffed and open more days a week than its counterparts across the country.¹⁹

¹⁹ There are three central trade unions in Italy. The trade union in which I conducted fieldwork had other migration advice centres across the province of Bologna, and the rest of Italy. Often, these centres were much smaller, situated within the trade union building and only open a few hours a week. The other rival trade unions also had migration advice centres in Bologna and throughout Italy.

The centre's role as a trade union affiliate was ambiguous, a fact reflected in migrants' attitude towards it. Many clients did not know about its trade union connections and presumed that it was affiliated to the *Questura* or *Comune* (municipality). The services which the centre offered were also available in other sites across the city, but usually at a cost. This caused many to be suspicious of the quality of the services available at the centre, presuming that quality and value could only be bought and not freely given (see Chapter 4). In response to complaints regarding delayed applications, staff members emphasised to clients that the centre was "*il sindacato* [the trade union]," rather than the *Questura* or the state. However, the organisation of the Italian welfare state, which is closely intertwined with trade unions and other non-state bodies, makes clients' confusion understandable. The key function played by the centre in completing application forms related to its position as a *patronato*. *Patronati* play a particular role in the history of the Italian welfare state, and trade unions have been key players in both its implementation and operation since the Second World War (Agnoletto 2012: 22). The term refers to intermediary institutions attached to trade unions in which workers can receive free advice, assistance, protection, and representation (Agnoletto 2012: 13). Other than immigration related issues, assistance provided by *patronati* includes help with pensions, welfare benefits, sick leave and unemployment. Their role is to protect and advocate for welfare users and ensure that the social security system is functioning correctly. Although they are not part of the state infrastructure, they are state-funded as the state pays the *patronato* for each assistance file opened (Agnoletto 2012: 13). Thus, trade unions are protagonists (Agnoletto 2012: 22) in the Italian welfare state, playing the roles of provider, advocator and protector. Because *patronati* hold a unique position as gatekeepers to public assistance, as well as guarantors that they function correctly, Agnoletto has described them as a "peculiar institution wherein the distinction between public and private is poorly defined, its trade union identity overlapping its public utility function" (2012: 18). The centre's role as a *patronato* exemplified this peculiarity.

The centre received state funds for each permit renewal, long-term permit and family reunification request it completed. It was paid by the state to complete paperwork, but as a *patronato*, it was not an arm or representative of the state in name or practice. Rather, the centre acted as a mediator between the state – in this case usually represented by the *Questura* – and migrants. In the case of Bologna this

mediation was crucial for migrants in their encounters with Italian immigration law. As the following chapters of this thesis will illustrate, the *Questura* of Bologna frequently acted in “unlawful” ways, including denying applications on unfair grounds, making errors on official documents, requesting unnecessary documentation and delaying applications. This related to the level of discretion and flexibility given to individual *Questure*. In the Italian legal system, it is common for recently passed laws to directly contradict existing ones. The laws that the *Questura* chooses to implement are at the discretion of individual *Questura* directors, meaning that in practice immigration law changes across different Italian cities. Ministerial circulars (*circolari*), which are designed to clarify certain acts of law, create further discrepancy. *Questure* are not obliged to follow the directives of particular *circolari*, creating further inconsistencies between how different *Questure* act on certain matters. In the following chapter, I explore examples of these issues in more ethnographic depth. Here, I wish to point out that, in this system, the implementation of particular laws and *circolari* were contingent upon the discretion of *Questura* officials. As a result, migrants were highly dependent on the protection of institutions such as the centre, which held weekly meetings with the *Questura* director or vice-director, during which its representatives would challenge the reasons for delayed or rejected applications.

This particular set-up meant the centre had an ambiguous role. Reflecting this, clients frequently directed their complaints and dissatisfaction regarding their ongoing applications, and the law in general, towards the centre. This confusion was due to the indistinct boundary which existed between the work of the state and that of trade unions, as well as the fact that the particular running of the *Questura* excluded any space for migrants’ contestations or protests that might exist in other kinds of state bureaucratic offices (Dubois 2009, 2010). The *Questura* was responsible for the processing of applications and decision-making, but it did not officially disseminate information regarding applications on an individual or general basis. On entering the heavy metal gates, there was a cabin where a police officer sat. Sellotaped onto the cabin’s glass window was an A4 sheet of white paper which read, in capital letters, “NO INFORMAZIONI” (see figure 6). When people did try

to ask this officer for help, he mutely pointed to the sign.²⁰ At other times, visitors to the centre repeated information which the officer occupying the cabin had told them, illustrating that some officers were friendlier than others. This information, however, was frequently incorrect, and staff members were then left with the task of trying to persuade sceptical clients that the police officer was misinformed. Inside the *Questura* there were also no opportunities to ask about submitted applications or general procedures. Interaction between officials and applicants was tightly confined to three particular kinds of meetings: appointments to give fingerprints, which occurred at the beginning of the renewal phase; appointments to collect issued permits; and permit renewal appointments for Italian-citizen family members, whose applications were submitted directly at the *Questura* rather than via the postal system.²¹ These interactions took place either at the beginning or end of the application phase, excluding any opportunity for individuals to enquire about ongoing applications. When individuals did attempt to request information, for example, by attracting a passing official's attention while at the *Questura*, they were either ignored or told to send an e-mail. E-mails sent to the *Questura*, however, consistently bounced back to the sender's e-mail account.

²⁰ I never saw a female police-officer inside this cabin.

²¹ During my research period the process for family members of Italian citizens changed and they were also required to submit their applications via the postal system, rather than directly to the *Questura*.



Figure 6: The sign in the cabin at the entrance of the *Questura*.
(Anna Tuckett)

The impenetrability of the *Questura* meant that the kinds of interactions which clients desired to have there instead took place at the centre. This was partly because some thought that the centre was affiliated with the *Questura*. It was also due to the existence of the reception counter and the centre's relative ease of access. In relation to his study of French benefit offices, Dubois notes that in administrations, reception counters generally bear the brunt of users' frustrations (2010: 4). This was certainly true at the migration advice centre, whose reception counter absorbed not only the anger and complaints caused by its own errors and delays, but also those that were caused by the *Questura*. On hearing that a permit renewal was still delayed or that an application had been rejected, people frequently responded with raised voices, tears and panic. Staff members' reaction to such behaviour varied according to the individual and the atmosphere of the centre at a given moment. Some responded sympathetically but told the client they were unable to help; others became angry, telling individuals that "we are not the *Questura*"; and others were pro-active, asking the client for paperwork which they photocopied before asking Alberto or Ginetta to

make enquiries at the *Questura* in the next meeting. This last option was not always available to even the most sympathetic staff members. The load of enquiries which Alberto and Ginetta took with them to the weekly *Questura* meetings was always heavy, meaning that not everybody's could be given sufficient attention. Additionally, in the cases of delayed applications, it was usually futile to make further enquiries. The standard wait for a permit to be issued was several months and only those applications which were considered to be abnormally delayed would be enquired about at the weekly meetings. Therefore, due to the lack of space (physical or temporal) for contestation and complaint at the *Questura*, many of the features typical of face-to-face encounters between bureaucrats and non-bureaucrats took place at the centre, despite the fact that it was not an official state bureaucratic office (Dubois 2009, 2010).²²

NEW LEADERSHIP

After the departure of Brigadini in summer 2010, the character of the centre changed in both its working patterns and ethos. The official story was that Brigadini had retired. He was replaced by Maria, a 40-year-old woman who had previously worked in the central trade union administration. Rumours circulated, however, that the central administration held a contentious relationship with Brigadini, and had long been plotting his demise. Prioritising the political struggle for migrants' rights, Brigadini had had little interest in using the centre to create funds for the union. The centre ensured funding for the trade union in its role as a *patronato*, but it had a low record for membership recruitment, since under Brigadini clients were not strongly encouraged to enlist. Writing in the 1990s, Zincone noted that migrants' "free-riding" of trade unions' services was encouraged by unions on both sides of the political spectrum as they were investing in the unions' future: the aim was that migrants would join the union once they found more stable work (1998: 72-73). But by 2010 such "free-riding" was no longer considered acceptable by the trade union administration. I was also told that the main offices considered Brigadini to be

²² See Dubois (2009, 2010) for examples of welfare recipients interacting in various ways (flirtatiously, angrily) with welfare officials.

something of a maverick, who did not always follow the party line. For example, he did not consult with his superiors before giving newspaper interviews (which he did frequently), and the centre was perceived to be run in an inefficient and chaotic manner. After retiring from the centre, Brigadini continued to be highly active in immigration matters outside of the union, organising events and giving newspaper interviews, further suggesting that he had not left willingly.

Unlike Brigadini, Maria had no previous connections with migration associations, *Questura* officials, or others that may have been useful to a person in such a role. Staff members largely interpreted her entry into the centre as motivated by the trade union administration's desire to bring the centre into line, and to increase the number of members which it recruited. People told me that the trade union was suffering due to the economic crisis, as members who had become unemployed or were no longer able to afford the subscription cost were cancelling their memberships. This was a problem across the trade union, and those I knew from other sectors recounted to me how they were under increasing pressure to recruit new members. Fuelling these rumours, Maria introduced various initiatives designed to ensure higher levels of membership recruitment. These included more encouragement of clients to enlist, restricting access to the centre's lawyers to members only, introducing a type of unemployment membership to those who did not work but wanted to attend the centre's "free" Italian language courses, and organising training about the history and principles of trade unionism for staff members and volunteers. Staff members and volunteers implemented these initiatives unevenly, most considering the new rules nonsensical. For example, the idea of an unemployment membership to a trade union was considered a contradiction in terms, as were the new rules as to who could consult with the centre lawyers. Most of those who needed to consult with the centre lawyers were individuals who were waiting to hear about the outcome of applications which would give them legal status. One could hardly expect "illegal" migrants to sign up to the trade union. Lastly, many staff members viewed it as futile to enlist people who were likely to cancel their subscription soon after.

Maria's new rules showed how the trade union's need to reproduce itself financially was clashing with the everyday running of the centre and the realities of the documentation regime more widely. Many clients were unaware that the centre

was part of a trade union at all, and did not necessarily understand the concept of unionism (*sindicalismo*). When staff members gently encouraged clients to enlist, this often also involved explaining the logics and principles of *sindicalismo*. Additionally, many of those who frequented the centre were not technically eligible to become trade union members, being either “illegal” migrants or unemployed holders of family permits. Further contradicting Maria’s uncompromising emphasis on *sindacalismo* were the realities of the documentation regime. As will be explored in Chapter 3, many migrants held fake domestic work contracts in order to renew permits while working “*in nero* [off the books]” in other sectors, for example in construction or engineering factories. For these individuals, joining the union would have been futile, as their actual employers were not listed on their contracts.

In contrast, under Brigadini the running of the centre had been fairly relaxed. He employed a hands-off approach and was seldom present. When he was at the centre he was usually confined to his office. Under Brigadini staff members worked hard and consistently, but were free in their movements. Provided that the centre was not too busy, coffee was drunk at the bar, cigarettes smoked outside (and sometimes inside) and personal phone conversations could take place whenever one felt so inclined. As reflected by my own experience, volunteers were not formally interviewed or given training, but were required simply to be eager and ready to work. On her arrival as the new head, Maria quickly implemented changes. She was far more selective about potential volunteers and officialised their role through the issuing of contracts and *buoni pasti*. These are vouchers that can be used in bars and supermarkets to cover daily expenses. (Under Brigadini staff members received these but not volunteers.) Another example of her more rigorous approach was the changes she introduced to the running of Thursday mornings, when the centre was closed to the public for staff training sessions and meetings. Before the arrival of Maria, few meetings or training sessions actually took place. Instead staff members used the time to catch up on work or complete personal errands. Maria, however, made sure that such meetings and training sessions occurred. These included different representatives from the trade union giving presentations to centre staff about their work. At other times, Maria asked Alberto (a senior staff member) to give training sessions to staff and volunteers on immigration matters in order to ensure consistency in disseminated information. This was challenging as the rules

themselves regularly shifted and were implemented in divergent ways by *Questura* officials (see Chapter 3).

Overall, with the arrival of Maria the centre changed in both the way it was organised and its ethos. While Brigadini was motivated by a strong sense of social justice for migrants, Maria, sent from the central administration, was more concerned with increasing membership numbers and making the centre run like a trade union. She was less interested (or was perhaps unable to be interested, given her lack of knowledge and contacts in the immigration world) in politics regarding migrants' rights. This had an impact both on the running of the centre and on the treatment of clients. Where Brigadini had espoused a humanitarian attitude, which premised that all were entitled to the services the centre offered, Maria argued that it was unjust to union members if services were available indiscriminately. In reality, because the centre's status as a *patronato* meant that its services were open to all, and because many migrants needed these services, it was impossible for these discriminatory rules to be effectively applied.

The character of the centre and how it was experienced by clients was profoundly shaped by the individual staff members and volunteers, who significantly varied in their attitudes and approaches to their work. This further perpetuated the complex and contradictory nature of the centre, and meant that the quality and type of assistance that clients received varied considerably. In the next section I will introduce some of the central figures who worked or volunteered at the centre. These individuals will feature throughout the thesis.

STAFF AND VOLUNTEERS

PAID STAFF

Staff members greatly varied in their knowledge and interest in migration matters, which impacted how they worked at the centre. All had followed rather different trajectories. Some had originally worked in other sectors of the trade union, while others had started as volunteers and subsequently became advice centre employees. While some held strong ideas about migrants' rights, there were others who cared

less, if at all. There were also several staff members who were migrants themselves, although most were native Italians. Almost all, however, had fallen into work in this sector rather than aspiring to it. Alberto, from Puglia in the South of Italy, had worked in the fiscal office of the trade union after graduating with a Philosophy degree from Bologna University. He had no previous professional experience in the field of migration but had been transferred to the centre after Brigadini had suffered a heart attack and more senior staff were required. Despite his lack of experience in the field, Alberto had a natural flair for the job. Chiara (one of the centre volunteers) described to me how in his first few months he voraciously lapped up information, incessantly asking questions and browsing the internet for information. Reflecting this thirst for knowledge, his comprehension of legal migration matters quickly developed and he was usually better informed than officials or lawyers. His good-humoured manner, ability to make people laugh and willingness to dedicate his time put clients at ease and made even the mundane task of form-filling a sociable event.

Another staff member, Ginetta, who was close to retiring, had been employed by the centre following years of volunteering there. Her entry into the world of migration was motivated by a sense of goodwill and desire to learn new skills. Her decade-long presence in the office had pushed her into a senior position and, with Alberto, she shared the responsibility of visiting the *Questura* for weekly meetings to follow up on delayed or complicated cases. While Alberto enjoyed what he called “finding the right road for each case,” Ginetta found the process stressful and was erratic in how she dealt with cases. Like other staff members, she did not share Alberto’s flair and finesse for quickly understanding different laws, how they overlapped or contradicted each other, and how they could be manipulated. In contrast to Alberto’s easy-going style, Ginetta had a strict and formal manner. At moments when tensions were running high she would become frustrated with migrants’ lack of understanding or assertiveness. Yet despite her shortness of temper, she never refrained from employing the formal mode of address with clients. (This mode, which denotes respect, is always used in public offices in Italy, but was rarely heard in the centre.) Moreover, while she did not have the same expertise as Alberto, many clients were deeply grateful to Ginetta for issues she had resolved for them, particularly in relation to her role in charge of citizenship applications. On Tuesday mornings I often accompanied her to the *Prefettura* (where citizenship applications are processed), helping her carry the stacks of applications which she needed to

deliver. She was always in a good mood on these Tuesday mornings, commenting on the respect and good-manners of the officials at the *Prefettura* in contrast to the police officers (*poliziotti*) at the *Questura*. Staff members and clients viewed officials at the *Prefettura* more positively than those at the *Questura*, in part because *Prefettura* officials were considered to have more sympathetic attitudes to migrants. In Ginetta's case, despite her severe demeanour, she was a kind, generous and warm-hearted individual, but one who suffered from the heavy workload and stress of her job.

After Ginetta, the longest standing staff member was Biniam. Originally from Eritrea, Biniam arrived in Italy almost ten years ago. His sister, Chiara (an original volunteer at the centre), encouraged him to volunteer in order to keep busy while he sought full-time employment and sorted out his documents. After years of volunteering and being paid only his expenses, Biniam was finally hired on a temporary contract but with a salary considerably lower than other staff members'. Five years on, Biniam still held this temporary contract. He attributed his lowly position to racial discrimination and the fact that he lacked the connections within the central trade union offices considered essential in order to be granted a permanent position. Like Alberto, Biniam was highly knowledgeable regarding legal issues pertaining to migration, particularly with those concerning asylum. As with many Eritrean migrants, Biniam had applied for asylum himself, an application which he later revoked after being conferred with citizenship thanks to his Italian grandfather. Due to a genetic condition affecting his eyesight, Biniam was unable to complete application forms and therefore worked exclusively on the reception counter.

If Biniam and Alberto were well informed on migration issues, this was not the case for Giorgio. Having left school at 14 to work in an engineering factory, Giorgio was subsequently hired as a delegate by the trade union's engineering sector, a common trajectory for union staff. It was rumoured that his eventual transferral to the advice centre had been a way for the engineering sector to dispose of him – a rationale fitting with the centre's reputation within the central trade union offices as inferior and unimportant. Giorgio knew little about immigration issues and seemed to care even less; he was often teased for always being ready to leave work at six o' clock on the dot, while other, more dedicated staff members would stay later. His

manner with clients varied. Sometimes he was jovial and friendly, while at other moments he was irritable and sharp-tongued. His not infrequent mistakes in the information he disseminated, and in application forms he completed, caused Alberto great exasperation.

Also hailing from the trade union's engineering sector was Al Alami, a Moroccan man who worked between the centre and engineering sector. Being an Arabic speaker, he was often called away from his desk to act as interpreter on the counter. As described to me by many in such a position, the trajectory of Al Alami was one common to migrants employed at the trade union, who after working in factories and being a trade union delegate for many years, eventually become employed full time by the trade union. The employment of such individuals is essential to the trade union, since increasingly those who work in the dominant sectors it represents are also migrants. Those such as Al Alami, who were long time union members themselves, were perceived to be able to bridge the gap and enlist more members, as well as providing the necessary assistance to those already enlisted.

Finally, exemplifying the idea that connections count, Francesco and Elisa were said to have been employed at the centre through links to high-ranking officials in the central trade union offices: family connections in Elisa's case, and political connections to the PD (*Partito Democratico* [Democratic Party], which is Italy's main left-wing political party and is closely aligned to this trade union) in the case of Francesco. Among themselves Chiara (a volunteer who will be introduced below), Biniam and Alberto who were close friends as well as colleagues, frequently discussed patronage within the trade union. It was considered necessary to have contacts in order to get ahead, and they often gossiped about how different staff members had been employed thanks to their connections. Biniam and Chiara freely admitted that Biniam's employment had resulted from Chiara putting pressure on contacts she had in the upper levels of the trade union administration. In the case of Mirkena, a volunteer who was formally employed during my fieldwork period, rumours circulated that her employment was due to the fact that she allied herself with Maria. Maria's take-over had created tension and some staff members considered Mirkena's employment an effort to bolster her support-base at the centre, particularly in light of the fact that the trade union was in financial difficulties. In any case, hirings and firings within the trade union were considered to be situated within

systems of patronage and personal interests that my informants – from the centre and beyond – felt were prevalent in Italy. Despite the rumour that Francesco had been employed due to nepotism, in comparison to other staff members he was knowledgeable regarding immigration law matters and was well-mannered with clients. In contrast Elisa was privately mocked by some of her colleagues for her ignorance regarding migration issues. She spent much of her time at the centre playing solitaire on the reception computer.

VOLUNTEERS

Volunteers were central to the running of the reception counter. They were generally drawn from the ranks of socially conscious Italian students who wanted work experience, or from those of migrants themselves. Those who were migrants tended to be motivated by a desire to help others, or in some cases by the possibility of financial gain. On several occasions it was discovered that volunteers had been charging clients for services that were intended to be free at the centre. As will be explored in Chapter 4, volunteering at the centre offered migrants possibilities for financial gain and professional standing that were not easily available in Italy. These transactions usually occurred within migrant communities.

Chiara, Biniam's sister, was one of Brigadini's first volunteers and still volunteered at the centre several times a week. Originally Eritrean, Chiara arrived in Italy when she was 13 years old, preceding her brother's migration by almost two decades. Like Biniam, thanks to their paternal grandfather's Italian ancestry, Chiara was an Italian citizen. She occupied an in-between position in Italian society. She strongly identified as an "immigrant" but saw herself, and was considered to be, different to other migrants. Her fluent Italian language skills, manner of gesticulation, style of dressing and name identified her as Italian. Reflecting this, as well as the fact that her Tigrinya was imperfect, fellow Eritreans (including her brother) frequently commented that she was not "*really*" Eritrean.²³ Yet her dark skin and braided hair excluded her from being considered Italian, and thus she found herself betwixt and between (see Chapter 6). Chiara brought a fun and energetic

²³ Tigrinya is one of the main languages spoken in Eritrea.

atmosphere to the centre during her afternoons there. Bossy, strong-willed and very knowledgeable about migration issues, Chiara would interrupt if she heard a less experienced volunteer or staff member giving incorrect information and, unlike most staff members, would put herself out to “go the extra mile” for clients. If their needs were beyond that of the centre’s remit, rather than just referring them to a different office she would make phone calls and do her utmost to help. The last remaining volunteer from Brigadini’s original group, Chiara was keen to foster a sense of migrant communal identity and support, and treated clients with compassion, warmth and respect. In the 20 years she had spent in Bologna, Chiara had cultivated a network of friends and contacts in the *Questura*, municipality, social services, trade unions and political parties.²⁴ She activated these networks to help individuals in need at the centre, and those whom she encountered elsewhere.

Unquestionably motivated by a desire to help others was Mehdi, a Moroccan volunteer. Mehdi held radical left-wing views and was dedicated to struggles against inequality and racism. He was frequently called on to help other Moroccans, but unlike other staff members and volunteers who were migrants themselves, he felt equally responsible for the plight of those from other communities (see Chapter 4). His working style on the counter was manic and he would flit from case to case, sometimes leaving people confused and unsure. When he felt someone was being rude he became angry, tearing up the piece of paper or list of requirements that he was writing on. However, despite his extreme mood swings, he was dedicated to helping those he felt were in need and upheld strong principles of social justice. Shortly after having been employed by a co-operative that dealt with domestic worker contracts and permit renewal, Mehdi resigned. He felt that the co-operative did not have migrants’ best interests at heart and claimed that it was more interested in making money. Having rejected this possibility of a secure income, Mehdi continued to survive on the little money he received doing irregular translation work. In addition to Mehdi and Chiara, a number of other volunteers staffed the centre. They will be introduced in following chapters.

As well as the staff members and volunteers, the centre also employed two lawyers who were paid a minimal fee by the trade union to consult with clients. The lawyers offered a free consultation and reduced rates if the case needed to be

²⁴ Chiara previously lived in Umbria.

continued. In theory only trade union members were entitled to this service, but in practice staff members and volunteers referred people whether they held membership or not. The lawyers' reputation in the centre was mixed. Comasco, a male lawyer, was perceived to be arrogant.²⁵ Alberto and Chiara privately complained that he only took on cases that he thought were interesting. Angela, on the other hand, was described as anxious and overly cautious, quickly telling clients that their cases were "impossible". Towards the end of my fieldwork, not trusting the competency of either Comasco or Angela, Alberto surreptitiously referred clients, in particularly difficult situations, to a highly qualified and socially sympathetic lawyer who worked outside of the centre but did some voluntary work.

"PRACTICAL STUFF": THE INDETERMINACIES OF ADVICE

The great variety of working practices among staff members meant clients' experiences at the centre and, in some cases, the outcome of their applications, were contingent upon which staff member they were seen by. Staff members' official role was to complete forms and advise clients on which documents were required for particular applications. Much of their work reflected this, as staff members in the inner space of the office completed forms, while those on the reception counter distributed lists that outlined the requirements of particular applications and checked the status of permit renewal. Many clients, however, presented problems that could not be solved by form-filling or distributing lists of requirements. Often clients required practical advice that was not written down in laws. As a law student, my friend Jovan was well versed in official immigration law. Visiting the centre because he needed information regarding how his parents could obtain the long-term permit, he told me the following: "there is always a gap between what is written and what is actually put into practice, this place [the migration advice centre] is good with the practical stuff." It was this "practical stuff" which took up much of the centre's work. Given its unofficial and shifting nature, however, reliably advising on the "practical

²⁵ His full name was Nicola Comasco, but he was always referred to by his surname – Comasco.

stuff” was difficult, and not all staff members were sufficiently knowledgeable to do so. As Alberto informed us during one Thursday morning training session:

There is the law but then there is the *Questura*. How they [*Questura* officials] choose to implement the law changes, and it changes from *Questura* to *Questura*, from official to official and from day to day. If a case is complicated or does not have a straightforward answer, make sure you come and talk to me. In some cases what might seem impossible *is* possible. But at the same time we have to be careful not to tell people that something is possible which is not.

At the bar later that evening Alberto told me how he was irritated by the way in which Giorgio had handled a case. Giorgio had told a Cuban client, Carla, that she was required to re-do a family reunification application for her daughter because she had failed to attend the necessary appointment a year ago. “Her daughter is a minor – she can’t be expelled. In situations like this, there *is* a way around,” Alberto recounted to me. Alberto was annoyed with Giorgio because instead of attempting to help Carla, or simply referring her to Alberto, he had dismissed her. This demonstrated both his lack of desire to help and a poor understanding of the law. Familiar with Alberto as he had advised her on a separate occasion, Carla sought him out after her unsuccessful consultation with Giorgio. She had applied for her daughter to join her in Italy through the family reunification process. When completing the original application, Carla had applied through the *Questura* of Naples, where she had residence but did not live (in Italy residence and domicile can be different).²⁶ She lived and worked in Bologna, but according to the requirements of family reunification her accommodation in the city was not sufficiently capacious to accommodate both her and her daughter. In consideration of these circumstances, on the application form Carla had declared her Naples address (the house of her former employer) to be that where her daughter would live. When the daughter

²⁶ The subject of residency vs. domicile will be further discussed in Chapter 6. Residency is a beneficial, but not essential, bureaucratic status for people (both migrants and native Italians) living in Italy. With it one has access to various entitlements, ranging from parking spaces to welfare. However, while residency offers advantages it is not essential for migrants to hold. For permit renewal and family reunification applications, registered domicile is sufficient. As in the case of Carla, it was common for people to hold residency in one place and domicile in another. Thus, on some occasions individuals either did not have an official place of residence or did not reside in their place of residence, and instead held only domicile. As we will see in Chapter 6, this became problematic when applying for citizenship.

finally arrived, however, Carla could not afford to pay for the train down to Naples. Consequently she missed the obligatory meetings at the *Prefettura* and *Questura* of Naples where her daughter's permit would have been issued, meaning that officially the daughter was not present on Italian territory. As a result, the girl did not hold a permit and was technically "illegal". Alberto gently berated Carla. She should have put the address of a friend's house on the application form, he told her. A friend who lived in a big enough apartment could have done Carla a favour and, for the purposes of the application, given "hospitality" to the daughter. In reality this would not be the residence of the girl, and when she arrived a different address could be declared. Now the situation was more complicated because Carla's daughter had been living in Italy for over a year without her presence being declared at the *Questura*.

Although complicated, contrary to Giorgio's advice there was a way around this problem. As a solution Alberto wrote a cover letter to the *Questura* of Bologna asking them to overlook this mistake, and completed the application form manually rather than on the computer. Application forms were usually filled out electronically via the *patronato* online portal. This was essential in order for the centre to receive funds from the state for each application completed. In some cases, however, the applications were completed by hand (losing out on the funding). This occurred if staff members were behind schedule and a volunteer completed the form (although in theory only *patronato* staff should complete the electronic forms), or if the staff member did not want a particular application form to be registered with the *patronato*. When I asked Alberto why he had not used the electronic version in the case of Carla, he told me that the *Questura* would be more likely "to turn a blind eye" if the application form had been filled out by hand which, unlike an electronic version, would not be officially recorded or archived. In this case employing a cover letter and a hand-completed application form, Alberto was hoping that the *Questura* would overlook Carla's error and process the application. Under Italian immigration law minors cannot be expelled, therefore it was likely that the *Questura* would, in this case, be compliant.

Cases such as these were presented at the centre daily and usually referred to Alberto or Ginetta, in view of the fact that it was they who attended *Questura* meetings. Not all such cases, however, reached the desks of Alberto or Ginetta, and it was down to luck or migrants' own initiative and persistence as to whether their

cases were pursued. As such, clients at the centre received advice of variable quality. This was due to the nature of the law itself which made giving “good advice” difficult, the attitude and knowledge of particular staff members, and the centre’s heavy workload, which meant that not all visitors could obtain equal attention.

A NOTE ON THE TERM “CLIENT”

So far I have referred to those who frequented the centre as “clients”.²⁷ Given the fact that the centre was a trade union, and that its form-filling services were free of charge, I recognise that this is not a wholly appropriate term. In fact, the difficulty of finding an appropriate term is due to the ambiguous role of the centre and nature of its visitors. Those who were trade union members would be better described as members, while those who visited the centre for form-filling services should perhaps be labelled recipients or applicants. This reflects the blurred boundaries between the trade union and the welfare state. Additionally, the term client suggests the exchange of money, which was a contentious issue at the centre (see Chapter 4).

According to the Oxford English Dictionary, the term “client” refers to “a person or organisation using the services of a lawyer or other professional person or company” and “a person being dealt with by social or medical services”. While there may be inappropriate connotations to the term “client”, it does encompass the various roles of those who frequented the centre. Thus, for want of an alternative I will continue to call those who frequented the centre “clients”.²⁸

CONCLUSION

²⁷ At the centre staff members referred to clients as “*utenti* [users]”.

²⁸ See Dubois for a similar discussion surrounding terminology (2010: 9-10).

The centre's ambiguous role and the importance of individual staff members' knowledge, expertise and personality were deeply intertwined with the wider ambiguities within the documentation regime. The shifting nature of immigration law in terms of top-down policy-making, and on the ground discretionary implementation, meant that providing good advice required expertise, and could not be disseminated in a generic fashion. The following chapter explores the shifting terrain of immigration bureaucracy, showing how particular kinds of attitudes are necessary in order to navigate it, or even to obtain advice on how to do so.

CHAPTER THREE

WORKING THE GAP: MIGRANTS' NAVIGATION OF IMMIGRATION BUREAUCRACY

INTRODUCTION

This chapter illustrates migrants' everyday experiences with the Italian immigration bureaucracy, which were characterised by uncertainty, arbitrariness and frustration. As the case studies presented will illustrate, encounters with the documentation regime were critically important to individuals' lives. Application outcomes decided whether one's child would come to Italy, if one could leave the country to visit a dying relative, or whether one could return home. The difficulty in attaining citizenship, or even long-term permits, meant that most migrants faced permit renewal every two years. For those lucky enough to have secure legal status, encounters with the regime continued through family and friends. Thus, dealing with the documentation regime was a defining feature of what it meant to be a migrant in Italy and was experienced by my informants as all pervasive and intrusive.

The documentation regime's arbitrary and uncertain nature, however, also made it flexible and relatively easy to manipulate. By drawing on concepts of social navigation (Vigh 2006, 2009), the second half of this chapter will explore the way in which, through engagement with the bureaucracy's arbitrary and uncertain terrain (Vigh 2006), migrants developed strategies to manipulate the law's loopholes and aid the acceptance of applications. Giving attention to the banal and everyday practices of form-filling and other bureaucratic activities reveals ways in which migrants employed strategies to take advantage of the law's uncertainty. Such strategies required migrants to develop particular behaviour and attitudes. Thus, as well as creating anxiety, the ambiguous character of the documentation regime also created possibilities for its users. As I will suggest in the conclusion, however, while useful, these strategies held limited advantages.

Long waiting times marked migrants' experiences of the Italian documentation regime and were often the prime reason for anxiety. These waits included queuing at the *Questura* to provide fingerprints for permit renewal or collection, waiting months for a renewed permit to be issued or to hear information about a family reunification request, and waiting years to hear about citizenship applications. Other sources of anxiety included the issuing of already expired permits, permit renewal paperwork being suspended without notification to the applicant, and the *Questura*'s denial of having received submitted applications. Migrants often understood and rationalised the long waiting times as being caused by mistakes they must have made in the completion of applications. During my fieldwork period applicants could wait six months or longer for the issue of a two-year permit. "Is there something wrong with my application?" clients anxiously asked when checking the status of their permit renewal at the advice centre. "It doesn't say anything here. Only that it is *in trattazione* [that they are still working on it]," was a common response from staff members as they looked at the police webpage on the computer monitor. "You just have to wait." Yet such replies offered little comfort. The *Questura* often failed to inform people when the reason for this delay was that documents were missing, causing applications to be "blocked" for months on end. In other cases the *Questura* did inform applicants about problems with their applications. Letters would be sent to applicants' addresses detailing additional documents that needed to be presented, or stating that the application had been rejected. These letters consisted of generic statements in technical and legalistic language which did not inform applicants of the specific reason for the rejection (see also Good 2007: 104). Much of the centre's work involved translating these letters to applicants and, at times, contesting the decisions made by the *Questura*.

The months of waiting for permit renewal were long and frustrating, not least because during the renewal phase migrants inhabited a limbo state in which they were neither "illegal" nor entitled to the rights and freedoms of a valid permit holder. Those in such a position lamented their inability to make large purchases, take driving lessons or sit university exams. Worse still, they were limited in their freedom of movement, access to health care and to employment opportunities. These

periods led to migrants feeling disenfranchised and humiliated, as everyday events such as buying a television or signing a phone contract became impossible. Not only was the renewal period inconvenient, it was also highly stressful. If applicants had lost their job or not earned a high enough salary the previous year, they risked their application being rejected. Even when applicants held all the correct requirements, their distrust of the *Questura* and its seemingly ever-changing rules made many feel unsure of their status until the priceless new permit was actually delivered. Clients at the centre frequently complained that the stress was making them feel physically ill so that they were unable to sleep or eat properly: “I have eaten my health [*ho mangiato la salute*]”, one woman told me. On receiving the good news that permits were ready, people often broke down, cried tears of joy, and hugged and thanked whoever had given them the news.

Difficulties and uncertainties experienced by migrants were in large part due to the same factors affecting most street-level bureaucracies. In her study of the Florence Immigration Office, Triandafyllidou (2003) observed officials interpreting the law in ways to benefit applicants, exercising favouritism and at other times ignoring problems or putting applications on hold in order to maintain apparent efficiency. Such discretionary practices worked to both the advantage and disadvantage of migrants as the officials’ practices “ranged from a situation of absolute bureaucratic unresponsiveness to full human flexibility” (Triandafyllidou 2003: 283). Like Hoag’s study of the South African immigration office (2010), these Florence officials were in some instances sympathetic and in others discriminatory towards particular individuals according to various factors such as their mood, the migrant’s nationality and personal story, as well as their workload. In a similar vein, with reference to the asylum process in the UK, Good has written that the processing and assessing of applications is characterised by “abuses and procedural deficits” (2007: 101), including immigration officers’ misunderstanding of the process, officers’ preconceptions about “genuine refugees” and the improper conduct of interviews (2007: 99-101). Thus, across these ethnographic settings, staff members and officials “uphold official discourse while simultaneously undermining it” (Hoag 2010: 7). As the case studies that follow will illustrate, such practices worked in migrants’ favour as well as against them.

The case of Sandra, a young Ghanaian woman, exemplified the frustrations and stress that migrants experienced during renewal. Pushing a buggy with a big

nappy-bag hanging on its handles and a full leather shoulder bag with documents poking out at the top, Sandra struggled into the centre on a quiet afternoon with her tiny newborn baby Daniel. She had visited the centre several times and, having previously acted as her interpreter, I remembered her well. She had been to her fingerprint appointment at the *Questura* eight months earlier and for several weeks had made frequent visits to the centre to check the status of her permit, always being told to wait “a little longer” as the *Questura* was processing permits of those who had provided their fingerprints before her. “Next time we’ll take a copy of your *ricevuta* [receipt for renewal],” they said.²⁹ In cases where the waiting time was proving abnormally long, *ricevute* were photocopied and Alberto or Ginetta used these when making enquiries at the *Questura*.

²⁹ *Ricevuta* is the singular, *ricevute* is the plural.

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 Euro Postal

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RICEVUTA
 Assicurazione ASSICURATA
 Si prega di compilare e consegnare a richiesta o in stampato

G.S.A. per conto della Questura di
 DESTINATARIO
 Viale Trastevere
 VIA / PIAZZA
 00155 ROMA
 C.A.P. 00155
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Figure 7: A photocopy of a receipt for permit renewal (*ricevuta*). This photocopy also includes notes written by a staff member. Copies like this were taken to the Questura to enquire about

On this particular day, when Sandra was told that she would have to wait a little longer before enquiries about her application would be made, she broke down. “I have moved to Modena [a town about 38 kilometres away]. I can’t keep coming back and forth with the baby. Before my sister was here to help me but now she has gone back to Ghana.” Seeing how distressed she was, the staff member at the counter

photocopied Sandra's *ricevuta* for Ginetta to take to the following Friday *Questura* meeting. Having promised Sandra I would phone her as soon as there was news regarding her permit, the next week I enquired about the *Questura*'s response. "Suspended for grave motives," Ginetta read out. "What motives?" I asked her. "I don't know. Truly, I am getting more and more fed up with the *Dottoressa*'s [vice-director of the *Questura*] responses!" It was Friday afternoon, Ginetta's afternoon of "receiving the public", and the queue of people waiting to see her was growing and becoming increasingly impatient, so she implored me to follow the issue up with Alberto instead. Seeing me approach, Alberto took the opportunity to excuse himself from the group of people sitting around his desk and led me to the side entrance of the centre where he could smoke. I explained Sandra's situation to him and the response Ginetta had been given by the vice-director. Alberto rolled his eyes with frustration at Ginetta's meek acceptance of the vice-director's response and promised me that he would take the *ricevuta* with him to the following week's meeting at the *Questura*. I reported back to Sandra, making up an excuse as to why there was still no information regarding her permit.

The following Friday Alberto returned with news that Sandra's permit was actually ready. The previous week's misinformation, therefore, had resulted from an error on either Ginetta's or the vice-director's behalf. I phoned Sandra to tell her the good news. Two days later, however, Sandra returned to the centre distraught again. Earlier that morning she had been to the *Questura* to collect her permit but had discovered that it would expire in three months' time (instead of lasting for two years). On collection of issued permits it was common for applicants to discover that their newly-issued *permessi di soggiorno* were either expired or close to expiry.³⁰ This meant that the costly process of renewal had to be repeated and the semi-legal limbo status that came with it resumed. In cases such as these, migrants would turn up to the centre fuming. Once the permit had been issued and accepted by the individual, however, there was nothing the centre could do. "You shouldn't have signed for it," staff members told clients. Their bewildered facial expressions communicated that they had not realised it was optional. Besides, after months and months of waiting for the desired permit, one was hardly likely to reject it. Similar

³⁰ *Permesso di soggiorno* means permit to stay. *Permessi di soggiorno* is the plural. They were usually referred to as *permesso* (singular) or *permessi* (plural).

events took place when migrants applied for the long-term permit but were then issued instead with the regular permit with no explanation. Those in such situations were required to re-apply and re-pay the application fees. Once the permit had been accepted and signed for it was too late.

As I later discovered, the reason for Sandra's desperation lay in her intention to travel with her baby to Ghana, where she planned to leave him with relatives to be cared for while she returned alone: "It's not possible otherwise," she told me, "I can't work and look after him here." With her permit expiring in three months, however, she would be forced to return to Italy before its expiry or risk not being able to return at all. After mulling over Sandra's situation, Alberto told her that she should put in the application for her permit renewal now. With the receipt for renewal plus the expired permit she should be able to return to Italy without problems. Since permits can only be renewed up to two months before their expiry, there was a risk that Sandra's application for renewal could be rejected, but the receipt for renewal would nonetheless grant Sandra access back into Italy even if her new permit had already expired. I did not see Sandra again and can only presume that this plan was successfully executed.

In this case Sandra was a victim of the *Questura's* usual delays in permit issue. Such delays have been documented across *Questura* in the country (Zucchini 1998 in Zincone and Caponio 2006: 14). Alberto's quickly conceived and resourceful plan to take advantage of the *ricevuta* as a means to allow Sandra longer in Ghana was useful. This act, however, followed weeks of Sandra to-ing and fro-ing from the centre and being issued with contradictory information. The centre's role was to advocate on migrants' behalf, but it also played a role in the production of confusion and frustration.

THE CIRCULATION OF MISINFORMATION

As well as the long waiting times and other effects of a seemingly chaotic bureaucracy, instability was caused by the perception that the law was constantly changing and in flux. Joy, a Nigerian woman, arrived at the centre early on a typically chaotic Monday morning. She had come in the previous week to ask for a list of documents needed to apply for a long-term permit as the mother of an Italian

citizen. Applications for permits as the family member of an Italian citizen entailed a specific set of bureaucratic requirements, with applicants obliged to submit paperwork in person at the *Questura* rather than via the postal system. Accordingly, Joy had woken up early, arriving at the *Questura* at 5am to obtain an appointment number in order to be seen when it opened at 8.30am. Since officials routinely turned migrants away because of missing paperwork, visits to the *Questura* often needed to be repeated. As with many other applicants, Joy's Monday morning trip was wasted, as the policeman she eventually saw informed her that she was missing documents, and she was sent away with a scrap of paper on which the policeman had handwritten:

- *Certificato di idoneità alloggiativa* – certificate attesting to the size of accommodation and how many people it can accommodate
- *Contratto di locazione registrato* – registered rental contract
- *Atto di nascita del figlio* – son's birth certificate

These were three requisites which, according to usual Bologna *Questura* practice, Italian immigration law, and the advice centre's list of necessary documents, were *not* in fact required for relatives of Italian citizens. But it was common for applicants to be turned away from the *Questura* or to receive letters at home because their applications lacked documents which were not, as it turned out, officially required. Presuming that the *Questura* had not understood that she was the mother of an Italian citizen, a staff member at the centre told Joy that she should now return to the *Questura*, this time with the birth certificate of her son, and explain again that it was on these particular grounds that she was applying for the long-term permit.

Two days later, and after another unsuccessful 5am start at the *Questura*, Joy returned, deeply frustrated and anxious about the situation. She was also concerned that her work contract might be suspended – her permit was due to expire the following week and McDonald's, where she worked, had a strict policy that workers must have a valid permit, or a receipt for permit renewal, at all times (in spite of the fact that the law allows a 60-day period of grace to renew permits after their expiry). On this occasion Alberto came out from the back of the office and saw Joy in floods of tears. He ushered her to his desk and phoned the *Questura* to find out if these

documents were really required. The policeman who answered replied that in “some particular cases” these documents were indeed required, but did not give any specific explanation as to why this was so in Joy’s case. Trying to find a solution that would allow Joy to procure the receipt for renewal as soon as possible – fortunately, Joy did have these extra documents at home – Alberto filled in the usual postal application: the one that applies to migrants who have *no* family connection to an Italian citizen. In doing so, he circumvented further face-to-face contact with the police officer, enabling Joy to obtain a receipt for renewal as soon as she had sent the application from the post office.

These kinds of occurrences led to migrants at the centre frequently lamenting that “the law changes from day to day”. In reality, there is little change in immigration law, but the great flexibility and myriad *interpretations* of the law by different actors means that individuals experienced it as fickle and shifting. As the next case study illustrates *Questura* frequently interpreted and implemented the law differently. This meant that requirements for long-term permits or family reunification, for example, shifted according to locale.

“THE LAW CHANGES FROM BOLOGNA TO FERRARA”: FATOS AND THE ELUSIVE LONG TERM PERMIT

Diverse implementation of law according to locality led to statements such as, “the *carta* [long-term permit] is hard to get in Bologna, but they are soft on *coesione familiare* [a type of family reunification]”, or “in Reggio Emilia family reunification is quick and easy”. Chiara joked that migrants should hold residency in cities across Italy and pick and choose which *Questura* to use depending on the reputation of strictness regarding particular applications. In fact, when Al Badisi’s – Chiara’s partner – mother came to Italy, he ensured that his mother took residency with his sister in Reggio Emilia (72km from Bologna), where permit issue was considerably faster than in Bologna. The high level of discretion which officials in different *Questura* implemented is related to Italy’s legal system, in which laws are imposed on top of each other without necessarily revoking previous legislation (Pini 1995: 11). As Pini notes, the result is inevitable: confusion prevails and many acts of legislation are simply ignored (*ibid*). In terms of immigration policy implementation,

the existence of different and sometimes contradictory laws leads to individual *Questura* directors personally deciding which law to follow. Alberto and Chiara explained to me that the implementation of laws by *Questura* hinged on the political stance of the *Questura* director and the particular pressures to which that director might be subjected. Despite Bologna's left-wing reputation, Alberto and Chiara informed me that the contemporary director was "*alla destra* [right-wing]". Concurring with such a view, in her study of the Florence immigration office, Triandafyllidou has noted that local practice of immigration law was "motivated by political party interests, economic interests or personal deviant conduct that is tolerated in the public service" (2003: 276). Accordingly, divergent practice was due to a host of factors including wider legal, political and economic dynamics, as well as individuals' behaviour and attitudes.

The long-term permit – otherwise known as the *carta* – was a source of much contention and stress during my fieldwork at the centre. The long-term permit does not expire and, as Ginetta once said, "is every immigrant's dream". While this statement may be an exaggeration, holding the long-term permit did mean an end to the continual cycle of permit renewal as one's legal status was no longer contingent upon employment status or annual salary – a comforting and reassuring prospect. The *Questura* of Bologna was, however, strict regarding the issuing of the long-term permit and frequently changed the requirements necessary for its application. During my fieldwork period there was much controversy as to whether the long-term permit needed to be updated or not. In 2006 all new permits issued were electronic, the size of credit cards with chips containing the holder's anagraphic data and fingerprint records. On the front of these new electronic permits there was an "expiry date", since after five years the document's anagraphic data needed updating, but this was not a new application for the document itself. Employment and salary status were, in theory, not re-regulated.

In spite of this, this type of long-term permit came to be known as the "five year *carta*", while those with the old A4 paper versions would proudly say, "I have the *carta indeterminato*".³¹ In 2011 the first batch of these new electronic long-term permits needed to be updated and there was great uncertainty about the exact

³¹ *Indeterminato* and not *indeterminata* because its official term was "*permesso di soggiorno di lungo periodo*". However, people continued to call it the *carta*, as it had been previously known, which explains the grammatical error in "*carta indeterminato*"

procedure. The holders of the “five year electronic *carta*” were very anxious that their document might expire, and some staff members and volunteers were wary about reassuring clients, unsure of the *Questura*’s future behaviour. To complicate matters, in 2010 the format of the electronic long-term permits was changed. On the front they no longer displayed an expiry date but instead read “*illimitato*” (unlimited). Yet on the reverse side, hidden in the barcode, there was the expiry date (indicating when the anagraphic data was to be updated). Consequently, although all the different formats of long-term permits bestowed the same rights, those who had the “five year” version felt short-changed and wanted to complete the application for the new *illimitato* permit. Staff members and volunteers tried to convince clients that the update was a waste of money (nearly 100 euros per application) as both the “five year one” and the “*illimitato* one” were the same; both needed to be updated every five years and both were indeterminate. In general, however, clients were obstinate in their desire for the “*illimitato* one”. “It is better to be safe than sorry,” they said – 100 euros seemed a small price to pay for such security. Migrants thus drew on their own understandings of the legal processes, which were a blurring of “official” and “unofficial” versions (see also Coutin 2000). This “blurring” was not only evident in migrants’ understanding of the situation but was also reflected by *Questura* practice and the centre’s advice. While staff members informed clients with conviction that the law – *la legge* – says that the “five year *carta*” did not need to be renewed but merely updated, cases existed of applicants being newly required by the *Questura* to present evidence of salary or employment. Reflecting this uncertainty, for a period of time when completing applications for updates, staff members began to include evidence of applicants’ salary and employment (if available) – “just to be on the safe side” they said. Thus, both migrants and advisers were drawing on “official” and “unofficial” versions of law. As a result, migrants were required to make decisions and take action according to conflicting and contradictory information. In the case of the long-term permit, migrants tended to place their trust in the materiality of the written word – “*illimitato*”.

Another contentious issue regarding the long-term permit was whether spouses of *carta* holders were required to demonstrate they had lived in Italy for at least five years in order to obtain their own. Five years of residency in Italy is a requirement for the long-term permit. But a separate piece of legislation – *Articolo 30* – states that spouses of *carta* holders, by virtue of their marital status, are

automatically entitled to hold such a document, notwithstanding length of time spent in the country.³² In spite of this piece of legislation, however, the *Questura* of Bologna enacted a discretionary policy that meant only spouses who had lived in Italy for a minimum of five years were eligible. Reacting to this, clients came into the centre complaining that their friends' spouses living in Ferrara, and other nearby places, had been successfully issued with long-term permits after only a year of residency. Staff members and volunteers responded by saying "the law changes from Bologna to Ferrara". Fatos, who was well dressed, spoke fluent Italian and had lived in Italy for a long time, frequently visited the centre to seek advice from Alberto. His wife had arrived in Italy from Kosovo several years ago and in the past year they had had their first child. When migrants' children are born on Italian territory they do not obtain Italian citizenship, but rather are born nationals of their parents' country of citizenship. Therefore, as foreign citizens, they must be included in the permit of one or both of their parents. Following his son's birth, Fatos completed the paperwork so that his baby could be added to his wife's long-term permit. This was a simple update rather than a renewal. Months later, however, when they went to collect the newly issued document, Fatos discovered that a permit lasting only two years had been issued to his wife. He stormed furiously into the centre and asked Alberto what could be done.

After making enquiries at the *Questura*, Alberto discovered that Fatos's wife's long-term permit had been revoked because the *Questura* deemed that she had been erroneously issued with it. At the time of her original application, Bologna *Questura* practice allowed spouses of long-term permit-holders to apply for the *carta* regardless of how long they had been resident (as the law dictates). Because the Bologna *Questura*'s interpretation of the law had since changed, however, the official who handled her application considered that she had been unlawfully issued with it: at the time of the original application she had been in Italy for only two years. When I left Bologna, months after the revocation, the issue was still unresolved and Alberto had referred Fatos to a top immigration lawyer, Sabina. Alberto often called on Sabina in difficult cases. She was a socially conscientious

³² When I use the term residency here I am referring to simply living in Italy. In Italy residency is a bureaucratic status independent of domicile and is unrelated to immigration matters. It was five years of domicile not residency that was required in order to apply for the long-term permit. The subject of residency will be discussed in Chapter 6.

lawyer with an excellent reputation, and she gave legal advice to migrants on a voluntary basis. Given Sabina's reputation she would be better placed than the centre's lawyers to put the appropriate pressure on the *Questura* to reverse the decision.

This divergence between the law and how it was interpreted and practised by different *Questure* and their officers was a central feature of the instability and insecurity of the documentation regime. On Thursday mornings at the staff and volunteer training sessions Alberto would emphasise the importance of appreciating the gap between what the law *says* and what the Bologna *Questura* *does*. He told us to exercise caution about the information that we disseminated as there was often not a straightforward answer to people's queries. Clients should be informed of their options yet not be told things that might not be possible to achieve. Complex cases, Alberto told us, should be referred to him. As will be discussed later, this was problematic, as almost all cases were complex and Alberto had a heavy workload. The situation of spouses' rights to the long-term permit was a case in point. Information given as to whether spouses who had lived in Italy for fewer than five years were able to apply for the *carta* depended on the staff member and their assessment of the individual's capacity to understand. If the individual was persistent and seemed astute, and providing the counter was not overrun by clients, they would be told that they could *try* applying for the long-term permit. At the same time, they were told to prepare for the application to be rejected and that overturning any decision would require a lawyer, and be a lengthy and pricey process. Staff members thus tended to inform clients that five years of residency was a strict requisite in applications for the *carta*, despite the fact that this was actually a misinterpretation of the "official" law by the Bologna *Questura*.

In her work with Salvadorans in the US, Coutin has illustrated the way in which migrants devise their own understandings of "what legal status consists of and how to get it" (2000: 11). She notes that although these understandings may be "factually incorrect", they "provide an account of law as seen from the realm of 'illegality' in which the undocumented are located" (*ibid*). Building on this point, my ethnographic case studies highlight not only migrants' understandings of legal processes, but also the way in which these understandings were interlinked with various other understandings and practices of legal processes which may not be "factually correct" (*ibid*). What emerged was a matrix of circulating

(mis)information and practices which were passed between and among migrants themselves, as well as between officials, advisers and others involved in the immigration nexus. In some moments the law appeared stiff and impenetrable, in others, flexible and fluid, and sometimes simultaneously both. It was not, however, only the circulation of misinformation that gave the impression of the law as malleable. Not only were specific laws interpreted and practised differently according to locality, but also in some instances the details of particular acts of legislation were undecided.

UNDECIDED LAWS

In September 2009 the Italian government opened an amnesty for migrant domestic workers without permits. This amnesty gave undocumented domestic workers who had been working in Italy before April 2009 the opportunity to be regularised in relationship to their employer. In reality, however, the law gave the opportunity to be legalised to anybody who was able to find, and usually pay, an “employer”. In the months after the amnesty, young Moroccan, Pakistani and Tunisian men (groups who were very unlikely to be hired for domestic work) frequently came into the advice centre.³³ Having secured fake employers, they were now checking the status of their applications. If the application was successful, after the issuing of the first permit, applicants could then change their “job”. As the case study below will convey, amnesty applications revealed the lack of centralised information on laws, the way in which rules for applications were made and changed during the process, and the extent to which locality determined the law’s practice.

Khan, a 30-year old from Bangladesh who made his living from street-selling, typifies many of the above issues. Khan sold plastic trinkets and roses in Bologna’s main shopping areas. He had lived in Italy for ten years, previously holding a valid permit and working in a factory. However, after losing his job and being unable to renew his permit he fell into “illegality”. Since the expiry of his

³³ These cohorts did not fit the stereotype of what kind of migrant makes an appropriate domestic worker. The overwhelming majority of domestic workers are female. While Filipino men would be considered as acceptable domestic workers, Pakistani, Moroccan and Tunisian men were likely to be associated with drugs, violence and corruption – see Chapter 6.

permit, Khan had been stopped and fingerprinted by the police twice, both times being issued with an expulsion (*foglio di via*) ordering him to leave the country within 48 hours. Those issued with expulsions are expected to leave the country independently. However, like most others in this position, Khan nonetheless remained in Italy. When the amnesty for domestic workers was publicised, Khan jumped at the chance of legalisation. As he told me, life without a permit in Italy was not impossible but it was hard. He described it as akin to living in a “big prison” because he was trapped within the country’s borders. As Khan was not a domestic worker, in order to submit an application for the amnesty he paid an acquaintance to act as his domestic work “employer”.

At the time of the amnesty application period the *Ministero del Interno* (Home Office) had not specified whether those who had previously been issued with expulsions were eligible to apply. Accordingly, migration advice centres across Bologna encouraged people to apply and “see what would happen”, as one staff member described it to me. However, when the applications of those who had received expulsions became increasingly delayed, rumours circulated that those who had been previously stopped and fingerprinted by the police, like Khan, would be refused the issue of a permit. Six months after the submission of applications, Khan and several others came into the centre holding copies of the newspaper *La Repubblica*. The paper contained an article that queried whether holding previous expulsions would lead to negative responses for amnesty applications. It described how variation in responses would depend on the individual *Questura*.

...inflexibility in some provinces and elasticity in others... Rigidity in Trieste, Rimini, Perugia. Clemency in Milan, Venice, Bologna and other provinces. Consequently, uncertainty everywhere. [*inflessibile in alcune province, a maglie larghe altrove... Durezza a Trieste, Rimini, Perugia. Clemenza a Milano, Venezia, Bologna e in altre province. Incertezza ovunque, di conseguenza..*]” (Rumiz 2010 [my translation]).³⁴

³⁴ *La Repubblica*, 4th October 2010.

http://www.repubblica.it/cronaca/2010/03/04/news/l_ultima_beffa_agli_immigrati_spunta_la_sanatori_a_trappola-2499728/

Accessed 15th October 2013.

“So no problems here in Bologna then?” Khan asked me. Unsure how to respond, I took the newspaper into the back office to show to Alberto. He quickly read the article and replied that, in Bologna, those who had received only one expulsion should not experience any problems. As I re-entered the waiting area Ginetta ran after me. She grabbed my arm and pressed her hand to my ear, whispering: “Be careful what you tell them, none of us are sure how this is going to turn out!” The newspaper article demonstrated the way in which local areas interpreted the amnesty’s rules (or lack of) in different ways, resulting in serious consequences for applicants. The issue related to the contradiction between the fact that being “illegal” in Italy is a criminal offence, yet the amnesty was exclusively for “illegal” migrants who had been living in Italy for at least five months.³⁵ As in the case of Khan, those who were issued with expulsions were not physically deported but were expected to leave the country independently. This policy, which layered “illegality” on top of “illegality”, resulted in a large number of “illegal” migrants remaining on Italian territory with expulsions in hand. Since, in this case, the punishment and reward were the same – leaving the country – there was no advantage to be gained by following the deportation order unless forced to. While in Bologna applications by those who held a number of expulsions were put on hold until the *Ministero del Interno* confirmed whether or not holding expulsions would disallow amnesty applicants, other *Questure* behaved differently. In March 2010 a Senegalese citizen was summoned to the *Questura* of Trieste for an appointment regarding his amnesty application. On arrival, the man was arrested and packed off on a plane to Senegal. His crime was that he had been previously expelled for his illegal status but had never left the country.³⁶ Unlike the Senegalese man, Khan’s amnesty application was eventually accepted despite his two expulsions, proving, as the newspaper article reported, that the Bologna *Questura* was lenient in comparison to other cities and that the law was being inconsistently applied.

This case demonstrates that migrants’ encounters with contradictory and inconsistent information were due not only to the ignorance, incompetence or favouritism of officials or staff at advice centres, but also because the official terms and conditions were undecided during the application process. This created mistrust

³⁵ Article 14 of the *Bossi Fini* law.

³⁶ http://www.meltingpot.org/Trieste-Falsa-sanatoria-vere-espulsioni.html#Ud_mpWWstt4
Accessed 15th October 2013.

and confusion among migrants, and also made advice centres very difficult to run and manage, as different individuals were likely to provide contradictory information.

THE UNCERTAIN TERRAIN OF IMMIGRATION BUREAUCRACY

As the above cases have shown, experiences with the immigration bureaucracy were characterised by long waiting times, misinformation and ambiguous laws. Encounters with the immigration bureaucracy were not isolated moments of uncertainty, but rather formed ongoing *conditions* of crisis that characterised migrants' lives. The intensity of this condition varied, depending on circumstance and according to particular times and events. Accordingly, whether issues relating to the immigration bureaucracy were dominant anxieties or only minor niggling worries, encounters with the regime cast an enduring shadow on migrants' lives.

Writing about the actions of agents in uncertain and opaque terrains, Henrik Vigh advocates the usefulness of the concept of social navigation (2006, 2009). In his analysis he argues that the term serves as an “analytical optic which allows us to focus on how people move and manage within situations of social flux and change” (Vigh 2009: 420). He observes that such action is not a metaphor for agency, “but rather designates the interface between agency and social forces” (2006: 14). This understanding of action “highlights the *interactivity* of practice” (2009: 420 my emphasis), thus emphasising the connection between the terrain and the navigation which takes place upon it. In his Guinea-Bissauan context, Vigh argues that social navigation is “*dubriagem*” (2006). *Dubria* encompasses an infinite set of activities: “it does not categorise a certain type of normative praxis but rather designates a category of praxis which is carried out beneath or beside dominant rules and regulations” (2006: 133). With this in mind, he suggests that social navigation is akin to de Certeau's understanding of tactics rather than strategies: a strategy is “an act, or set of acts, leading to the creation of a space, an institutional or sedentary demarcation, by subjects with influence to exercise their will; for those who lack the power to demarcate a space of their will the option is not passivity or resignation, but is instead tactical manoeuvring or navigation” (2006: 134). Vigh's informants' acts

of *dubria* – social navigation – are, therefore, tactics which are fluid, creative and manipulative (2006: 134). Vigh is cautious of dichotomously differentiating tactics as the domain of the powerless and strategy as that of the powerful: his informants *are* able to strategise in certain aspects of their lives. However, unable to employ strategies in larger social fields which would enable social mobility, these young men are unable to acquire social status. As tactics and not strategies, therefore, acts of *dubria* do not fulfil Vigh's respondents' desire to establish their own households.

Applying this concept of social navigation to my ethnographic context allows us to see how migrants actively interacted with specific characteristics of Italian immigration law. How migrants dealt with and navigated the bureaucracy was channelled by the documentation regime's uncertain nature. Reflecting this, migrants' tactics to ensure that their paperwork was accepted involved responding in appropriate ways to the misinformation, ambiguities, delays and contradictions which characterised the bureaucracy. Despite their continual complaints about unfairness and incompetence, migrants learnt not to dwell on the lack of rationale, logic or consistency in the bureaucracy. Instead they learnt to accept, if disdainfully, the ad hoc condition to which they were subjected, and to navigate it by taking advantage of the uncertainty and contradictions within it. While I appreciate Vigh's and de Certeau's definition of strategies and tactics, I do not wish to analyse my informants' practices of navigation as particular to the less powerful. As I will explore later in this thesis, migrants' navigation of the documentation regime worked to the advantage of, and was sometimes encouraged by, immigration-policy makers and officials. Additionally, as will be discussed further in Chapter 5, the bending of laws and manipulation of loopholes, which characterised migrants' navigation, were considered to be the dominant mode of practice in the Italian setting. Actors who did not want to engage in such practices risked social disapproval, as well as rejected applications.

In sum, to highlight migrants' social navigation of bureaucracy is to reposition them as actors interacting with immigration law, rather than as passive victims. Collyer (2012) has argued that when examining immigration and asylum policy and practice, migrants themselves must be viewed as strategic actors. Drawing on Scott's *Weapons of the Weak* (1985), Collyer argues that migrants "are constantly in search of information... to help them understand, then get around or subvert, the

methods put in place to control migration” (2012: 521). Largely employing the term “moves”, Coutin (2000), by contrast, resists the temptation to view Salvadorans’ legalising strategies as acts of resistance. In their efforts to define their legal status, Salvadorans reproduce immigration categories in which they must fit, but in doing so they also refine, and sometimes redefine, the criteria of “deservedness” and eligibility (2000: 12). Thus, Coutin argues that while Salvadorans’ strategies create the mechanics for the law’s manipulation, by their nature these strategies reproduce law and thus legitimise the marginalisation of the undocumented (2000: 12).

Kelly similarly acknowledges the reinforcing of legal categorisations in his description of West Bank Palestinians crossing the green line into Israel. Identity documents, necessary in order to cross the border, are fuelled by indeterminacies creating an “unpredictable and unstable technique of governance” (2006: 90). Documents are indeterminate in two ways. Firstly because the legal status they represent is “generated by laws that are filled with anomalies, are produced by conflicting pressures, and are enforced by multiple institutions” (Kelly 2006: 91); and secondly, because there is always possibility for documents’ manipulation – the document and the individual it represents are separate entities. To a certain degree, Palestinians are able to take advantage of these indeterminacies by, for example, choosing to drive a Volvo which would be considered an unlikely car choice for an Arab (2006: 97). But although Kelly’s informants were able to manipulate the uncertainties of documents, they were acting “within the logic of legal status, rather than acting outside it” (2006: 102), making them “still subject to the force of legal categorization” (*ibid*). Additionally, their manipulations were not acts of resistance but rooted in economic necessity (2006: 99). Kelly’s focus on the law’s indeterminacies (for checkpoint soldiers and Palestinian border-crossers alike), and Coutin’s on Salvadorans’ legalising moves, show that the “law cannot be characterized as exclusively hegemonic” (Coutin 2000: 12). In both cases the law offered possibilities for individuals to achieve their desired ends and, in some cases, was influenced by such actions. Yet, at the same time, law also created the categories and restrictions which individuals were compelled to manipulate.

By taking into consideration the terrain within which their informants’ practices were situated, Vigh, Coutin and Kelly are able to highlight the multiple and contradictory processes relating to the power of the law and how it is negotiated (Coutin 2000: 8-9). In examining my informants’ strategies of navigation, I employ a

similar perspective. Concretely contextualising my informants' practices allows a complex picture to emerge whereby migrants' strategies simultaneously challenge *and* reinforce the law which marginalises and excludes them. Situating migrants' navigation of the bureaucracy in such a way means not only viewing migrants' actions and the terrain on which they take place as interactive – as advocated by Vigh – but also understanding the consequences of this interaction on an individual and structural level. Migrants' strategies of navigation enabled them to achieve basic ends, but usually they remained legally, economically and socially marginalised.

As the next section will outline, by employing an attitude of acceptance in the face of unpredictability and chaos, migrants implemented strategies of navigation to turn the system's uncertainty to their advantage. Such navigation was frequently contingent upon guidance offered by brokers, such as the advisers in the centre – in particular Alberto. The uncertain nature of the documentation regime caused daily anxiety and frustration. Its indeterminacy, however, also created the possibility for its manipulation, engendering a social navigation based on resilience, persistence and creative manipulation of rules.

WORKING THE GAP: MIGRANTS' NAVIGATION OF PAPERWORK

Monique Nuijten has labelled Mexican bureaucracy as the “hope generating machine” (2003). “Rather than producing a certain rationality and coherence,” she writes, it “generates enjoyments, pleasures, fears and expectations” (2003: 16). Similarly, in their study of British immigration and asylum law, James and Killick note that “the apparent arbitrariness of bureaucrats, while generating resignation, can equally be a source of hope: that the unpredictability of the system will in the end work in one's favor” (2012: 448). As the case studies that follow will demonstrate, for my respondents the bureaucracy did not generate only hope but also real possibility. The documentation regime's arbitrary and indeterminate nature enabled migrants to bend the rules and – as a staff member at the centre said – make the “impossible possible”.

Migrants' strategies of navigation were enabled by the ways in which their paperwork did not always reflect real life circumstances. Thus, although the

Questura was strict regarding the presentation of the correct documentation for permit issue, these various documents often presented a very different “life” to the real one. Accordingly, strategies for having paperwork accepted and using the law to one’s advantage included the rearranging of facts in application forms. In contrast to data from the UK such as James and Killick’s work (2012), which describes people required to remodel their domestic arrangements in order to fulfil bureaucratic demands, in my fieldsite it was more often simply the paperwork, rather than the personal circumstances, that needed alteration.³⁷

The centre played a key role in helping migrants take advantage of the law’s flexibility, with the strategic completion of application forms varying according to the individual. Sometimes staff members would actively help migrants shape the way they filled in the form to become acceptable, while in other cases individuals presented an already embellished story which staff members would then have to try to unravel and re-construct. Making phone calls to officials and writing cover letters to accompany applications were other services provided by the centre. These practices were employed in order to present an applicant’s situation that could not be sufficiently conveyed in a tick-box application, or on particular occasions to challenge “unlawful” decision-making by the *Questura*. In a similar vein, in a London law centre cover letters were used to “emphasize certain aspects of applicants’ characteristics and situations while downplaying those that Home Office officials will see in a negative light” (James and Killick 2012: 13). The centre in my study likewise acted as a broker between the migrant and *Questura*, allowing applicants the opportunity to find their way around an otherwise impenetrable bureaucratic maze.

The most successful and popular advocate for migrants at the centre was Alberto. Much of the work of staff members in the centre was mundane form-filling, but Alberto transformed the role, acting as mediator, broker, legal adviser, counsellor and contact with the *Questura*. He thrived in his role at the centre and was adored by clients. Long-term clients remembered previous occasions of Alberto’s invaluable assistance and sought him out when a bureaucratic issue arose. Many felt they had a

³⁷ I am not referring to people who are claiming asylum or ex-sex workers who denounce their employers in order to receive a permit. In both of these cases there are expectations that applicants embody an appropriate victim-hood and subjectivity in order to receive permits. See Giordano (2008) for an account of ex-sex workers’ encounters with the permit system in Italy.

personal relationship with him after he had helped them secure a permit for a spouse, child or parent. He had prevented people from falling into “illegality” and had obtained access to temporary permits so that someone could visit a dying relative. In one case, he helped a Chinese woman return her child to Italy after the child’s father had taken her to Morocco and refused to bring her back. As well as Alberto’s ability and dedication, his warm and witty demeanour lightened the mood at the centre and made clients feel respected – a rare experience for migrants in their encounters with bureaucratic offices.

During our regular after-work *aperitivo*, Alberto plied me with stories of his successes in helping particular individuals “get around” the system. Between rushed puffs of cigarettes, he recounted episodes of his ongoing cases. He had managed to convince a trade-union colleague to “employ” a Chinese girl, Valentina, in the upcoming *decreto flussi*; Sho Wa had been issued with the long-term permit even though her salary was too low; and he had managed to get Tatyana’s baby a temporary permit so that the family could visit their grandmother who was dying in Moldova.³⁸ Alberto’s recounting of his various achievements was not an act of bragging. Rather he was keen to share the ways in which he had manipulated, negotiated with, or played the system on behalf of one of his vulnerable clients. In difficult cases where all possible avenues were assessed and then creatively manipulated, Alberto became excited. He frequently stayed late at the centre searching through material to find possible ways to solve problems that the centre’s lawyers had said were insoluble.

Alberto’s reputation was not only related to his “*possibilista*” nature (as Chiara called it), but also because he was constantly checking the facts and searching for new ministerial circulars (*circolari*) or acts of legislation which could be used to the advantage of one of his clients.³⁹ He was usually better informed than the lawyers or police officers themselves. This was made strikingly clear when, on occasion, clients in difficult situations would be sent from officials at the *Questura* to find “Alberto at the centre”. In other words, *Questura* officials referred migrants to the centre in order to obtain advice on how to exploit a loophole or manipulate an

³⁸ *Decreto flussi* are accords that the Italian state holds with “sending” countries. They allow for the legal entry of workers who are desired by Italian-based employers. A *decreto flussi* opened during my fieldwork in 2010. This will be discussed below.

³⁹ *Circolari* are administrative acts which advise on the interpretation of particular acts of legislation. They do not have the force of law. See also Chapter 2.

application form. Alberto's ability to help migrants navigate immigration law reflected his mastery of the "multiplicity of law" (Coutin 2000: 79). Well-versed in immigration legislation and circulars, he was often able to provide individuals in difficult situations with several options as to how the law could be made to work best for them.

His advice to a Chinese couple with two young children was one such example. On a busy Wednesday afternoon, two separate sets of Chinese clients were waiting to be seen by Alberto. Inviting multiple sets of clients to wait at his desk, rather than in the waiting room, was a tactic he often used. Firstly, it made people feel as if they were progressing in the usually long queues to be consulted by him. Secondly, in the case of Chinese clients, who often had relatively weak Italian language skills, Alberto frequently asked those who spoke Italian well to act as interpreters. On this occasion the people at Alberto's desk included a Chinese mother, her Italian-born eleven-year-old son and a young Chinese couple. The mother and son had arrived at the centre earlier for an appointment to complete applications for their permit renewals. Given the son's fluent Italian, Alberto had asked them to stay behind to act as interpreters while he consulted the young couple who spoke no Italian. Through the boy, Alberto learnt that the couple were enquiring about how the wife could become "legalised". The husband worked in a Chinese-run factory and held a valid work permit, but the wife was technically "illegal". Attempting to ascertain the wife's situation and document history, Alberto first asked whether the couple had any children, to which they answered that they had two, both born in Italy. "Damn!" Alberto exclaimed in response. Both children being born in Italy meant that the couple had lost two chances for the wife to obtain a permit. Under Italian immigration law a pregnant woman can claim a temporary permit for *cure mediche* (medical reasons), which is valid until the baby reaches six-months of age. On the expiry of this temporary permit, providing the husband has legal status, employment, certified income and suitable housing, the woman can obtain a family permit through a process called family cohesion (*coesione familiare*).⁴⁰ Further

⁴⁰ *Coessione familiare* is a type of family reunification used when a family member is already on Italian territory. It is an available option in only some cases (see Chapter 4 for more information). If the couple are unmarried this process of obtaining a permit is possible, but more complicated. In such cases it was usually necessary for legal advice to be sought out. It is also possible for the father of the baby to obtain a permit in such circumstances. However, in the case of a father without a permit the couple must be married.

enquiries revealed that during one of her pregnancies the wife had in fact held a temporary medical permit, but the couple had been unaware of the family cohesion option and, on its expiry, the permit had not been renewed. Since the children were older than six months at the time of the meeting with Alberto, this was no longer a possible option. Exhibiting his familiarity with the law's multiple layers Alberto explained that the couple had four options. One, the wife could become pregnant again, which would give them another opportunity to transform a temporary medical permit into a permanent one. This option would be slightly problematic as, according to the official requirements, the husband's salary made him ineligible to support a wife and three children. Unsurprisingly, given the age of the interpreter, the retelling of this option caused an embarrassed giggle from him and the couple. Second, the couple could complete the usual family reunification procedure. This, however, would involve the wife returning to China once a valid visa had been issued – in the usual procedure for family reunification the family members to be reunited reside in the country of origin. Third, they could submit an application for the wife to be employed in the upcoming *decreto flussi*. This option would also involve a return to China for a visa, and was not guaranteed. Fourth, with legal representation, the couple could make a case that the wife's presence on Italian territory was necessary for the wellbeing of her children. In a recent case tried in the *Tribunale dei Minori* (Youth Tribunal), a father had won the right to a permit on the grounds that his presence was necessary for his children's welfare. The success of this case created some optimism for those in similar situation, but only a limited amount, as in the Italian legal system previous court rulings do not bind judges' decisions as they do in jurisdictions founded on common law (Audisio & Colombo 1995: 74, Silvestri 2009: 139). This last option was preferable to the others because it offered the least disturbance to the couple's lives, but it would be expensive (paying for legal costs) and did not guarantee success. Additionally, this fourth option was risky. Through the legal process the wife's "illegal" status would necessarily become known to the authorities, and if the case was rejected she would be issued with a deportation order.

As well as demonstrating the invasive impact which immigration law had on people's private lives and personal decisions, this case highlighted Alberto's ability to provide the couple with several options – if not ideal – to solve their problem. His suggestions included using the law "legitimately" (family reunification),

manipulating the law's loopholes (having a third child or applying in the *decreto flussi*) and contributing to the re-shaping/challenging of law (arguing that the children's welfare depended on the mother's presence in Italy). His knowledge of how to manipulate the law to his clients' advantage is similar to that of the advisers that Coutin discusses, who provide free or low-cost legal services to undocumented migrants in the US (2000: 79). Coutin notes that as well as playing the part of immigration broker, advocates must negotiate "the authoritativeness of both official and unofficial legal discourses", and to do so must "acknowledge the multiplicity of law" (*ibid*). As a successful broker and adviser, Alberto was aware of the different legal options, both official and unofficial.

However, not all clients had the good fortune to be seen by Alberto. Clients' access to him depended on timing, contacts and whether they managed to establish a relationship with him. Alberto did not intentionally privilege certain individuals over others, but the hectic environment of the centre meant that a certain process of selection occurred. The centre received a large number of clients every day and each client's situation was particular and needed individual attention. It was a question of luck and/or favouritism as to whether a client received his attention. Thus, the centre acted as a broker and advocate on behalf of migrants, but, like much else in the documentation regime, its service was inconsistent. Migrants' strategies of navigating the regime were often enabled by centre staff members. Eliciting help from an effective and dedicated staff member was, sometimes, part of the strategy itself.

DECRETO FLUSSI AND AMNESTIES

As discussed above, manipulation of the law's loopholes was particularly evident when migrants obtained their first permit. As the case of Khan showed, many non-domestic workers took advantage of the 2009 domestic worker amnesty to be legalised. The previous amnesty had taken place in 2002, and was used in a similar way as described above in relation to the 2009 amnesty. Another way in which migrants were able to gain legal status in Italy was through a *decreto flussi*. Distinct from an amnesty, and in part serving in the absence of amnesties, the *decreto flussi* is a law that allows employers in Italy to bring over foreign nationals who live abroad. These procedures generally take place every two to four years, and one took place

during my fieldwork period. The *decreto flussi* is based on accords that the Italian state has with “sending” countries, according to which designated numbers of citizens can gain permits through work contracts with employers based in Italy. For example, the 2011 *decreto flussi* allowed for the legal entry of one thousand citizens from Pakistan and four thousand citizens from Tunisia (see figure 8). While both Tunisia and Pakistan, among many other countries, hold accords with the Italian state, other countries such as Eritrea and China do not. Given this, the 2011 *decreto flussi* also allowed for the entry of thirty thousand citizens from nation-states who do not hold such accords. Those in this category, however, are in theory restricted to employment in the domestic work sector. However, while the *decreto flussi* was officially intended to enable legal entry to those not yet in Italy, the law was used quite differently in practice. The following extract from *La Repubblica* describes how the law often functioned:

In reality, as all immigrants know well, for years the *decreto flussi* has been the only chance for migrants to escape illegality and access a permit (due to a lack of amnesties). The procedure however is not simple or without risks. First one submits the application and then one enters into the quota (and returns to one’s home country). Subsequently one then leaves his home country with a valid visa and finally re-enters Italy. Thus, exiting in a clandestine manner and re-entering in a regular one (Polchi 2008 [my translation]).⁴¹

As the extract outlines, the *decreto flussi* was typically used by “illegal” migrants who were *already* on Italian territory. As one staff member commented, “who would hire somebody they did not know from abroad?” Rather, in both the *decreto flussi* and amnesty, “employers” were often friends, family or acquaintances who charged high rates to “employ” a migrant. If the application was successful, the migrant returned home and then re-entered Italy (this time legally) with a visa. Media coverage of the *decreto flussi* often referred to it as a *beffa* (hoax), highlighting the law’s informal function as a second amnesty for migrants on Italian territory without permits. Given the contingency of permits on work and salary, it was easy for

⁴¹*La Repubblica* 5th August 2008
<http://www.repubblica.it/2008/08/sezioni/politica/immigrazione-flussi/immigrazione-flussi/immigrazione-flussi.html>
Accessed 15th October 2013.

migrants in Italy to fall into “illegality”, meaning that opportunities to be re-regularised were in high demand.

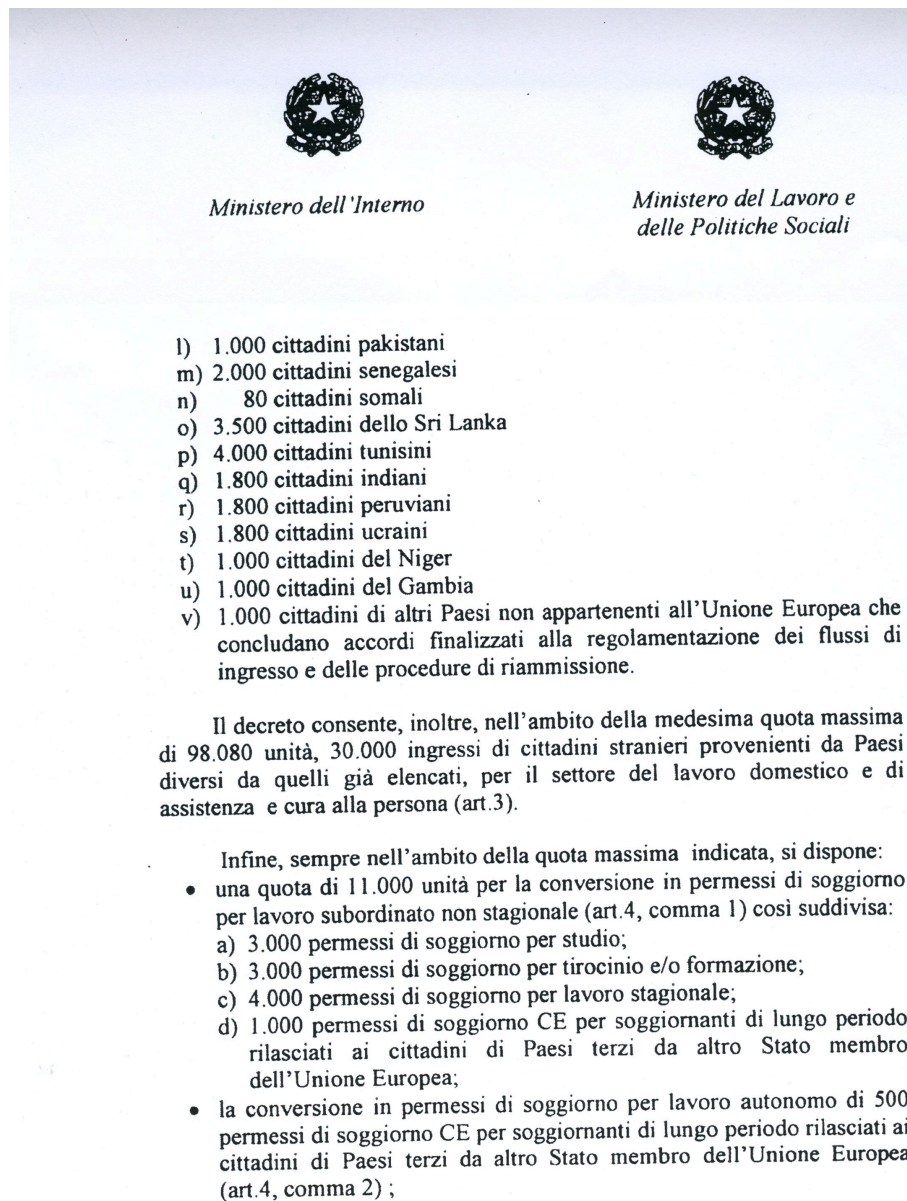


Figure 8: *Decreto flussi*.

This is the second page, it outlines how many workers from particular countries will be accepted in the procedure.

Rumours of *decreto flussi* and amnesties opening were rife throughout my fieldwork period. In January 2011 a *decreto flussi* did finally open, but its practical use was somewhat different from previous years. One Saturday morning, Cara, a young woman from the Dominican Republic, was sitting at Alberto's desk. The two were

discussing possible ways in which Cara's sister might be able to enter Italy. Cara had Italian citizenship, so once on Italian territory her sister would be entitled to a permit on the grounds of family reunification. The problem, however, was whether her sister would be permitted to enter at all. Aware that siblings of Italian citizens have the right to permits once on Italian territory, Italian embassies were reluctant to issue tourist visas to those in that category. One solution, Alberto suggested, was that Cara's sister apply for a Spanish tourist visa and then, taking advantage of the Schengen free-travel accord, travel from Spain to Italy. Looking pensive and tapping the unlit cigarette in his hand, Alberto added that Cara should consider the possibility that the long rumoured *decreto flussi* might open in the near future. He explained that if this happened, Cara could submit an application to "employ" her sister as a domestic worker. If the application was successful Cara's sister would be issued with a visa and once in Italy could apply for a family permit as the sister of an Italian citizen. Cara looked unsure and said she would think about it. Her scepticism was justified. The *decreto flussi* works in a semi-arbitrary manner in which those submitting online applications sooner than others stand a greater chance of acceptance. Furthermore, if the previous *decreto flussi* in 2007 was any indication, responses to applications could take up to three years.

As this example suggests, migrants made use of the 2011 *decreto flussi* in a different way than they had done in previous years. Rather than the law being used as a kind of general amnesty, as it had in the past, in 2011 it operated instead as a means of reunifying families. By December 2010 the rumours that a *decreto flussi* would open were spreading like wildfire. Comments made by the *Ministero del Interno* hinted at its likelihood, and at the centre's reception counter we began to tell people that a *decreto flussi* was likely, although we did not know when, or what the conditions would be. On December 31st 2010 the decree was passed, inviting applications from 31st January 2011. In the new year the centre was particularly busy. The counter was inundated with people who dropped in looking for information regarding the procedure. Staff members and volunteers explained the procedure countless times. In mid-January the application form was made available, and the centre offered the service of filling in the application forms in advance of their online submission. During this period, days would pass where staff members and volunteers worked without stopping for hours on end, completing application

forms and disseminating information. When I remarked on the busy and hectic environment, however, the more experienced staff members and volunteers told me that this was “nothing” compared to previous years. One particular volunteer recounted that, “in 2007 they were queuing all the way down the street before opening. Some arrived at 5am in order to be the first!” Staff members considered that the recent 2009 amnesty was responsible for the reduction in crowds. As they explained, “many of those without permits who could be legalised [i.e. had kinship or financial capital] have already applied in that amnesty”. While the previous 2007 *decreto flussi* had been massively over-subscribed, because the 2011 procedure was taking place fewer than two years after the 2009 amnesty, the number of applicants for this *decreto flussi* was considerably reduced.⁴²

In sum, the 2011 *decreto flussi* was used primarily as a means of family reunification for relatives who were otherwise not permitted to migrate to Italy. While I was completing application forms for clients in the centre, the conversation would inevitably turn to which relative they were bringing over. People told me how they hoped to help a sibling, nephew, niece or cousin. In the hundred or so applications that I completed, I did not come across a single genuine employer/employee relationship.

As such, both the *decreto flussi* and amnesty offered valuable opportunities for migrants to become legalised, re-legalised or bring over a relative. What is key to the above discussion is that official terms and conditions were perceived as flexible by both staff and migrants. The fact that the 2009 amnesty was intended exclusively for domestic workers was not conceived as restrictive; if one paid the right fees and completed the correct paperwork, it was immaterial whether the domestic work contract actually existed or not. Similarly, it was not an issue that the *decreto flussi* was designed for people living outside Italy – an applicant could simply exit the country and then return.

As the article from *La Repubblica* suggests, the existence of these tactics was no secret. Although form-filling was manipulated, people’s practical circumstances were not reshaped. Migrants felt no need to hide the details of their situation, and state officials, provided the paperwork was in order, were not interested in the

⁴² This is not to suggest that the 2011 *decreto flussi* was not also over-subscribed. There were more than 411,000 applicants for 98,080 places.

circumstances. The only situation in which I observed people changing their personal circumstances for the purposes of paperwork was in the case of those who held permits as family members of Italian citizens. In order to hold such a permit, shared domicile between the citizen and non-citizen family members is obligatory. Staff members informed me that they had heard of inspections taking place in such cases. For this reason the centre advised those who held this kind of permit not to sign official rental contracts in their own names, which could be used as proof that they lived separately from their Italian-citizen family member. Other than this particular scenario, however, people were not concerned about official inspections as long as the paperwork was in order, and in the case of domestic work contracts I never heard of checks on contracts being made. When I asked staff members about this potential risk, they told me that officials would not bother to conduct inspections, as it would be difficult to prove that work relationships were false if all the paperwork was in order. On occasion scandals regarding the selling of “fake” work contracts to “illegal” migrants *were* exposed and documented in the media. Such exposure was rare, however, and only occurred when large-scale scams were uncovered.⁴³ In general those who had been scammed did not report the crime to the authorities. Going to the police would be to file a report against oneself (*auto-denuncia*). Firstly, those in such a position were “illegal” – which is a crime in itself – and secondly, they had been attempting to obtain a permit fraudulently. Overall therefore, there was little concern about domestic work contracts being discovered as false, and experiences at the *Prefettura* where the applications were processed gave applicants no reason for concern.

In the aftermath of the 2009 domestic work amnesty, Mirkena, who had previously volunteered at the centre, was employed on a temporary basis at the *Prefettura* – the prefecture which deals with some immigration paperwork. Amnesty applicants (both “employers” and “employees”) were required to present themselves at the *Prefettura* to check that their declaration of income, housing situation and documents were all in order before passing the paperwork onto the *Questura*, who would eventually issue the permit. Shadowing Mirkena one morning at the

⁴³http://www.stranieriinitalia.it/attualita/finte_regolarizzazioni_7_arresti_e_27_denunce_a_roma_1779_8.html

Accessed 15th October 2013. This article from *stranieri in Italia* reports on the case of a criminal gang who charged migrants between two and five thousand euros each in order to find an “employer” in the 2009 amnesty. The gang was reported to have made approximately three million euros.

Prefettura while she made her way through the day's appointments, it became clear to me that the applicants were not afraid they might be found out or turned away if their "work" relationship was discovered to be false. Domestic work "employers" and "employees" included Pakistani men, siblings, and, contrary to the stereotype, an older Eastern European woman "employing" a 20-year old Tunisian man as her cleaner. What counted was that the paperwork was in order; applicants were only turned away if they had brought the wrong declaration of income, housing document or residence certificate.

CONTACTS COUNT

The loopholes offered by domestic work contracts were also utilised by those renewing their permits. For the renewal of a work permit, the *contratto di soggiorno* (a specific work contract for non-EU migrants) is an essential document. Yet it is common for people to hold a *contratto di soggiorno* with one employer while in reality being employed informally by a different employer. Yasmina, a 23-year-old Moroccan woman, although technically unemployed, was not seeking work. She lived with her relatively affluent family and had no need or desire to enter the workforce. However, being 23 years old and unmarried, she was not permitted to renew her permit for family motives.⁴⁴ Accordingly, if she did not renew for "work motives" she would risk losing her legal status. Yasmina had come into the office with her brother, Karim, to ask about the practicalities of his hiring her as the family's domestic worker. Given that domestic work contracts are informal and subject to few controls, migrants were easily able to acquire and hold fake domestic work contracts in order to renew permits. The lack of controls and the ease of finding a fake employer who, either through kinship or in return for payment, will sign a *contratto di soggiorno*, gave migrants considerable flexibility. Consequently, the domestic work contract was a useful resource for migrants: those who did not want or could not find work with a legal contract were nonetheless able to renew their permits.

⁴⁴ Providing parents guarantee their maintenance, young people in full-time education who are over the age of 18 can hold family permits. Spouses can hold family permits providing their partners can guarantee their maintenance. Yasmina was not married or in full-time education, therefore, neither of these options was available to her.

Allegato Mod. Q

Sportello Unico per l'Immigrazione di _____ (1)

Il sottoscritto datore di lavoro comunica la stipula del seguente

CONTRATTO DI SOGGIORNO
(Art. 5 bis del D.lvo n. 286/98 e successive modifiche)

per lavoro subordinato concluso direttamente tra le parti per l'assunzione di lavoratore in possesso di permesso di soggiorno, in corso di validità, che abiliti allo svolgimento di attività di lavoro subordinato.

TRA

DATORE DI LAVORO (2) Sezione I:

☐ persona fisica
☐ società o ente

ditta/denominazione sociale _____

C.F. _____ P.I. _____ matr. INPS _____

iscr. C.C.I.A.A. di prov. _____ n. _____ in data ____/____/____ Sede: via _____
n. _____ Comune _____
CAP _____ prov. _____

Sezione II: dati personali del datore di lavoro persona fisica o del legale rappresentante se il datore di lavoro è soggetto diverso da persona fisica

cognome _____ nome _____

stato civile ☐ (3) sesso ☐ (4) nato/a il ____/____/____ Stato di nascita _____
cod. Stato ☐ (5) luogo di nascita _____ prov. _____

cod. fiscale del rappresentante legale _____ residente in _____
prov. _____ via _____

n° _____ CAP _____

☐ cittadinanza italiana (6), tipo di documento di identità _____

n° _____ data rilascio ____/____/____ rilasciato da _____
data scadenza ____/____/____

☐ altra cittadinanza (specificare): _____

titolare di: carta soggiorno ☐ permesso soggiorno ☐ n° _____ data rilascio ____/____/____
data scadenza ____/____/____ per motivi di _____

e titolare di: ☐ passaporto ☐ altro documento ☐ specificare (7) _____
n° _____ rilasciato da _____
data rilascio ____/____/____ data scadenza ____/____/____

LAVORATORE

cod. fisc. (se già in possesso del lavoratore) _____

cognome _____

nome _____ stato civile ☐ (3) sesso ☐ (4)

nato/a il ____/____/____ (8) Stato di nascita _____ cod. Stato ☐ (5)

luogo di nascita _____

cittadinanza _____ residente in (Stato estero) _____

cod. Stato ☐ (5) località _____

Titolare di ☐ passaporto ☐ altro documento (specificare) (7) _____

rilasciato da _____ n° _____
data rilascio ____/____/____ data scadenza ____/____/____

Figure 9: A blank *contratto di soggiorno*

As the case of Yasmina demonstrates, migrants' diverse navigation of the documentation regime's loopholes was, of course, contingent on access to money and social networks. For those who did not have contacts or family networks able to help them, components of applications such as work contracts and hospitality declarations, could be purchased. For example, it was common for recent migrants to

live in temporary accommodation for which they had no contract or proof of residence. This could have proved a problem when submitting an application. Instead, it provided an opportunity for a small informal trade. Taking advantage of this potential market, Chiara told me how Aidan, the owner of the Eritrean bar, sold hospitality declarations for ten euros each. While those who paid for the declarations did not actually live in Aidan's house, the certificate attested that they did. This enabled the purported guests to submit applications with the requisite documents in place. Similarly, I heard rumours of other bar owners who sold migrants *contratti di soggiorni*. Individuals would appear to work for the bar, while in reality they were either unemployed or employed “*in nero*” elsewhere. As the following chapter will illustrate, there existed a host of centres (and individuals) that, for a price, offered to provide applicants with the requisites for applications or the necessary contacts to obtain those requisites.

**All'Ufficio Visti
dell'Ambasciata d'Italia in
del Consolato Generale d'Italia in
del Consolato d'Italia in**

Dichiarazione di ospitalità

Il/La sottoscritto/a
nato/a il a
di nazionalità residente a prov.
in via n. c.a.p. tel.
occupazione/professione

consapevole delle conseguenze previste dall'art. 12, comma 1, del Decreto Legislativo 25 luglio 1998, n. **286** (**Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero**) come modificato dalla Legge 30 luglio 2002 n.189, art.11, che dispone: " Salvo che il fatto costituisca più grave reato, chiunque in violazione delle disposizioni del presente testo unico compie atti diretti a procurare l'ingresso nel territorio dello Stato di uno straniero ovvero atti diretti a procurare l'ingresso illegale in altro Stato del quale la persona non e' cittadina o non ha titolo di residenza permanente, **e' punito con la reclusione fino a tre anni e con la multa fino a 15.000 euro per ogni persona.**"

con la presente comunica di volere ospitare

il/la cittadino/a straniero/a
(nome) (cognome)
nato/a il a
di nazionalità residente a prov.
in via n. c.a.p. tel.
per il periodo dal
(data) (data)
a motivo di
.....
.....

Figure 10: Blank hospitality declaration

Perhaps even more valuable than money were contacts. Samir approached the counter one morning to ask for advice on renewing his permit, which had already expired. He was fashionably dressed in a designer puffa-jacket, jeans and high-top trainers: his sense of style and fluent Italian demonstrated that he had grown up in Italy. He took his permit out of his wallet, showing me that it had expired several months ago. It was an unemployment permit, a type of permit issued only once that lasts for just six months. Regardless of how long a person has been living and working legally in the country, if at the time of renewal they do not have a job, they lose the possibility for renewal, effectively becoming *clandestino* (“illegal”). Furthermore, permits can be renewed only within two months of their expiry and Samir’s had expired five months previously. The reason he had not renewed his permit, he said, was because he had been unable to find a job. Despite being technically “illegal” and holding an expired permit which was apparently un-renewable, however, Samir appeared remarkably calm. Looking doubtful, my colleague at the counter advised him to make an appointment with the advice centre’s lawyer to see if there was any possibility of “saving” his permit. The next day, Samir popped into the centre to tell me that he had resolved his problem. He had a friend who worked at the *Questura* who would help him renew his permit. The permit would be for unemployment and would last two years, despite the fact that the law dictates that unemployment permits are non-renewable without a work contract and have a maximum duration of six months. Samir was told to fill out the application form as normal and deposit it at the *Questura*.⁴⁵

These cases show that access to particular resources was essential in order to take advantage of the flexibility in the system and effectively exploit its loopholes. To buy a *contratto di soggiorno* one needed money: Yasmina relied on her family network to help her, and without contacts at the *Questura* Samir would have fallen into “illegality”. Money and contacts were thus essential resources if one was to exploit the system’s flexibility and openness to manipulation.

⁴⁵ Depositing the application at the *Questura* was also unusual practice. This kind of application would usually be sent to the *Questura* via the Post Office.

CONCLUSION

This chapter has depicted the uncertain terrain of the documentation regime. Despite the heterogeneity of migrants in Italy, all shared the experience of managing the uncertain and time-consuming immigration bureaucracy. The opacity and ambiguity which characterised encounters with the regime created daily anxiety, frustration and anger. As the second half of the chapter illustrated, however, the regime's uncertainty also held advantages. Using Vigh's concept of social navigation I have argued that through encounters with the immigration bureaucracy, migrants learnt to navigate it. Analysing migrants' navigation and the terrain of the documentation regime not only highlights the interactivity between structure and agency (Vigh 2009: 420). Also made apparent was the way in which immigration law simultaneously constrained and enabled migrants in their migration trajectories. As illustrated, despite the *Questura's* strict insistence that paperwork must demonstrate applicants' eligibility, the real circumstances of applicants' lives were not scrutinised. Such a "gap" between paper and practice enabled migrants to take advantage of the law's loopholes in order to become and stay legal. As well as being contingent on individuals' access to social and material capital, these strategies also had clear limitations. As will be explored in subsequent chapters, because strategies were often unofficial if not "illegal" in nature, if they failed, migrants could not make any claims for recourse. For example, although non-domestic workers conveniently made the domestic worker amnesty serve them, this not only incurred considerable financial cost but these applicants were also vulnerable to being "scammed" with no possibility for compensation. Similarly, while Samir was able to find a temporary solution to his legal status, this security would only last for two years, despite the fact he had grown up in Italy.

Thus, strategies of navigation enabled migrants to achieve basic goals, such as renew a permit, bring a parent to Italy or obtain a fake work contract. These strategies, which required migrants to be wily and resourceful, ensured they "got by". Migrants' experiences, however, notwithstanding legal status or how long they had spent in the country, remained characterised by precarity and temporariness. The experiences of those like Samir exemplified the disjuncture between the characteristics required to successfully navigate the bureaucracy and the ultimate insecurity which migrants inhabited. While Samir possessed sufficient cultural

capital to engage with *Questura* officials in order to manipulate laws, ultimately he was risking being an “illegal” migrant. In fact, at the time of his visit to the centre he was, technically, “illegal”. As such, while the manipulative and sometimes subversive nature of migrants’ navigations of immigration law emphasised their agency and resourcefulness, the limits of such navigation remind us of the serious constraints that migrants faced. Furthermore (a point which will be developed in later chapters), I suggest that because migrants’ tactical navigation enabled them “to get by”, the institutionalisation of illegality, precarity and exclusion within the immigration law remained unchallenged.

CHAPTER FOUR

THE DOCUMENT ECONOMY: “IMMIGRATION IS A BUSINESS”

INTRODUCTION

As we learnt in the previous chapter, encounters with the immigration bureaucracy were characterised by uncertainty and long waiting times, but also by the sense that the “impossible was possible”. This chapter explores the systems of brokerage that existed in the documentation regime. It will show how the shifting nature of the bureaucracy enabled the emergence of brokers, offering them something beyond what many accounts have discussed. It gave them the opportunity not only for financial profit, but also job satisfaction, the development of personal relationships, and indeed a kind of “self-fashioning”. Meanwhile the services brokers offered gave migrants the promise, if not always the reality, of being more likely to obtain favourable outcomes.

During application processes migrants sought out the “people who, unlike them, [knew] the codes and invisible ways through the labyrinth” (Nuijten 2003: 116). In efforts to have their applications successfully completed, find out information, appeal unfair decisions or speed up the processing of paperwork, migrants sought out the help of immigration “experts”. These experts acted (or at least purported to act) as brokers between migrants and the state (in this case the *Questura*). In this chapter I use the umbrella term of immigration “expert(s)” and brokers to denote the conglomeration of various different organisations and actors. These included organisations offering form-filling services, lawyers, community brokers, migrant community associations and trade union centres such as the one where I conducted fieldwork. These organisations and actors offered – although did not necessarily provide – information, reassurance, possibility and speed with regard to applications. Financial exchange was significant in these relationships of brokerage, although material profit was not the only motivation for brokers. Additionally, in settings such as the centre, where services were free of charge,

clients attempted to personalise their interactions with staff members in order to ensure quality.

BROKERS AND MIDDLEMEN

Anthropological literature has highlighted the way in which brokers act as “synapses” (Wolf 1956: 1075). Silverman (1965) shows how in Umbria in the mid-20th century landlords acted as the mediator or link between peasants and the local and national society. Boissevain observes that a broker’s capital consists of the communication channels he controls (1974: 159): he strategically bridges gaps in communication between persons, groups, structures and even cultures (1974: 148). In a similar vein, Blok writes that the persistence of the Sicilian Mafioso can be explained through the communication gap between “the formal political framework on the one hand, and traditional local demands on the other” (1974: 7). The Mafioso gained and maintained his position by controlling the paths which linked the local infrastructure of the village to the superstructure of the larger society (1974: 7). In these and many other anthropological studies, the broker’s role is to act between smaller and larger structures, thereby relying on the gap that exists between the two (Gellner and Waterbury 1977).

This chapter explores characters in my fieldwork setting who played a similar role. They acted (or at least claimed or attempted to act) as a link between migrants and the immigration bureaucracy. Given the uncertain terrain of the documentation regime, opportunities to access the state – in this case the *Questura* – to aid the favourable outcome of applications, or help to uncover information, were keenly sought after. Indeed, such access was often essential in order for migrants to achieve successful outcomes in their applications. The services of brokers who styled themselves as immigration “experts” were highly desirable and various figures and organisations profitably filled this gap in the market. Migrants’ imaginary and real experience of the Italian state as inefficient and potentially corrupt perpetuated the belief that they needed a broker. Such an image of the state also protected brokers’ reputations from the effects of their failures. Mexican brokers, who profit from the labyrinthine nature of the bureaucratic machine, work in a similar way. Nuijten notes

that by blaming their failures on the bureaucracy, brokers cannot be held responsible when things go wrong, while they simultaneously maintain the idea that they have special access to the state (2003: 116). In my case, migrants were sometimes sceptical about individual brokers' abilities but, like Nuijten's informants, they did not necessarily blame brokers when they failed, and continued to believe that they were necessary in order to successfully navigate the bureaucracy. In these moments, migrants retreated to the dominant representation of the Italian state, which was regarded as unpredictable and potentially vindictive. This perception was substantiated by real experience as outcomes of applications could go either way. Positive outcomes included Khan being issued with a long-term permit and Adel with a family permit, despite neither holding the correct requisites. At other times, as we saw in the previous chapter, the law seemed to turn against individuals, as in the case of Fatos and his wife's long-term permit. Given the indeterminacy of such experiences, the bureaucracy was imagined as something akin to a "hope-generating machine [which] gives the message that everything is possible" (Nuijten 2003: 197). But in order for the unpredictability of the bureaucracy to work in one's favour, one needed the "right intermediary" (Nuijten 2003: 118).

Therefore, by exaggerating and reinforcing the idea of a corrupt state, brokers ensure the reproduction of their roles (Shah 2009: 307, Nuijten 2003). This not only reinforces the role of the broker, but also the *idea* of the state, in which both brokers and their clients invest (Nuijten 2003: 116). In Nuijten's work, peasants do this in their endless search for the right contact with which to gain access to "the centre", and brokers by making promises to do so (*ibid*). As noted by Abrams (1988), such reification works to bolster state power. My informants' encounters with the state certainly placed them at its mercy as they were compelled to be obedient to *Questura* officials, meekly accepting harsh words, being referred from office to office and being refused information regarding applications. The prevalent understanding of the Italian state as inefficient and incompetent by migrant networks, experts and activists was frequently drawn on to explain its seemingly irrational and unfair behaviour. "We are in Italy, what did you expect?" was a frequent reply by staff members to migrants' complaints regarding their delayed applications, and among migrants themselves. Through such statements the state's unjust behaviour was naturalised and remained unchallenged, while brokers' reputations were relatively protected: their expertise continued to be deemed necessary. On the other hand, while migrants'

imagination of the state as unpredictable may have contributed to its reification and their sense of its arbitrary power, it also induced practices which acted to personalise and de-reify it. Brokers acted as a means through which migrants were able to submit applications without holding the correct requisites and bend the rules to their favour. Additionally, the way in which the state was imagined to be incompetent made its manipulation seem possible. By developing relationships with the “right intermediary” (Nuijten: 2003: 118), migrants were thus able to assert agency and personalise the seemingly harsh and faceless documentation regime.

In the following section I will outline the different kinds of brokers that existed in the Bologna immigration nexus. Like Nuijten’s peasants, my informants persistently sought after the ideal broker, despite frequent experiences of brokers’ failures or even of being deliberately conned by them (2003: 116). In their various interactions with brokers, migrants were wary and suspicious. Frequently they employed the services of multiple brokers, cross-checking and challenging the advice they received.

CENTRES, INTERNET CAFES AND LAWYERS

Payments, both official and unofficial, marked most individuals’ migration trajectories. In Italy application submission obliged migrants to pay large amounts of money to the state. The renewal of a permit cost 100 euros each which rose to 200 euros in 2012 (usually renewals took place every two years). But unofficial financial transactions usually began much earlier, at the start of migrants’ journeys. Some described to me how they had bribed embassy officials for the issue of a visa, some paid to be “employed” in an amnesty or *decreto flussi* and others described the fees they had paid to smugglers. Similarly, I knew of individuals who were offered money in order to enable somebody else’s migration – usually these were “contacts” made through a co-national or fellow countryman.

Simret, for example, was offered thousands of euros in order to travel to Sudan and marry an acquaintance of an acquaintance. The prospective bridegroom, like Simret, was Eritrean. He had illegally fled his country to Sudan, in order to escape Eritrea’s obligatory military service (see Chapter 7). If Simret agreed to the

proposition she would travel to Sudan and marry him there. After marrying and subsequently legalising the wedding certificate at the Italian embassy, Simret would then return to Italy and apply for family reunification. Once the application had been accepted, a visa for the “husband” would be issued by the Italian embassy in Sudan and he would travel to Italy. Once in Italy he would have the right to a family permit. However, settled with her ten-year-old daughter and secure job as a cleaner in Bologna, Simret was not prepared to embark on this mission and rejected the offer.

In a different kind of financial transaction, Hui, a young Chinese man, was acting as the “employer” for his cousin in the *decreto flussi*. Hui’s cousin had offered him 10,000 euros, but Hui told me that he felt uncomfortable receiving so much money from her. His cousin insisted. As a compromise, she was giving him 2000 euros. He told me that he felt unable to refuse the money, since doing so would have created social problems between them in a system which demands money exchange: “it’s just what you do”, he said. As well as paying for one’s initial migration, specific components needed for applications, such as work contracts, were also available on the market. In sum, migrants were used to paying both official and unofficial costs for documentation.

As described in the previous chapter, the documentation regime required migrants to produce a plethora of paperwork. Additionally, its uncertain nature and shifting rules meant that advice regarding paperwork processes and on-going applications was in high demand. Responding to the nature of the documentation regime, Bologna’s city centre was home to multiple organisations and individuals who styled themselves as immigration “experts”. These figures and organisations varied in terms of their level of formality, officialdom and effectiveness, but generally all offered advice and form-filling services. Unlike the centre where I conducted fieldwork, the majority of these other organisations charged for their services. Given migrants’ expectations of paying for documentation related services, there was suspicion around assistance which was free of charge: a matter which will be further explored in the last section of this chapter.

These organisations and figures varied in their targeted client base. *Casabase*, for example, was a co-operative which specialised in domestic work contracts and later branched out to offer a service completing permit renewal applications (charging 10 to 20 euros per renewal) and other paperwork. While the clientele of the centre where I did fieldwork were largely migrants themselves, with its focus on

domestic work contracts *Casabase* targeted Italian employers as well as migrants. Given the dominance of female migrants in the domestic work sector, as well as the contingency of work on legal status, specialising in work contracts *and* permit renewal was a sensible business plan. Many employers – although by no means all – felt anxious that their domestic work employees should hold the appropriate contracts and permits. The services provided by *Casabase* offered reassurance that all was in order. Due to a previous connection between the founder of *Casabase* and the trade union, staff at the centre often referred migrants seeking help with domestic work contracts to the co-operative. A few streets away from the centre was an agency called *Assistenza Stranieri* (Assistance for Foreigners), a small office run by an Italian woman, which completed applications at a charge. During my fieldwork, the shop window was adorned with smiling migrants' faces and posters advertising the upcoming *decreto flussi* – “Do your application here,” a bright yellow sign read. Less formal services could also be found at the countless internet cafes that offered permit renewals for ten euros per application. Annoyed by the sometimes long waiting times at the centre for permit renewal, people reacted by saying, “fine, I’ll go to the Pakistani [*va bene vado dal Pakistano*],” referring to Pakistani-run internet cafes (which were often actually run by Bangladeshis).



Figure 10: *Assistenza Stranieri*.
(Anna Tuckett)

LAWYERS

Ideally, however, it was the services of a lawyer that were sought after. With their private studios and smart clothes, lawyers were considered to offer the most security and possibility. In line with the general conviction that migration advice required payment, the high fees they charged only enhanced this sense of reliability. Unlike other “destination” countries where migrants may consult lawyers originally from the same national background (James and Killick 2012), in the Italian context all lawyers

were white and native Italians.⁴⁶ While in some circumstances the services of a lawyer were essential, in many cases migrants paid a lawyer for assistance that did not require any legal expertise, such as the completion of permit renewal or family reunification applications. Despite this, when staff members attempted to discourage clients from hiring a lawyer, clients at the centre would say that, “it was worth it” in order to feel that one’s application was in good hands.

People also believed that a lawyer’s assistance could create further possibilities and make the law more flexible. For example, in 2008 the law regarding family reunification for parents changed. In order to bring a parent to Italy it had to be proven that the applicant had no other siblings resident in the country of origin, while previously this had not been a condition. On enquiring about the procedure and discovering that their application would not be accepted, clients at the centre frequently became angry and suspicious. In response to staff members’ assertions that, “the *Questura* will not accept the application” clients exclaimed, “well, I’ll get a lawyer then”. Similar reactions occurred when clients learnt that, despite a long wait, their permit was still not ready.

Hiring a lawyer (or even just the threat to) was also a way for migrants to resist what they considered a harsh and unfair *Questura*. There was no official information point at the *Questura*, and it was almost impossible for migrants to elicit information about their applications there. The presence of a lawyer meant that receiving respect and assistance from *Questura* officials was more likely. But in many cases the work of a lawyer was unnecessary and did not result in worthwhile benefits for clients. Nonetheless, there was a sufficient circulation of success stories to drive the demand.

The story of Martina, a Romanian volunteer at the centre, was one such example. Martina often bragged about how she had managed to become legal. Migrating to Italy before her, her husband had been legalised in the 2002 amnesty. In 2005 Martina followed, travelling to the country on a tourist visa which lasted three months. On the expiry of her visa, through a family cohesion application, Martina managed to obtain a family permit and remain legally in the country. This application procedure is distinct from family reunification in which the applicant is

⁴⁶ This is due to the structural marginalisation of migrants who, so far in the Italian context, have not been able to step out of the lowest status work sectors. See Chapter 6.

not already on Italian territory. Although it is frequently employed in cases to legalise children who are without permits, the *Questura* does not usually accept such applications for adults. However, as previously noted, *Questura* vary in their practice, and while the Bologna *Questura* is renowned for being strict regarding certain applications, it was considered to be “soft” on family cohesion.

Lawyers and other immigration experts profited from the law’s ambiguity and the dissemination of contradictory information, which created further rumours and uncertainty. This was illustrated by the following exchange, which I witnessed at the centre. One Friday morning a man approached the reception counter to ask if he could legalise his wife through family reunification *without* her returning to Morocco. After asking the man if his salary and house met the requirements for family reunification, Martina told him that he would need to translate and legalise his marriage certificate at the Italian embassy in Morocco. Overhearing the conversation Biniam, who was far more experienced than Martina, interrupted. He told the man that his wife would have to follow the usual procedure for family reunification. That is, she must return to Morocco and wait for a visa to be issued, which would take about a year. After the man had left, Martina took me to one side. She told me that when her and her husband went to find out about this process they also were initially told – by the advice centre, among others – that it would be impossible. Undeterred, they hired a lawyer, paying 1000 euros. The lawyer completed the application with them and accompanied them to the *Questura*. On one particular visit Martina’s husband was requested to present his payslips that, on arrival, they realised he had forgotten to bring. Usually when documents were missing the *Questura* officials sent applicants away, and it was common that trips were repeated several times. However, in Martina’s case, the lawyer wrote and signed a declaration that was accepted by the *Questura*, and the application was submitted. Concluding her story, she said, “if you pay... [*se si paga...*]”. In this case the lawyer had successfully utilised the law’s flexibility with regard to family reunification/cohesion. Furthermore, the lawyer’s presence at the *Questura* had caused the application to be accepted and saved Martina and her husband from being subjected to the usual to-ing and fro-ing. However, while this story ended well, such success was not guaranteed, which was why Biniam had been unwilling to advise the man to follow this procedure. The success of this kind of application depended upon the individual *Questura* official and whether the applicant’s lawyer was effective at exploiting the

law's flexibility. From Martina's and others' viewpoint, however, the moral of the story was that money created possibilities which were otherwise not available.

As common as the success stories were migrants' vociferous complaints about how a lawyer had exploited them. For example, a lawyer might charge 500 euros to write a letter which, as migrants often said, "did not change anything." It was also common for lawyers to make mistakes in applications, leading people to seek out consultation at the advice centre. In fact, on a number of occasions during my fieldwork, lawyers themselves visited the centre asking for information. The lawyers who worked for the advice centre were not themselves irreproachable. As discussed in Chapter 2, the advice centre had two lawyers in their employ. For different reasons both had mixed reputations. While Angela was described as being overly anxious and thinking that all cases were impossible to resolve, Comasco was said to be interested only in "exciting" cases and to have a cavalier manner. Staff members were also sceptical about the lawyers' abilities. Frequently, Alberto took over a case that Angela had said was unsolvable or to which Comasco had given inadequate attention. In spite of these negative stories, however, the services of a lawyer were usually considered most desirable, but for many the financial cost was prohibitive. A cheaper and more easily accessible option was what I call community brokers.

COMMUNITY BROKERS: BECOMING A PROFESSIONAL

Early in my fieldwork I conducted participant observation at the *Questura*, joining the large numbers of people who arrived there early in the morning in order to get in line for the ticket allocation for application submission, permit collection or the fruitless attempt to access information regarding on-going applications. After several days of observation I began to recognise the faces of certain people who were regularly present. Dressed smartly and holding briefcases, these were self-styled immigration "experts" who acted as documentation brokers within their communities. They possessed good Italian and understood the basics about immigration law. Their clients were members of their own community with less cultural capital and weaker language skills. A similar phenomenon is discussed by

James and Killick in their study of a London law centre. In their article they note the way in which clients frequented the law centre “owing to an ethnic recruitment process” (2012: 435). As James and Killick note, law centre staff were concerned that interpreters who accompanied clients were financially motivated rather than “in terms of public good” (*ibid*), as the staff were. James and Killick’s informants suspected that these interpreters acted as brokers and received a commission by introducing the client to the law centre. When I began fieldwork at the advice centre I learnt more about these self-styled brokers in the Bologna context, some of whom were volunteers at the advice centre itself. Similar to James and Killick’s informants, at the centre, staff members had a negative view of such characters, who were usually labelled as “delinquents”. However, I suggest that these community brokers’ motivations must be further interrogated. Financial gain was certainly an incentive, but becoming an immigration expert also gave individuals the opportunity to be professionals and gain standing in their communities. Given community brokers’ role as volunteers, their acceptance of money in or outside the space of the centre was considered problematic by staff members. This raises issues surrounding understandings of volunteering, work and appropriate remuneration. Drawing on literature from other settings which has analysed motivations of development workers, I will explore how motivations behind volunteering must be understood in relation to the available opportunities in the labour market. This also addresses fundamental tensions inherent in volunteering across different settings.

I met three such community brokers with whom I volunteered at the centre. As I will discuss below, when it was discovered that these actors had been creating their own client-base, they were asked to leave. One character was Mustapha, a well-groomed, middle-aged Moroccan man. At the centre, volunteers exclusively worked on the counter; Mustapha however held an almost permanent position at one of the desks in the back of the office where he would make phone calls and receive people who asked for him. At the beginning of my time at the centre, staff members frequently gossiped about Mustapha, and Medhi warned me to stay away from him. As had long been suspected, it was revealed that Mustapha had been charging people for services. These included completing permit renewal applications, filling out declarations of hospitality, checking the status of permits and asking Alberto or Ginetta to query the status of an application at the *Questura*. For a higher price, he would help to procure a *contratto di soggiorno* (work contract) in order to renew a

permit. Given the time-consuming nature of application processes, outsourcing this work to a compatriot was a good option for a busy migrant working long hours. Without his own office or private access to *Questura* officials, in his role as a volunteer Mustapha used the centre's resources to fulfil these tasks, essentially as an outpost for his own immigration business. As was later discovered, Mustapha would consult with people in the centre and then later meet them in another location, such as a bar, to receive money. Given that receiving money conflicted with the centre's ethos and standing as a *patronato*, eventually Brigadini asked Mustapha to leave. The general view of staff members was that Mustapha had been exploiting needy migrants. Following his departure, several of his clients sought him out at the centre. Some wanted his help and others wanted to complain that he had made mistakes on their applications. It turned out that he had frequently given out wrong information and made errors on application forms. While staff members interpreted his errors as evidence of his callous and exploitative approach, in reality it was not uncommon for errors on application forms to be made or for incorrect information by lawyers, *Questura* officials and centre staff members to be disseminated. Thus, in reality, Mustapha was behaving similarly to other "experts"; the difference was that he did not have a private office.

Towards the end of my research it was discovered that another of the volunteers in the centre had also been involved in financial transactions with migrants. Naveed from Pakistan was the first person I met at the centre and I spent large parts of my fieldwork volunteering with him on the reception counter. He took his work seriously and played a very facilitative role. When the paid staff were behind schedule he completed application forms, and also helped Ginetta with the preparation for the citizenship applications which she delivered to the *Prefettura* every Tuesday morning. Like Mustapha, Naveed wore smart clothes and was often teased for his rather formal manner. Indeed on one occasion, during a general strike in Rome, Naveed brought his usual briefcase with him, leading to jokes about how he was ready to complete a permit renewal at any moment. Naveed told me that he had once been fairly affluent in Bologna, but 18 months ago the factory where he worked had laid off many of its staff and he had since struggled to find another job. He was living off the money he received through his semi-redundancy (*cassa integrazione*), as well as doing some translation work for the *Tribunale* (court

house), and spent most days at the advice centre. He also attended courses at the *Centro del Impiego* (job centre), reflecting his active desire to improve his employment credentials. In December he went to Pakistan for several weeks and while he was away, the centre found out that he had been involved in a business deal with a lawyer regarding the 2009 amnesty.

As we learnt in the previous chapter, amnesty applications of those who had previously been stopped and fingerprinted by the police more than once, were on hold until the *Ministero del Interno* decided on a course of action. Accordingly, applicants in such a position inhabited a kind of limbo, not knowing if their application would be accepted or not. However, as Alberto learnt from a third party, despite this unclear situation, the lawyer with whom Naveed had become involved promised applicants, who held more than one expulsion, that he would be able to “unblock” their amnesty applications for a starting fee of 500 euros. There was a large number of amnesty applicants originating from the Pakistani community and Naveed played the role of translator and possibly recruiter for this lawyer. As well as this involvement with the lawyer, while Naveed was in Pakistan, it was discovered that outside of the advice centre he had been charging for services that the centre offered free of charge (such as filling out permit renewal applications). In fact, his eagerness to learn at the centre was later interpreted by staff members as motivated by the future potential to earn money from that knowledge. When Naveed returned from Pakistan, Alberto and Maria (Brigadini’s replacement) called him in for a meeting where they confronted him about these rumours, which he immediately admitted were true. Following the meeting, Naveed was asked to leave the centre and I did not see him again.

Naveed’s material self-interest was seen by staff members as running counter to the centre’s public good ethos. However, Naveed’s practices were motivated by a range of factors other than material gain, such as reputation and status. As his smart dress-style, professional manner and keenness to learn indicate, he was eager to present himself as a respectable immigration “expert”. He frequently hinted to me his feelings of being exploited in his role as a volunteer, essentially doing unpaid work while others were remunerated. On one occasion, he told me, “staff members are so rude to volunteers but there is no difference between what they [staff members] do, and what I do.” In the same conversation he insinuated that he had hoped to be employed at the centre but had since given up on that idea. While the staff members

interpreted his behaviour at the centre as underhand, Naveed seemed to have concluded that, since he could not find remunerative work at the centre, he would productively use his time as a volunteer to acquire knowledge that he could then employ elsewhere. He did not charge people at the centre itself, but was prepared to charge people for services outside of it, reasoning that otherwise they would have paid someone else. Furthermore, while the centre viewed Naveed's affiliation with the Italian lawyer as corrupt, I suggest that in Naveed's eyes such a relationship would have bolstered his reputation of being professional and official. Naveed's actions were justified in a milieu in which everybody seemed to be making money, and raise questions regarding the differences between volunteering and paid work: a point which will be returned to below. They also formed part of his desire to be taken seriously and professionally.

While staff members criticised the actions of Mustapha and Naveed as exploitative and corrupt, describing them as "delinquents", I suggest that the business endeavours of both men were in fact not only related to financial gain, but also to the desire to fashion a professional self. As has been noted in this thesis, in Italy employment opportunities for migrants are generally limited to the lowest status of occupations (Calavita 2005a). Mustapha and Naveed's behaviour can be seen as attempts to resist such restrictions and instead become professional experts. The centre acted as a place to learn the required expertise, as well as to meet clients who were willing to pay for services. Therefore, the shifting and opaque nature of the immigration bureaucracy acted as a means through which more experienced migrants could fashion themselves as professional and authoritative experts – a role which, as a migrant in Italy, was hard to develop.

The following case of Medhi, another community broker, further highlights these issues of volunteering versus paid work. Medhi was one of my central informants, and has featured in previous chapters. He had an empathetic sensibility with a strong sense of social responsibility. For example, when the new head of the centre, Maria, attempted to restrict its services such as free consultation with the lawyers to trade union members only, Medhi passionately resisted. He repeatedly exclaimed to me that, "we need to help people, Anna. We are here to help." He was particularly disapproving of Mustapha and others like him. In fact, it was pressure from Medhi that pushed Brigadini to eventually expel Mustapha from the centre. He

frequently brought clients who he identified as particularly vulnerable, and whom otherwise might have remained under the radar, to the attention of Alberto or Ginetta. This was so in the case of Stephanie, a Nigerian woman, whose baby had been taken away by social services, or Sami, a Bangladeshi man, struggling with the bureaucratic arrangements after his baby was stillborn. During my fieldwork, Medhi was a regular presence at the centre, except for several weeks when he was employed by *Casabase*. However, as I noted in Chapter 2, shortly after his employment at the cooperative, Medhi returned to the centre saying that he had resigned. He did not want to be part of an organisation that charged for services which people could receive for free at the centre. He struggled financially, living mainly off completing translations of certificates and in summer 2010 he worked as a picker on a fruit farm.

Despite Medhi's financial difficulties I was certain that, other than for translations of certificates, he did not charge for the services he provided – at least during my fieldwork period. However, when I met him during a post-fieldwork trip in November 2012 he had distanced himself from the centre and was operating an informal type of immigration business himself. I had run into Medhi on the way back from a trip to the *Questura*, where I had been taking photos with Chiara. He was accompanied by a tall, dishevelled-looking Moroccan man, and having not seen either of us for a long time, he was both glad and surprised. As we walked back to the centre of town together, Medhi explained that he had been helping his companion, who was walking a couple of metres behind us. “*Poverino* [poor thing] he has lost all his documents,” he explained. Medhi then proceeded to tell us how the man had paid him 150 euros for three days of help with replacing his permit, identity card and the other lost documents. “We’ve been to the *Carabinieri* [military police], *Comune* [municipality], *Questura*, all over. He pays me 50 euros a day – and it has taken three days to sort everything out.” Once we arrived in the centre of town, Medhi insisted on buying us coffees and he went inside to order while Chiara and I sat down at an outside table. As we drank our coffees the conversation turned to the advice centre. He told us:

I never go there anymore. I am fed up with her [Maria – the new head of the centre]. She keeps calling me, asking me to go back there to act as an interpreter but I won't – she can learn Arabic herself. Comasco [the centre's lawyer] is just as bad, he calls

me in to translate, charges the client 500 euros and what do I get? *Grazie!* [Thank you]. Well I'm not called *Signore Grazie* [Mr Thank You].

On our way home, Chiara and I discussed what we had just heard. She was shocked that Medhi, who had previously been openly against charging people for assistance was now receiving money. "He has become like everybody else," Chiara said. "He is just exploiting other Moroccans who can't speak Italian. He is only providing a translation service. He's hardly an expert." It was certainly the case that, as Chiara noted, Medhi's decision to charge for translations was at odds with his previously espoused attitude. But something else was at play: the importance of due recognition of, and value attributed to, important skills. His rant about the new head of the centre and the lawyer Comasco highlighted his resentment of doing work for free which others were paid for. Lastly, Medhi was not contradicting his previous beliefs, as the service he was now providing was *not* available free of charge elsewhere.

Medhi's statement that he was not "*Signore Grazie!*" echoes a question asked by Pigg, in a different context: "Who is a worker, who is a volunteer? Who can strike and demand pay for their expertise and who is merely obliged to provide humanitarian service?" (1997: 281). In her chapter about traditional medical practitioners being used in development programmes, Pigg argues that such practitioners are expected to act as mediators between development programs and village life, motivated by the desire to help their local communities. This expectation, however, clashes with the ideas held by Nepalis who are trained by these development programmes. In a context of economic pressure, training is associated with opportunities for life betterment outside of the village, rather than to remain within it as a broker (1997: 281). Both Medhi and Naveed resented not being formally employed at the centre and doing unpaid work for which others were remunerated. Their hope and subsequent disappointment at not being employed was intensified by the fact that, although rare, the employment of volunteers at the centre had on occasion taken place. Indeed, during my fieldwork period an Albanian woman called Mirkena, who had sporadically volunteered at the centre for years, was employed by the new head Maria (see Chapter 2). Medhi viewed the employment of Mirkena as the result of her "sucking up" to Maria who, having hostile relationships with other staff members, and being ignorant of matters regarding immigration, did

not exercise strong leadership at the centre. In any case, Medhi's distancing from the centre occurred shortly after Mirkena's employment, and he frequently implied that he was bitter about it. Medhi's resentment towards the centre and subsequent marketisation of his expertise were thus reactions to his own feelings of exploitation. His and Naveed's sentiments and actions highlight the tensions inherent in the notion of volunteering itself.

Later that evening Chiara, her partner Al Badisi and I were having dinner. Sitting round the table, Chiara said to Al Badisi, "tell British [me] what you said before." I looked at Al Badisi enquiringly, but he looked at Chiara confused. "He said," Chiara continued, "that if Medhi didn't charge people money, then somebody else would!" While Al Badisi's sympathetic nature pushed him to try and rationalise Medhi's behaviour, Chiara found this rationale morally reprehensible. "If he needs money, he should go and work in a factory like everybody else. It is not an excuse!" she exclaimed. Meanwhile Al Badisi continued to defend Medhi, saying, "he really needs the money and the man was happy to pay. Everybody does it." Chiara strongly believed in migrant solidarity, which she saw as essential in order to improve migrants' rights in Italy. In her eyes, community brokers profiting from the complicated and time-consuming documentation regime was a reflection of their ultimate complicity in migrants' structural marginalisation.

However, such a view was rare and not widely shared by others. Al Badisi was expressing a common view when he referred to the ubiquity of payment for advice services. While Chiara's views offer interesting insights into the continuing marginalisation of migrants in Italy, they do not account for the various motivations that underpinned community brokers' actions. In the case of Naveed, his volunteering at the centre, selling of private services and affiliation with a lawyer, represented a complex combination of motives, in which charitable impulses dovetailed with a desire for fair compensation and with a longing for recognition as a smart professional. For Medhi, providing services of companionship and translation were a fair and legitimate way to make money – for which he was desperate – while also being a means through which his empathetic sensibility expressed itself. Chiara's vehement statement that he should "go and work in a factory like everybody else" was evidence of her uncompromising view that migrant solidarity was the only way to improve the situation, but it also expressed a somewhat paternalistic reluctance to acknowledge that Medhi and Naveed had a right to move above the

lowly paid work sector in which most migrants were trapped. For them, providing immigration services was not only motivated by financial gain, but also acted as a way of resisting or avoiding the otherwise low-paid and low-status work to which migrants were restricted.

Using volunteer positions as means to increase one's possibilities for life betterment has also been observed in other contexts. In an article about peer educators for an anti-AIDS programme in South Africa, James (2002) has observed the way in which such peer educators are not necessarily motivated by spreading messages about safe sex or other related issues, but instead by the possibilities for career development. Also working in South Africa, McNeill makes a similar observation, noting the way in which, in a context of high unemployment, becoming a peer educator provides an opportunity for upward class mobility (2011: 150-151). Like the community brokers discussed above, these articles highlight the way in which motivations to volunteer or to be a peer educator must be situated within the context in which they take place. As in James's and McNeill's articles set in South Africa, the volunteers at the centre were also motivated by dynamics created by lack of employment opportunities. Naveed had been laid off due to the closure of the factory where he worked, and Medhi struggled to find appropriate stable employment. This was the case not only for the community brokers, but also for the young Italian student volunteers who were hoping to bolster their CVs through their *tirocini* (internships) at the centre. The tension inherent in the notion of volunteering is not only pertinent to volunteering in contexts where unemployment is high. In her work with a UK gap-year charity, Rachel Wilde has highlighted the tension between the idea that volunteers are motivated by selflessness, and the idea that they also want their charitable work to change their own lives (2012: 133). This tension hinges upon the question of who ultimately benefits from volunteering work. The rhetoric espoused by development agencies and gap-year organisations is often in contradiction with the motivations behind, and real effects of, volunteering projects.

In their contexts, James and McNeill note that the real beneficiaries of peer education programmes are the teachers not the taught. While this outcome may be unintended, it is nonetheless effective as it gives these young peer educators opportunities for improving their life chances in a context of high unemployment and poverty (James 2002: 186, McNeill 2011: 152). These possibilities for advancement,

are, in addition, “pursued through individualised means” (James 2002: 187), and are related to the abandonment of group strategies and a rise in political apathy among young people about the way in which the AIDS epidemic is discussed and treated (2002: 170, 187-188). This point connects to Chiara’s adamant beliefs regarding migrant solidarity. The motivations of the community brokers were complex and went beyond financial gain, but for Chiara, their individualistic nature made them reprehensible. Medhi and Naveed, in reality, were not corrupt brokers exploiting those more vulnerable than them. Instead, they were legitimately offering expertise and services which were useful to people. The drawback perceived by Chiara, nevertheless, was that their activities took place in a context in which life improvement was imagined only in individual terms.

While Chiara was adamant in her beliefs regarding migrant solidarity, as will be explored in Chapter 7, this was not a vision shared by many others. Rather, as will become clear in the next section, migrants did not trust a system based on public good and philanthropic aid. Instead they wanted to ensure they received an effective service which, they believed, was more likely to be guaranteed if a financial transaction had taken place.

BEING NON-ANONYMOUS

Ultimately, the centre’s advocacy approach, which was premised on equality and migrants’ rights, as well as its position as a semi state-funded *patronato*, was in contradiction with migrants’ general approach to immigration advice and services, which was usually based on financial exchange. While clients often cited the centre’s free services as the motivation for visiting, the absence of financial transaction made clients suspicious of the quality of the assistance offered. As we will see, in order to ensure the quality of these seemingly “transparent” services, clients engaged in gift-giving and other practices in order to become “non-anonymous” (Blundo and Olivier de Sardan 2006: 106). Staff members’ refusal of monetary remuneration meant that clients were less able to personalise relationships with them. But, on the other hand, staff members’ heavy work-load meant that they did, in effect, employ practices of favouritism because they did not have the time or resources to assist everybody with

equal depth of attention. Moreover, as noted in Chapter 2, not all staff members were able or willing to do what was in most cases necessary: to go beyond the call of duty to help individuals with their applications. As noted, obtaining the attention of Alberto was infinitely valuable. However, Alberto's heavy workload limited the number of people with whom he could engage. Accordingly, as I will describe below, the quality of service received was variable and often entailed giving unequal amounts of time and attention to different clients. Migrants, as a result, needed to become non-anonymous in order to personalise and maximise the service which they received.

Although the centre did not charge for services, migrants frequently attempted to pay for the advice or services which they received. For example, after having an application completed in the inner office, people commonly insisted that the particular staff member should accept five, ten or twenty euros. On such occasions, staff members responded that they could only accept the money as a contribution to the trade union, and would write the client a receipt. "No, no, no," clients responded, attempting to stuff the note into the staff member's hand and stop them writing out the receipt: "keep it for yourself." Staff members would nonetheless diligently write out the receipt and give it to the client. At other times, staff members were explicitly offered bribes. In fact, on several occasions during the 2011 *decreto flussi* application procedure, I was offered money by clients in order to ensure that their applications were the first to be submitted online – something that, in reality, was not in my control. Wanting staff members to accept money for application completion was a mixture between a desire to show gratitude and a belief that paying for a service would guarantee its quality. The tension between migrants' expectation to pay for services and the centre's emphasis on offering assistance free of charge was, to a certain extent, based on the clash between ideologies of the market and one based on solidarity and unionism. While the centre was run according to the logics of trade unionism, as I noted in Chapter 2, this was not necessarily known or understood by its clients, nor were most of them members of this body.

Although bribes were unsuccessful, strategies to become non-anonymous were not. Due to the stressful and busy atmosphere of the centre, the quality of assistance which clients received varied greatly. On some occasions, clients with no appointment who urgently needed to renew their permits were squeezed into the

day's work schedule, while at other times they were fobbed off; some people's cases were enquired about at the *Questura* while others were told to carry on waiting; and in other moments, those with complex cases were taken under Alberto's wing, while others were sent to the centre's lawyer and were likely to remain below the radar. To ensure that one received the centre's optimum services, it was necessary to attract attention and become known by one's unique characteristics. Clients recognised this and gift-giving was one way of attempting to elicit sympathy or a sense of obligation in a staff member or volunteer in order to receive help and favours. These gifts ranged from small trinkets or chocolates to expensive alcohol, packs of cigarettes, clothing and watches.

In their study of everyday corruption in Africa, Blundo and Olivier de Sardan write: "Users adopt these strategies to try to personalize their administrative relationships because they are otherwise characterized by an extreme ambivalence, ranging from harsh and inhumane treatment to total solicitude" (2006: 92). The authors note that in order for a user of a public service to obtain satisfaction they need to know someone and be able to pull strings (2006: 77). Thus, like Blundo and Olivier de Sardan's informants, for migrants at the centre gifts were attempts to build relationships in the hope that applications would receive proper attention. Although migrants were aware that the centre was not in direct control of their applications, they knew that they needed a broker who would encourage a *Questura* official to act favourably. Reflecting his role as the most effective broker at the centre and the individual most likely to commit himself to a case, it was Alberto who received the most gifts and endless offers of coffee and dinner.

While taking the above into consideration, I do not suggest that clients' offerings were always purely instrumental or necessarily given in the expectation of return; people also used gifts to express their genuine gratitude. Among the many hostile and unfriendly bureaucratic offices which migrants visited in their encounters with the documentation regime, the centre was a place of relative friendliness and equality. Overcome with gratitude towards a staff member for the amount of help and support they had received, especially if the application had gone well, clients used gifts to show their appreciation. Whatever the complex motivations behind the gift-giving practices, they served, ultimately, as methods to personalise the bureaucracy.

HOW TO BECOME NON-ANONYMOUS?

It was not easy to detect a systematic pattern in who was more likely to effectively elicit help from staff members, or why this was possible in some cases more than others. Obtaining special attention largely depended on the time of day or staff member's workload. Clients' national backgrounds were also a factor, however, and originating from the same country as staff members or volunteers was usually advantageous. Accordingly, Eritreans sought out Biniam (or if he was not there, Chiara); Moroccans sought out Al Alami or Medhi; Albanians sought out Mirkena; and Pakistanis sought out Naveed. This was a tendency rather than a blanket rule. For those with weaker Italian, seeking out a compatriot was a question of language. Others felt that they could trust and benefit more if dealt with by a co-national. This strategy could backfire, but it certainly worked in some cases. With a strong sense of professionalism and commitment to following the rules, Biniam was keen not to be seen as favouring Eritreans. However, in reality Eritreans *were* likely to get a superior service from him than other clients who came in with no kind of contact. On Biniam's part this was not to do with ethnic favouritism, but with the fact that he was familiar with most of the Eritrean community and thus felt socially obligated to give them assistance. Meanwhile, it was common for Al Alami to fall behind on the appointment schedule. This was partly due to his characteristic disorganisation but also because he frequently did favours for people. It was common for Al Alami to be called out from the inner office to talk to a Moroccan who had requested his attention. His character was such that he struggled to say no and tended to give into individuals' demands, whether it was a brief consultation or slipping the individual onto the appointment list at the last minute. While this did lead to Moroccans being favoured on particular occasions, Al Alami was equally likely to do a favour for a non-Moroccan; it was simply that a Moroccan was more likely to ask him. In these cases, although the result looked like favouritism based on nationality, in fact it was because clients used their shared national background with staff members in order to extract favours. The sociality that this created made it more difficult to refuse the individual's demands. Indeed, on several occasions Al Alami, Biniam and others hid in the back of the office in order to avoid individuals who they knew would oblige them to do particular favours.

The most controversial favouritism was that between Alberto and the Chinese community. At the beginning of my fieldwork period Alberto began to develop this relationship. Initially it was welcomed at the centre, and Alberto was praised for having gained the trust of a community that was perceived as closed. However, as the months progressed, staff members, volunteers and even clients began to criticise this relationship. Alberto was not entirely sure how his close relationship with the community had begun, but he described helping a pair of Chinese clients and from then onwards all Chinese visitors to the centre sought out “Alberto”. This included migrants coming to the centre from all over Northern Italy to ask Alberto to complete a simple permit renewal application (which requires no real expertise). In fact rumours about Alberto’s abilities were so prolific that many Chinese people thought that he was indeed Chinese and were surprised when a white-haired, white-skinned and non-Chinese speaking man was introduced to them. As mentioned, Alberto had a jovial and friendly manner and he treated everybody with kindness and respect. He particularly enjoyed the attentions that the Chinese community gave him and, to the disapproval of other staff members and volunteers, encouraged them to seek him out exclusively. Alberto justified his attentions by saying that it was his doing that had led the Chinese community to frequent the centre and it was important to continue this. Furthermore, he blamed the poor attention to detail and occasional rude manners of some of his colleagues, saying that these were the reasons why the Chinese sought *him* out exclusively.

During my fieldwork, a situation developed in which almost all Chinese people who came to the office were seen by Alberto, even if this meant waiting long periods of time. This created tension, because Alberto was in high demand by everybody. Frequent visitors to the centre all favoured Alberto, and even on quiet days there was a queue of people waiting to see him. Staff members, volunteers and occasionally clients became angry when they thought that Alberto was favouring Chinese clients, for example, by giving them a last minute appointment or consultation, or staying late at the centre in order to help with a complex case. In reality, Alberto had equally strong relationships with people from different communities. It did appear to be the case, however, that being Chinese almost guaranteed his attention (notwithstanding busy schedules and queues), to which those from other communities were not so immediately privy. Because of Alberto’s skill, demeanour and dedication to his work, this relationship was a valuable asset for

the Chinese community. It was almost as if, by just being Chinese, one became non-anonymous. While clients' national backgrounds were a factor in how they were treated at the centre, receiving special attention was contingent upon a host of different factors and circumstances. Other reasons why a client may be more likely to solicit the attention of a staff member was their educational background, where they lived in Bologna, a conversation they had with the staff member, whether they had children, if they frequented the centre often or whether they were trade-union members.

Although gift-giving practices did not have an impact on the quality of the treatment that clients received, they pointed to the inequality in assistance that the centre offered and the necessity of becoming non-anonymous. Accordingly, these practices created tension for the advice centre as they conflicted with its ethos. While the centre espoused ideas about equality and rights, in reality it was operated by a system in which one needed to "stand out" in order to ensure one's case received sufficient attention. This was not always based on somebody developing a relationship or being likeable to a staff member. In fact it was often down to a client being persistent and demanding that their case was followed up. Nonetheless, these practices reinforced migrants' perception that they needed to develop personal relationships in order to effectively obtain good assistance. While the centre was keen to distance itself from activities practised by individual brokers, who privately received money for services completed, the motivation for people to seek out the services of these brokers was the same as what drove them to give gifts to staff members: they were looking to obtain extra help and security through personalisation. The necessity of becoming non-anonymous did create unequal access to help, but I concur with Humphreys (2012), who notes that where patronage and clientelism thrive, people are also more likely *overall* to receive personalised and committed assistance than in a context where such practices are less commonplace (2012: 24). At the centre many, if not all, clients were treated with warmth, commitment and dedication that they would not receive in a context where assistance is given according to official and impersonal norms.

Additionally, while a system based on personal favours did exist, it was not based on private gain. Rather, whatever "favouritism" Alberto practised was a way in which to make his work more enjoyable and rewarding. Developing relationships

with particular individuals was cited by Alberto as the “only perk of the job”. Humphreys has noted that performing favours endows actors with a sense of self-worth (2012: 23). She writes that personal connections “are in fact the circles that provide the recognition on which self-estimation depends” (*ibid*). Examples such as Alberto’s desire to make his job fulfilling and Al Alami’s personal weakness at refusing requests show the divergent motivations for the development of personalistic relationships for both clients and staff members.

CONCLUSION

Managing the Kafkaesque immigration bureaucracy frequently required the intervention of brokers and advisers in efforts to obtain information or ensure an application was accepted. As much anthropological literature on brokerage and the state has explored, people attempt to personalise bureaucracies in their efforts to achieve successful outcomes. For migrants in Italy, while having contacts was the most effective way in which to guarantee success, for those without contacts, financial remuneration seemed the most secure option. As we have seen, in Bologna a host of organisations and actors filled this “gap in the market”. While financial gain was certainly a motivating factor, by examining the stories of three community brokers I have suggested that the documentation regime’s opaque nature produced more than just economic possibilities.

Chiara’s harsh criticism of Medhi’s brokerage was perhaps unfair. However, it highlighted the way in which opportunities for life betterment were limited to individualised projects (see also James 2002), which ultimately took advantage of the bureaucracy’s arbitrary and labyrinthine nature. In her recent article, James has observed that anthropological literature on brokerage has largely been divided into two camps. The methodological individualists who emphasised the broker’s skill and ability to manipulate a situation despite structural constraints lay in one camp, while the Marxists who argued that such an analysis of brokers masked true sources of inequality lay in the other (James 2011: 335). Further, according to the Marxist view, which echoes Chiara’s standpoint, the broker is “morally offensive” (*ibid*), taking advantage of “vertical hierarchical divisions rather than organizing politically in the

interests of group action” (*ibid*). This chapter has provided evidence in support of both arguments. On the one hand, it has shown how the documentation regime provided opportunities in which the skills of budding entrepreneurs could be honed, and useful advice given. On the other, however, the exchanges which took place were unregulated and clients *were* frequently exploited by unscrupulous middlemen. The systemic character of brokerage, which ultimately reinforces inequality, may be true and should be acknowledged (Boissevain 1966). But, to reduce the kinds of activities described in this chapter to nothing more than further evidence of migrants’ exploitation, as Chiara wanted to do, elides the myriad of motivations and effects of such brokerage, which offered advantages in applications for clients at the same time as providing opportunities for career development to brokers. In fact, despite her apparently uncompromising view, Chiara embodied this ambiguity. Although she never accepted money, she was herself a kind of broker who used contacts that she had cultivated over the years to help those in need. She felt that her “pure” motivations deproblematised her role as a broker. But following her own line of argument, although she was not receiving money, Chiara was nonetheless part of a system that perpetuated the necessity for personal assistance in order to obtain services. Her clients’ currency was not money, but like those of Alberto, they required luck or particular personal characteristics to make her sympathetic to them.

CHAPTER FIVE

THE RULES OF RULE-BENDING

INTRODUCTION

Successfully navigating the immigration bureaucracy in Italy involved manipulating loopholes, making the best of the law's flexibility and seamlessly managing the gap between paper and practice. When referring to accessing contacts, paying for paperwork in the informal economy or learning to accept and make the most of the changing and flexible laws, staff members and clients who were long-term migrants would call this "*il sistema paese* [system of the country]". The term, which was used by both my Italian informants and long-term migrants, referred to the way in which Italian bureaucratic and legal systems were both manipulated and open to manipulation. "In Italy things work like this! [*In Italia le cose funzionano così!*]" my informants would exasperatedly tell me when I asked how a Bangladeshi street-seller was able to be legalised in the 2009 domestic worker amnesty, or how "illegal" migrants already on Italian territory were able to make use of the *decreto flussi* contrary to its "official" purpose. The process of completing bureaucratic applications was far from straightforward, and learning to manoeuvre to one's best advantage was a sign of an integrated and long-term migrant.

The separation between the "official" procedures and the "real" way in which bureaucratic practices are completed has been a central focus for Italian-based ethnographies.⁴⁷ In my fieldwork context the ways in which migrants actually navigated the immigration bureaucracy, such as using the *decreto flussi* as a means for family reunification or the domestic worker amnesty in order to legalise one's brother, can be seen as the "real system" (Galt 1974), or functioning according to the "pragmatic rules" (Bailey 2002). This is opposed to the "official system" (Galt 1974) which stated that the *decreto flussi* was designed for employers to bring over foreign workers from abroad, or that the 2009 amnesty was intended to enable an Italian

⁴⁷ See Galt 1974, Schneider & Schneider 1976, Gellner & Waterbury 1977, Zuckerman 1977, Chubb 1982, Shore 1989, Pardo 1995, 1996, Carter 1997 and Zinn 2001.

family to legalise their “illegal” migrant domestic worker. Characterisation of bureaucracies as inefficient and corrupt, necessitating manipulative strategies, is not unique to Italy. But the particular form of rule-bending does inform us about people’s attitudes towards, and relationship with, the state in that particular context. Indeed, anthropological work has argued that the existence of two systems – the “real” and the “official” – is a strong feature underpinning people’s distrust of the state and bureaucracy in Italy (Galt 1974, Zinn 2001). With this in mind, in this chapter I argue that my informants’ rule-bending practices, and complex attitudes towards them, must be situated within the wider context of their relationship to the state and bureaucracy in Italy.

The first half of this chapter explores people’s attitudes towards engaging in the “real system”. Mirroring the findings of other ethnographic work set in Italy, my informants’ rationales for playing by the rules of the “real” system were intertwined with ideas about the inefficient and corrupt nature of the “official” system, belief that bureaucratic laws were designed to impede migrants, and fear of losing out by not bending the rules (Galt 1974, Shore 1989, Zinn 2001, Pardo 1996, Guano 2010). The second half of the chapter examines the rules of rule-bending while navigating the immigration bureaucracy. I show how, while the Italian system offered flexibility to migrants, playing according to *il sistema paese* required careful manipulation and finesse. Migrants needed to be well-informed on the technicalities and details of the “official system” in order to effectively manipulate its loopholes and not be caught out.

DISAPPROVAL

The expectation that individuals *should* bend the rules in order to successfully navigate the documentation regime was highlighted by the unusual cases of Stefano and Ivan, who rejected the immigration bureaucracy’s “pragmatic rules” (Bailey 2002). These two young men did not want to engage in what they saw as underhand practices in order to obtain documents. This unusual attitude elicited almost universal disapproval at the centre.

Reflecting his bias in favour of bright and engaged university students in unusual circumstances, Alberto was enthusiastic about Stefano's case. Stefano was a Chinese citizen who had recently graduated from the University of Bologna. He was visiting the centre because he needed advice on how to renew his permit. Students who have graduated are able to convert their student permits to work permits, but a signed work contract must be procured before the student permit expires. Stefano's permit was to expire in the following days and he still had not found a job. Alberto had advised Stefano that he should find somebody who would be prepared to "employ" him as a domestic worker. As described in the previous chapters, domestic work contracts were frequently used by applicants who were unable or did not wish to find employment. Thus, through family or friendship networks, Stefano needed to find an "employer" who, as a sign of friendship or in return for financial reward, would sign a work contract. This would enable Stefano to convert his student permit to a work permit and he could then continue with his job search without fear of becoming "illegal". Stefano, however, responded that he did not wish to renew his permit in such a manner. He politely explained to Alberto that he had studied very hard for his degree, was confident that he would soon find a job and did not want to convert his permit in "this way [*questa maniera*]". While on hearing Stefano's story other staff members in the centre thought him foolish, Alberto admired Stefano's unusual attitude: he was aware of how the system worked but rejected it. Such astuteness and resolution made him sympathetic to Stefano.

Two days later Stefano returned to the centre to inform Alberto that he had been successful in his job search, but he needed Alberto's assistance. Stefano was caught in a "Catch-22" situation. His work contract would not begin until after the expiry of his permit, but without a receipt for renewal he would not be able to sign his work contract. Stefano thus needed Alberto to persuade the *Questura* to accept his conversion application, despite the fact that his work contract had not yet begun. The following Friday, along with other cases which he was enquiring about at the *Questura*, Alberto presented Stefano's situation to the vice-director. At the bar later Alberto described to me how he had been irritated by the vice-director's response. Similar to the attitude of the other staff members at the centre, the vice-director had exasperatedly asked Alberto, "doesn't he [Stefano] have any friends or family who could have done him a favour?" Alberto noted the irony of the situation in which officials desire the paper to be in order whether or not it reflects the reality of an

applicant's circumstances. In a moment of frustration he noted that: "in this system of delinquency it is the honest ones who get screwed [*In questo sistema di delinquenza sono gli onesti che sono fregati*]." Such encounters demonstrate the way in which the rules of *il sistema paese*, which were unwritten and unofficial, were perceived as those which *should* be followed.

Alberto felt that the vice-director's reaction was evidence of what he felt was a system that perpetuated corruption. But actually, by encouraging Stefano to procure a fake domestic work contract, the vice-director was attempting to bend the rules rather than break them. She acknowledged the difficult situation Stefano was in, but felt obligated to process his paperwork in the "correct" manner. By following the pragmatic rules, which involved accepting a domestic work contract even though she may have known it was false, the vice-director would have been able to mediate the tension between the demands of the formal rules and the practicalities of Stefano's situation. The fact that the domestic work contract would be false was insignificant. As Galt notes with regard to his informants in Sicily, "everyone recognizes its [official system] fundamental incompleteness and unfairness. Few see operating within it as a mode people *should* adopt" (1974: 195). This case, therefore, presented an unusual and paradoxical situation because Stefano desired to follow the "official rules" rather than the pragmatic ones, but was unable to. This frustrated Alberto, who saw the case as an example of the extent to which delinquency was all-pervasive in the system. In his criticism of the vice-director, however, Alberto did not acknowledge that she was trapped in the same "system of delinquency" as his clients. It was not that the vice-director necessarily believed in a system of false documentation. Rather, the inefficiency of the "official system" led her to believe that the best solution was for Stefano to procure a false domestic work contract. In the end, in order to fulfil Stefano's desire to not engage in semi-legal practices, the vice-director *did* eventually accept his application, but only after considerable persuasion. In doing so the vice-director herself acted outside of the official rules by making an exception. Thus, paradoxically Stefano's desire to be honest meant that the vice-director engaged in discretionary and rule-breaking practices.

Similarly unusual in his approach to immigration bureaucracy was Ivan, a Ukrainian citizen who was in a long-term relationship with an Italian woman. Renewing his permit, Ivan had engaged in discussion with Alberto and Maria (the

new head of the centre), who was perching on Alberto's desk. Ivan was telling them both that his Italian partner had suggested the couple get married in order for Ivan to obtain more secure legal status, and possibly citizenship. He, however, was ambivalent: "I am happy the way things are now. I don't want the reason that I get married to be for documents. Things should take their natural course." Ivan, and others in similar situations, resented the way in which the documentation regime invaded their private lives and impacted on important personal decisions. When Ivan left, Maria recounted his story to another staff member, saying, "can you believe it? What a fool!" Chiara too, commenting on a similar situation, said that she thought those who did not take advantage of the existing possibilities were arrogant and idealistic, thinking themselves above other migrants. In her opinion individuals in such a position did not want to *appear* as if they had married for documents.

Stefano and Ivan's unusual reactions highlighted the embeddedness of following the pragmatic rules in order to get by. Informal strategies, such as procuring a false domestic work contract, enabled the bureaucracy to work smoothly and the various actors involved to achieve their desired ends.⁴⁸ Stefano's and Ivan's attitudes, however, disrupted the usual system. In the case of Stefano the rules were broken, rather than merely bent, by the official when an exception was made, and the centre was required to do more work by negotiating with the vice-director. All of this would have been avoided if Stefano had heeded the advice and obtained a false domestic work contract.

IL SISTEMA PAESE

Stefano's and Ivan's dismissal of *il sistema paese* as corrupt and delinquent obscures the complex rationale for why such rule-bending practices exist in the Italian context, and people's motivations for engaging in them. Anthropological work on Italy has often focused on Italian citizens' distrust and rejection of laws, reflecting a deep-seated suspicion of the state and its bureaucracy. Indeed studies have suggested that

⁴⁸ The employment of informal strategies facilitating the functioning of the bureaucratic institutions has also been documented elsewhere. See Anderson (1990: 60) and Ledeneva (1998: 85) for two such examples.

historically the Italian state has suffered a semi-permanent crisis of legitimation (Ginsborg 2001: Chapter 7, Foot 2003: Chapter 2, Muehlebach 2012: 16). “Illegality”, which includes mundane practices such as tax evasion, can be seen as “the most obvious indicator” (Foot 2003: 62) of such a crisis. The wealth of literature on patron/client relationships has explored this theme, detailing the way in which Italians have historically attempted to personalise their relationships with the state in efforts to access goods and services to which they are entitled but would otherwise not receive.⁴⁹ With reference to fieldwork in Sicily, Galt has argued that bending rules takes place in the “real system” and is justified through the perceived inefficiency and corruption of the “official system”. Drawing on Bailey, Galt compares the “real system” to the former’s “pragmatic rules” (2002). Pragmatic rules “are statements not about whether a particular line of conduct is just or unjust, but about whether or not it will be effective... They range from rules of ‘gamesmanship’ (how to win without actually cheating) to rules which advise on how to win by cheating without being disqualified” (Bailey 2002: 94). Galt, however, makes a distinction between what he calls the real system and Bailey’s “pragmatic rules”. With reference to his Sicilian peasant interlocutors, Galt notes how they “view the real system as the only way around the perceived corruption of the official system. The real system in itself is not spoken of as corrupt” (Galt 1974: 194). Pragmatic rules, therefore, must be situated within the social and political context in which they take place.

As well as understanding the “official system” as inefficient and corrupt, the labyrinthine nature of laws and bureaucratic rules have also been viewed as a motivation and justification for evading them. The predominance of a legalistic culture in Italy, which is characterised by an abundance of laws (Pini 1995: 11, Foot 2003: 77) written in a language which renders them obtuse and mysterious to citizens, is often posited as a system that necessitates rule-bending and evasion tactics (Ginsborg 2001: Chapter 2, Foot 2003: 99). Therefore, the elaborate nature of the legal system and its bureaucracy, which are perceived as impenetrable, create a situation in which people feel they must necessarily bend the rules, since to follow them all would be impossible. That is, in order to meet the requirements of the

⁴⁹ See Silverman 1965, Boissevain 1966, 1974, Blok 1974, Galt 1974, Schneider & Schneider 1976, Gellner & Waterbury 1977, Zuckerman 1977, Chubb 1982, Shore 1989, Pardo 1996, Zinn 2001.

“official system”, which is composed of forms, stamps and certificates, individuals must engage in “semi-legal”, personalistic and creative strategies.

While Stefano and Ivan felt that they could reject the “real system”, given its systemic nature many actors did not feel that they necessarily had the option to opt out. In his description of the rootedness of clientelism within an Italian university, Shore (1989) recounts the unfortunate fate of several naïve foreign-language lectors (*lettori*) who had broken the unsaid rules that guided the university system, by complaining about their superior. Within months all had either resigned or been fired. In my fieldwork context, those I knew who openly disapproved of *il sistema paese* also felt constrained to work within its logic. Social relations and a fear of losing out were key rationales and justifications for manipulating the “official rules”. Discussing the long waiting times for the issue of renewed permits, clients at the centre often complained that despite the fact that they had submitted all the correct requirements and that their paperwork was in order, the *Questura* had nonetheless found a problem with their application. Or they noted that the application had been delayed for no apparent reason. Referring to her belief that the *Questura* worked inefficiently if one did not have the appropriate contacts, one client stated:

You can’t just follow the rules [official rules] here. First of all they change every day, and in any case it’s not enough to complete your application correctly or present all the requisites. If you don’t want to wait a year for your permit to be issued, you have to know somebody.

Others remarked that: “you have to be *furbo* to get by here.” *Furbizia*, which Zinn calls an Italian cultural code (2001:XXII), literally translates as “individual ‘cunning’ and ‘cleverness’ for the pursuit of one’s own interests” (Cole 1997: 32). It refers to those who are wise, clever and crafty (Galt 1974: 195) and who successfully recognise and negotiate the blurred boundaries between “legal” and “illegal”. My informants understood that strictly following the “official” rules was not only unhelpful but also potentially risked damage to applications because “everybody else was *furbo*.”

The complex morality and justification for rule-bending and “illegal” practices are also explored by Guano in her article about people’s attitudes towards tax evasion that, she informs us, expose their relationship to the state and their expectations as citizens. In descriptions reminiscent of case studies described in

Chapter 3, Guano details her informants' encounters with what they perceive as a slow, unfair and consumptive bureaucracy. The article describes a small business owner – Amalia – who, in attempts to be a “good citizen”, tries to renew her business permit. The encounter is characterised by endless to-ing and fro-ing between different offices which Amalia views not only as inefficient, but as the consequence of a clientelistic system in which unnecessary posts are created for friends, kin and clients (Guano 2010: 474). Amalia, and others like her, desire a state to which they contribute and by which they can expect to be compensated, but instead feel that, by being “honest”, they lose out. The perceived unfairness of the “official system” gave moral justification for what would technically be an illegal action – tax evasion (Guano 2010: 475). Thus, for Guano's informants, tax evasion was viewed “as a justifiable form of resistance in the face of a state that they perceived as constantly violating its own obligations” (Guano 2010: 477). As she describes in relation to Berlusconi's 2003 fiscal amnesty, which enabled tax evaders to pay a fine in order to avoid much graver legal consequences, following the “official rules” could lead to paying twice. In fact, at the time of the fiscal amnesty, accountants advised their clients that to *not* partake in it would alert the attention of the officials, possibly leading to an audit (2010: 475). However, as Guano notes, “since the common belief is that an audit inevitably brings about fines even in the face of the most transparent fiscal conduct, many professional and business owners decided not to take the risk” (*ibid*) and paid the fine *on top* of the taxes which they had already paid. Such an experience would hardly encourage these business owners to continue paying regular tax.

Fear and past experiences of losing out by not bending the rules was also a central motivating factor and rationale for my informants in their engagements with *il sistema paese*. As well as resigning oneself to bending rules because of their prolific and convoluted nature, literature has suggested that the vast production of laws is related to citizens' understanding that politicians produce laws for their own interests and not according to those of the citizen (Pardo 1995, Zinn 2001, Foot 2003, Ginsborg 2003, Guano 2010). My informants frequently described how they felt that Italian politicians, lawmakers, *Questura* officials and the public were against them and purposively made the immigration bureaucracy difficult to manage. Referring to the 500 euro fee required to submit an application in the 2009 domestic

worker amnesty, many made comments such as, “they [politicians] introduced the amnesty to make money [*incassare*]. They are in *crisi* [economic crisis], aren’t they?” The understanding of laws being passed for the interest of those who make them provides a justification and motivation for individuals to bend them (Zinn 2001, Guano 2010). On the other hand, for those who desire to follow the official rules – such as Guano’s informant Amalia – a sense of entrapment is produced in which actors feel forced to engage in such practices in order to avoid losing out. Rule-bending, therefore, is not exclusively based on individuals’ assessment on how to best profit, but also on complex reasoning based on their understanding of slow, unfair and possibly corrupt administrations, whose rules do not seem designed to aid the users. Such rationales make it difficult for individuals to reject tactics of evasion, not only because of the belief that “everybody is doing it”, but also because past experiences have taught them that by not being *furbo* one misses out. Those who engage in forms of tax evasion or other rule-bending practices are not necessarily “scheming entrepreneurs” (Shore 1989: 69). Rather, rule-bending is systemic and those who participate in it often feel constrained to do so (Shore 1989).

SOCIAL RELATIONS

Given the systemic nature of the “real system”, engaging with it is intimately tied to social and kinship relations. By rejecting its logics, one risked alienating others. Agreeing with Alberto, both Chiara and Biniam frequently expressed the way in which they believed that the logics of *il sistema paese* created a situation where those who were sly and delinquent succeeded while those who were honest lost out. Yet, despite their strong opinions on the matter they all also engaged in such practices. Biniam frequently criticised what he viewed as a “country of delinquents” where “illegality becomes legality [*illegalità diventa legalità*]”. However, when the 2011 *decreto flussi* procedure was confirmed, he told me that he was obliged to submit an application to be the “employer” for his cousin who was in Eritrea and desperate to migrate to Europe.

I hate getting involved in all this stuff. But I really don't have a choice. They [friends and family] all know about the *decreto flussi* over there [Asmara, Eritrea] and expect us to help them. If it was down to me, I would just ignore them, but it is my parents who pay the price. Others will accuse them [his parents] of having selfish children who don't want to help anybody.

Chiara, his sister, had helped Dewat (their close friend) by being his employer in the 2009 amnesty, so it was Biniam's turn to help somebody in the 2011 *decreto flussi*. In the end Biniam did submit the application. During the process he frequently discussed the way in which the cousin who he was "employing" in the procedure needed help: "she's had it tough. She is a single mum and she has always worked hard." Viewing his cousin as in need helped Biniam justify the way that he too was engaged in *il sistema paese*.

Like her brother, Chiara was also highly critical of how she believed things were run in Italy. Yet, despite her strong opinions, she was a skilful player of *il sistema paese*. Over the many years she had spent in Bologna, making full use of her charming, lively and flirtatious personality, Chiara had made contacts in various institutions which, when necessary, she drew on to help people – her "social cases [*casi sociali*]," as Biniam called them. Countless times during my fieldwork period she would make phone calls to friends of hers who worked at the *Questura* in order to have somebody's application viewed in a sympathetic light. Other times she would go to the *Questura* in person, bringing trays of pastries [*pasticcini*] – "to sweeten them up" she said to me with a smile – in order, for example, to find out about the status of somebody's citizenship application. She also had contacts at the *Comune* and managed to speed up Medhi's friend's public housing application when he and his family faced eviction from their apartment. Other staff members at the centre also took advantage of Chiara's contacts, frequently putting aside cases for her to find out about at a later date. Thus, despite her criticism of it Chiara was an apt and active player of *il sistema paese*. Like Alberto, she enjoyed the challenge of craftily navigating the system. However, notwithstanding the satisfaction she took in skilfully eliciting favours, she was firmly motivated by her desire to help people, which, given her integrated position in Italian society she viewed as her responsibility. Her central objection to *il sistema paese* was her view that in some cases people's rule-bending tactics meant that those who were more "deserving" lost

out. In her opinion rule-bending was not morally problematic if people used it to obtain what they were entitled to but were unable to access due to the nature of the Italian legal and bureaucratic system. But it *was* problematic if people bent the rules for personal profit, such as adjusting one's marital status in order to be eligible for public housing.

In her discussion of her informants' practices of *raccomandazione*, which refers to clientelistic practices through which actors gain advantages such as jobs, jumping queues or university places, Zinn (2001) has argued that such practices are situated within networks of emotional and affective relationships, and are associated with ideas of personhood. Disengagement with them would communicate a change in one's subjectivity and a desire to declare oneself as an individual (2001: XXI). A similar observation can be made in my fieldsite. To reject the logics of *il sistema paese* Biniam would be turning his back on his family and Chiara on her "social cases". Accordingly, a tension existed between disapproving of *il sistema paese* yet using it to help people. If Chiara did not draw on her contacts, ultimately she would be alienating those she wished to help. She partially resolved this moral tension by using her contacts to indiscriminately help people she perceived to be in need (not just her friends and family), regularly volunteering at the centre and going the extra mile when doing so.

In this section I have illustrated people's complex attitudes towards rule-bending. Drawing on other work which has also discussed the "real" and "official" systems in Italy, and how they relate to people's distrustful attitude towards the state, I have shown that for various reasons people often felt compelled to bend the rules even if they would have preferred not to. However, I do not suggest that everybody held the same attitude as Chiara and Biniam. Many sought out ways in which to manipulate their paperwork in order not only to survive, but also to take advantage of loopholes and profit financially. Even those who were critical of the system such as Chiara, Biniam and Alberto, as we have seen, enjoyed playing the system, taking pleasure from their expertise.

In the second half of this chapter I will explore the “rules of rule-bending”. Successfully navigating *il sistema paese* did not mean flagrantly breaking the rules. Rather, in order not to be caught out one had to ensure that the “official” rules at least appeared to be followed. This required skill and detailed knowledge. Issues resulting from migrants’ lack of understanding about rule-bending constituted much of the centre’s work. Knowledge about how to successfully bend the bureaucracy’s rules required experience and expertise.

The case of Usman, a Pakistani man, is a typical example of an individual who manipulated the law’s loopholes but with lack of finesse and knowledge. Usman gained his first permit in the 2007 *decreto flussi*. On hearing that a *decreto flussi* would take place, he found a friend of a friend who would act as an “employer” in a domestic work contract. The *decreto flussi* application was accepted and after returning to Pakistan to collect the visa and re-entering Italy (now legally) Usman was eventually issued with a permit lasting two years. On expiry of this permit Usman submitted the application for renewal now including a work contract for a genuine job at a factory, where he had been working for the past six months. However, almost a year after submission of this application Usman’s permit had still not been issued. He came to the centre looking for advice as how to proceed.

The Friday after Usman’s visit Ginetta went to the usual *Questura* meeting and, along with other cases, discussed with the director why Usman’s permit had still not been issued. The director told Ginetta that Usman’s application was missing the previous year’s declaration of income and receipts of *contributi* (national insurance contributions).⁵⁰ Given the contingency of legal status on employment, the previous year’s declaration of income was a central requisite for permit renewal, and in the case of domestic workers receipts of payment of *contributi* were also required. Ginetta phoned Usman to inform him of what she had discovered and he came to the

⁵⁰ Domestic workers pay national insurance contributions differently to other workers. In other work sectors the contributions are taken directly out of workers’ payslips but because of the informal nature of domestic work contracts, contributions are paid separately. When renewing permits those with domestic work contracts must provide evidence that such contributions have been paid. Given the informal nature of domestic work contracts this ensures that domestic workers are paying the correct taxes and are not working “*in nero*” (off the books). It is by registering with *INPS* (*Istituto Nazionale Previdenza Sociale* – National Institute for Social Welfare), to whom the contributions were paid, that the work contract is formalised.

centre. Usman told us that he did not possess the previous year's declaration of income or receipts of paying *contributi*. After he had received his first permit he had had no more contact with his "employer" and there had been no subsequent documentation to testify this "work" relationship. Losing touch with one's "employer" was common among those who procured false domestic work contracts and, as in Usman's situation, became problematic at the time of permit renewal. To avoid such problems it was necessary to ensure that the "work" relationship continued to be documented even after the first permit was issued.

In contrast to Usman, Chiara's hiring of Dewat in the 2009 domestic worker amnesty was an example of *skilful* manipulation of the law's loopholes. Dewat, a close friend of both Biniam and Chiara, was also an Eritrean. He had unsuccessfully claimed asylum in Italy ten years previously, and had spent the intervening years as an "illegal" migrant in the country (see Chapter 7). Following various failed attempts over the years to obtain "legal" status, Dewat and Chiara arranged that she would "hire" him as her "carer" in the 2009 domestic worker amnesty.⁵¹ Taking care not to be caught out Chiara ensured that their "work" relationship was properly documented. This included paying for the national insurance contributions every three months (for which Dewat then reimbursed her) and then formally ending the contract once Dewat had found an actual job at IKEA. When Dewat's permit expired he renewed it without a problem, as his and Chiara's story was seamlessly documented in the required manner. Yet, Chiara's expertise and knowledge of the system were not shared by all. Following the fabrication of work contracts in order to obtain permits, as in the case of Usman, many did not possess the correct documentation for subsequent permit renewal. Either through ignorance or negligence, "employers" frequently disappeared after the initial permit was received, which left the "employee" in a difficult situation at the time of renewal, since they lacked the required documents which evidenced that the working relationship had taken place.

As it was now too late for Usman and his "employer" to pay the domestic work contributions, Ginetta advised Usman that his best option would be to try and contact this "employer" and ask him to write a declaration stating that when Usman

⁵¹ Chiara, like her brother, has a genetic eye-condition, which means she is almost totally blind. Given this, she has a certificate for full-invalidity and, therefore, was eligible to hire a *badante* (carer).

arrived in Italy the “employer” had not had sufficient funds to actually employ him. In the case that Usman was unable to contact his “employer”, Ginetta would write a covering letter on his behalf and hopefully the application would be accepted. Given that Usman did not have the correct requisites, it was unlikely that the *Questura* would issue the usual two-year permit, but all going well it would issue one that would last a year or at least six months. The fact that Usman did hold a regular work contract at the time of his application, and could evidence this through payslips, made the likelihood of success higher. Cases such as these, in which individuals had bent the rules without being aware of the demands of the law, were frequent at the centre, and took up much of its workload. It was not the bending of rules which created problems for Usman (if he had not bent the rules he would still be “illegal”), but the fact that he was not sufficiently aware of the technicalities involved: the devil was in the detail. The Italian documentation regime, therefore, offered possibilities for legalisation and permit renewal to those who did not have the necessary requisites. But in order to successfully take advantage of this, actors needed to be aware of the rigidity of the system as well its flexibility. Unsurprisingly, those who were adept at navigating the bureaucracy tended to be long-term migrants, such as Chiara.

TALK THE TALK

At the centre those who demonstrated understanding of *il sistema paese* and the nuances and details involved, were more likely to receive advice regarding the “pragmatic rules”. Individuals’ lack of knowledge about rule-bending was exposed when they failed to conform to the subtle rules which guided the appropriate way to discuss manipulating loopholes and procuring false documents. The following two contrasting case studies depict different clients who wanted to find out about how they could bend the rules. The first case shows Biniam reacting in a hostile manner, because he perceived the client to be arrogant and lacking in understanding. In contrast, in the second case the client conveyed his understanding of *il sistema paese* and the appropriate ways to manage it, and received the advice he was looking for as a result. The key to receiving helpful information on rule-bending was to

demonstrate understanding of the importance of the detail in paperwork and the limits to the system's flexibility.

As well as buying domestic work contracts, another tactic which applicants employed in order to renew permits or obtain long-term permits was to present oneself as self-employed. Setting up a business enabled those who did not work or worked on the "black market" to renew their permits. This strategy was not without its risks. I came across many individuals who had set themselves up in this manner for the purpose of permit renewal, but because they lacked the appropriate documentation, the *Questura* subsequently rejected their applications. Similar to the case of Usman, many visited the centre looking for advice following long delays on permit issue or applications being rejected because they lacked the correct documentation.

For those who *were* able to successfully set up and run their own businesses (genuine or not), being self-employed offered advantages in the documentation regime. Those who are self-employed are able to control the amounts on their annual declarations of income, which determine the amount of tax one pays. In the case of immigration applications, annual declarations of income dictate whether one can renew one's permit or apply for the long-term permit. During my fieldwork period, in order to renew a work permit, which lasted two years, one was required to declare an annual salary of at least 5,000 euros. In theory the required amount should rise depending on how many dependents the applicant has, but the *Questura* of Bologna was fairly lenient regarding this. This was not, however, the case for the long-term permit, for which the *Questura* demanded that the officially required salary be met. Given this, it was frequent for those who were self-employed (or at least claimed to be self-employed) to adjust their declared annual income according to whether or not they were submitting applications that year. In fact, Alberto once commented that it would be interesting for me to try to access data of self-employed people's declarations of income and establish the correspondence between annual declarations and the years in which family members had applied for the long-term permit. With the help of their accountants (*commercialisti*), self-employed applicants were able to tweak the figures on their income declarations according to their needs; upping the figure when applying for documents and lowering it in other years in order to pay lower taxes. Having studied many applicants' declarations of income, Alberto was familiar with such tactics. Because they must manage various bureaucratic and tax

institutions, the self-employed (as well as others) in Italy almost always employ a *commercialista*.⁵² *Commercialista* loosely translates as accountant and is considered necessary to ensure the correct navigation of Italian bureaucracy. A *commercialista* can aid both those who want to take advantage of loopholes in the system, as well as those who, like Guano's informant above, do not want to bend rules but get caught out by trying to abide by them. A *commercialista* is thus a professional navigator of Italian bureaucracy, particularly with regard to financial matters. They are not, however, experts on immigration law, and it was not uncommon for clients to arrive at the centre having received incorrect information from their *commercialisti* or with errors on application forms which their *commercialisti* had completed.

Attempting to follow the strategy described above, one day at the welcome counter a Bangladeshi man with a self-employment permit asked Biniam and I how high his income should be in order to obtain the long-term permit. Biniam replied that he should put the amount he earned. The client then insisted, saying, "yes but how much *is* the amount?" adding, "in any case we are in Italy and I can just get my *commercialista* to write the figure that I ask him to." It was common for clients to enquire about minimum salary amounts required for different applications. However, the question would be phrased: "what is the amount needed in order to apply for the long-term permit?" This man, instead, asked: "what amount *should* I put...?" The way in which he phrased the question revealed that he was planning to falsify his document. Biniam's cold and obtuse reaction to the man was not because he disapproved of manipulating the system. As noted above, centre staff members frequently advised clients to adjust the amounts on their declarations of income in order to be eligible for applications. Rather, as he told me, the fact that the man spoke about such things so directly made him appear arrogant and lacking in social knowledge. The way in which the man insisted on knowing the specific amount was disagreeable to Biniam for three reasons. Firstly, because it made Biniam immediately complicit in this man's rule-bending activities. Secondly, it demonstrated how the man lacked understanding of the nuances involved in rule-bending, while at the same time attempting to assert himself as knowledgeable, shown through the way in which he said, "we are in Italy after all". Lastly, the man's reference to his *commercialista* likely implied that he *did* have sufficient income for

⁵² *Commercialista* is the singular, *commercialisti* is the plural.

the long-term permit, but that he wanted to declare his income as low as possible in order to avoid paying higher taxes.

The documentation regime was a shifting terrain in which it was almost impossible to deliver such concrete answers. In order to effectively respond to the man's question, Biniam would have had to make a series of enquiries about his previous years' income statements, how many dependents he had and so on. The man's manner did not encourage Biniam to help him bend the rules, and instead he referred to the "official rules", saying: "put what you earn". Biniam thus feigned ignorance of these practices and rejected the man's desire for collusion. His reaction was not due to his own sense of rule following; on other occasions he gave individuals specific advice on how to bend the rules, as we will see below. It was rather that he did not like the man's manner and, due to the informal nature of the "real system", was not obliged to help him manipulate the rules.

This example shows that one's engagement with the "real" system must maintain a certain element of subtlety and nuance in order to avoid having the individual be perceived as arrogant or ignorant. The man in question had been too blatantly *furbo*, and thus not *furbo* enough. While there was implicit understanding about the gap between paper and practice, the image [*figura*] that the paperwork presents should not be so obviously exposed as false. Therefore, the logics of *furbizia*, and *il sistema paese*, have their own norms and actors must tread a fine line.

In contrast, the following case depicts actors *bonding* over the shared knowledge of bending the rules. On a quiet afternoon Biniam, Chiara and I were sitting behind the welcome counter when a Moroccan man in his mid-twenties entered with his sister. He spoke Italian with a strong Bolognese accent and asked about the technicalities of hiring his sister, whose permit was expiring in several months' time, as the family's domestic worker. Employing her as the family live-in cleaner (*colf*) would enable her to renew her permit for work motives. "As long as the family as a whole has a high enough *CUD* [declaration of annual income], that is fine," Biniam answered and passed him the leaflet for *Casabase*, telling him to go there. He emphasised to them the importance that all the correct paperwork was completed and produced correctly. "Payslips, *contratto di soggiorno* [work contract], employer's declaration," he counted on his fingers. As the conversation continued, Chiara inquisitively queried whether the man had citizenship. "No, you don't?" she responded, surprised. "That *is* a shame because if you had citizenship, she [his sister]

would be eligible for a family permit and then you would not need to bother with all this.” The man responded saying, “*ah beh* [oh well],” shrugging his shoulders and lifting his open-handed arms in resignation. “But when did you arrive here [in Italy]?” Chiara asked. He responded that he had arrived in Italy when he was 14 years old, meaning that he was required to complete the usual citizenship application (see Chapter 6). He told us that he had submitted the citizenship application three years ago. The conversation continued in a friendly and jovial manner as the three of them berated the long waiting times for citizenship and discussed which official had interviewed him at the citizenship appointment.

Biniam’s reaction to the man in this case strongly contrasted with his reaction to the first man. While the Bangladeshi man in the first example offended his sensibilities through his clumsy and forceful querying about income, the Moroccan man above, although just as direct, managed to gain his trust. This was achieved partly through his Bolognese accent and Italian manner of dressing and gesticulating, which immediately signified him as an insider and as an integrated migrant, similar to Biniam. But it was also achieved through the way in which he approached the situation. Although the Moroccan man was explicit about hiring his sister as a cleaner in order for her to renew her permit, he wanted to be informed on all the details rather than particular ones. Another reason why the man’s case evoked Biniam’s sympathy was because he was asking for information in order to help his sister, rather than for personal profit, as in the case above. Importantly, because the man wanted to know all the details of how to start a domestic work contract, he demonstrated his understanding of the importance that the paperwork must be in order: he was aware that there were rules to rule-bending. His manner and approach demonstrated this awareness and Biniam was happy to openly advise him on manipulating the law’s flexibility. Biniam and Chiara’s shock about the man’s lack of Italian citizenship, and subsequent mutual moaning about the *Questura* and *Prefettura*, further illustrated their view of him as an insider. At the centre, therefore, the manner in which clients spoke about rule-bending demonstrated their understanding (or not) of the dual system of the “official” rules and the “real” rules (Galt 1975). Crucial to this was the understanding that the paperwork *did* matter.

The following case studies depict two individuals who were well-integrated into *il sistema paese* but nonetheless ended up losing out. These cases demonstrate

that although being *furbo* was necessary to get by, years of rule-bending could lead to migrants risking their own and their families' future security in spite of their abilities.

THE LIMITS TO RULE-BENDING FOR MIGRANTS

As the following case highlights, strategic navigation of the bureaucracy was useful, if not essential. Yet, given the documented nature of migrants' lives, rule-bending in one application could potentially create problems in others. Rashid was a man from Pakistan who frequently waited in the centre for hours on end hoping eventually to speak with Alberto. Having volunteered at the centre several years ago, he was familiar with most staff members. Alberto explained that the reason Rashid came to the centre so often was that he had still not received any response regarding his citizenship application, which he had submitted several years ago. Through visits to the *Prefettura* and the *Questura* on Rashid's behalf, Alberto discovered why his application had been "blocked". Background checks are carried out on citizenship applicants to ensure that the applicant does not have a record of criminal offences and has paid taxes, fines and so on. While conducting the "controls" on Rashid's background, the *Questura* discovered that his children had not been going to school. Rashid's children were born in Italy, but when they were still very young went with their mother to live in Pakistan. I asked Alberto whether it would be helpful for Rashid to send the school certificates from Pakistan. Alberto shook his head and explained that migrants who are legally resident in Italy are not allowed permanently to live in another country. More seriously, because on paper his wife and children were living in Italy, Rashid had been receiving family benefits. Thus, if Rashid were to argue that his children were in Italy, he would be committing an offence by not sending them to school. If he proved they had been living in Pakistan, he risked being accused of benefit fraud. Alberto advised Rashid to renounce his application and hope that nobody followed up on either issue: in this instance, there was no way round the bureaucracy. Rashid had taken advantage of the relative leniency in the Italian system by managing to ensure that his daughters and wife, although now living in Pakistan, had the flexibility to return to Italy. Since on paper they lived in

Italy he was entitled to receive the family benefit allowance. His actions were the epitome of *furberia*. Taking advantage of bureaucratic systems, where possible, in order to personally benefit. However, Rashid's citizenship application had created a juxtaposition between paper truths and real-life circumstances. Although he may have had insider knowledge, legally he was not an insider and his actions led to him losing the possibility of citizenship in the country where he had lived for over 20 years.

In the last week of my fieldwork Biniam asked me to fill out the *kit* for an update [*aggiornamento*] of the long-term permit for an acquaintance of his called Sarah. The application form required information regarding the person's nuclear family and dependents (if applicable). Officially Sarah had one daughter and was a single mother. In reality she lived with Kidane, who was also the father of her daughter. On paper, however, Kidane lived at his mother's house, as holding residence in the same house as Sarah would have ruined any chance of her being able to obtain public housing. Two weeks before I completed Sarah's application for the updating of her long-term permit, I also met Kidane at the centre. Kidane grew up in Italy and was about to obtain Italian citizenship, for which he applied several years previously. He came into the centre concerned that his four-year-old daughter would not automatically obtain citizenship given that they did not, on paper, share the same place of residence. If a parent obtains Italian citizenship, any children they have under the age of 18 also automatically obtain citizenship. However, there is an assumption that the parent will be resident with the child and, as in this instance, difficulties are encountered when this is not the case. This, reflecting a Catholic influence on ideas of rights, clearly creates problems for any family that may not have a traditional nuclear family setup. In Kidane's case it was not that he and the mother of his child were separated in reality, but rather that on paper they were in order to guarantee access to public housing. This and the above situation demonstrate that there were real consequences of manipulating paperwork. In this case Kidane's and Sarah's daughter stood to lose an opportunity for Italian citizenship, despite the fact that she was born in Italy and her father had grown up there.

Kidane's mother worked as a cleaner in the central trade union offices, and after encountering her on our way to the centre, Chiara told Biniam and me how she had little sympathy for Kidane's situation: "she [Kidane's mother] is acting like he is

a victim. Sorry, but no. You can't have everything. People like them [Kidane and Sarah] are the reason those who actually *are* in need do not get housing – like Sami,” she said, referring to the man who she and I were helping in the arrangement of his stillborn baby's funeral. Living in a cramped one bedroom flat with his three daughters, Sami had described to us how he did not understand why the council told him that he was ineligible for public housing yet acquaintances of his, who owned expensive cars, were. “We immigrants have become the mirror of Italians,” Chiara continued. This was a comment frequently made by Chiara. In her view, migrants' strategic navigation of the bureaucracy in order to achieve their desired ends was a sign of the assimilation of the most negative aspects of Italian culture. While she also engaged in rule-bending practices, in her mind the fact that her activities were not self-interested separated them from others. For Chiara, rule-bending when in desperate situations was acceptable, but it became a symptom of delinquency when motivated by a desire to profit, especially financially.

In these cases, the fact that it was Italian citizenship which Rashid and Kidane risked through their rule-bending was not without irony. As Chiara noted, their actions showed that they had developed behaviour fitting with the representation of Italians' attitudes towards law and the state. Yet it was this “Italian-like” attitude that led to Rashid and Kidane losing out on citizenship. While rule-bending was necessary in order to be successful, even skilful rule-bending could result in high risks for migrants. There thus existed a mismatch between a migrant's social knowledge and embeddedness – which were required in order to navigate the bureaucracy – and exclusionary citizenship laws which made such knowledge and embeddedness precarious. Ironically, the social and cultural learning that marked out some migrants as more integrated into Italian life could be the very thing that endangered their right to live in the country.

CONCLUSION

Distrust of the state and its bureaucracy has been argued to both induce and justify semi-legal practices in the Italian context. In this chapter I have shown how this argument also rings true for migrants' navigation of the documentation regime.

Bending the rules was seen as normative in a context where the state (in this case embodied by the *Questura*) and its laws were perceived to be against the best interest of their users. Managing the immigration bureaucracy required skill, expertise and experience and doing so successfully was the sign of an integrated and long-term migrant. While, with its ease of manipulation, the Italian system offered advantages to migrants, particularly with regard to obtaining one's first permit – for those who lacked the appropriate skills, bending the rules could also lead to failure. Drawing on the cases of Rashid and Kidane, I have shown how the risk of being caught out was also significant for even the most integrated of migrants. Their non-citizen status limited the ways in which the bureaucracy could be manipulated. Bending the rules was useful, but in some cases migrants risked losing more than they might have gained. The conflict between migrants' social embeddedness in Italy on the one hand and their continued legal precarity on the other, will be further explored in the following chapter.

CHAPTER SIX

NOT SO “OTHER”: THE LIMITS OF DOCUMENTATION AND CHALLENGING IDEAS OF CITIZENSHIP.

INTRODUCTION

We’ve closed the advice centre and are waiting outside while Alberto locks the door. Stepping into the hot summer’s evening feels almost refreshing compared with the stuffy atmosphere inside. I unlock my bike and we walk slowly round the corner towards *Bar Carlo*, our usual haunt for an after-work *aperitivo*. Alberto makes his obligatory stop at the *tabaccheria* to refill on *Marlboro Lights* while I wait outside chatting with Bilal. I have met Bilal several times since I started volunteering at the advice centre. He now lives in Finland but regularly visits Italy to see his parents. He used to volunteer at the centre, and always passes by when he is in town. Tall with dark hair and eyes and olive-coloured skin, Bilal’s manner is jokey, flirtatious and confident. He also speaks with a strong Bolognese accent. Chiara has already told me Bilal’s story and explained why he now lives in Finland. He arrived in Italy from Morocco as a child with his parents and two siblings. After reaching the age of 18 years, Bilal was unable to find a work contract and had no desire to carry on with his studies. Two years ago his permit expired and, lacking the necessary requirements to renew it as an adult, he fell into “illegality”. When his girlfriend invited him to move to Finland with her, Bilal decided he had had enough of living the life of an “illegal” migrant in Italy and joined her there.⁵³ As we wait outside the *tabaccheria*, he says to me, “no matter how culturally and socially integrated you feel here, no matter how much you love it, the bureaucracy always excludes you and makes you feel *straniero* [like a foreigner].”

Bilal and others like him live with the paradox of existing in, or risking, illegality in a country in which they have grown up. Bilal also embodies another paradox: he is both Moroccan and Italian. In this chapter I analyse the way in which

⁵³ In Finland Bilal is entitled to a permit as the live-in partner of a Finnish citizen.

immigration and citizenship laws create disjunctures for such people, and explore the dynamic tensions that shape experiences of migration, citizenship and belonging in Italy. Profound contradictions exist, such that while migrants are made other and different through a political and media discourse fuelled with anti-immigrant sentiment, they are simultaneously being created as “new” Italians.

By examining the experiences of the second generation – those who were born or grew up in Italy – with Italian immigration and citizenship laws, I examine how this context can offer important contributions to scholarly work which investigates the paradox of “illegal citizens”. To begin this chapter I will situate my informants’ experiences within the Italian context, where understandings of citizenship and membership are highly racialised, and explore the conflation of ethnicity and nationality in the Italian setting. This conflation, which is rooted in a “bio-politics of otherness” (Fassin 2001), not only excludes the possibility of “genuine” citizenship for those who do not “look” Italian, but also assigns those who appear as “other” the status of a low-level worker with associations of criminality and poverty.

Yet despite this, and despite the marginal position that migrants have been structurally and socially assigned in Italy (Calavita 2005a), second generation migrants are actively challenging and helping to reshape ideas about insiders, outsiders, citizenship and Italian-ness. Stories such as Bilal’s show that, through everyday sociality, second generation migrants are contesting embedded categories of identity and nationality, and in doing so are creating the potential for a lasting transformation of how migrants are perceived in Italy. I suggest, however, that Italy’s bureaucratic treatment of immigration and citizenship remains out of sync with these “ground level” shifts. As I will show, an exclusionary bureaucratic system is effectively acting as a blockage to a gradual process of inclusion that might otherwise occur in Italian society. The disjuncture between the integrated lives that migrants build for themselves, and the repeated hurdles that immigration and citizenship laws put in their way is, I will suggest, at the heart of the lived experience of migration and exclusion that my informants faced.

THE 1.5 GENERATION

Recent work on the so-called 1.5 generation – those who migrated as young children – has explored the way in which, on reaching the age of 18 years, those undocumented must learn to be “illegal” (Gonzales 2011). This literature explores the contradictions inherent in being an “illegal” migrant in the country where one has grown up and challenges ideas about citizenship and legality. Gonzalez and Chavez have written about the 1.5 generation’s experience of trauma when, on reaching legal adulthood, they become “illegal” subjects (2012: 267). The authors describe how their informants dreamt of futures which, given their upbringing, were in accordance with the values of the American dream. However, on turning 18 these young people realised they were different from their peers and that no matter how hard they worked “they were to remain on the sidelines” (*ibid*). This group is important to analyse in an environment in which receiving migrant countries are becoming increasingly restrictive with regard to citizenship policies. With anti-terrorism laws establishing the terrain, it has become increasingly common for young people who have grown up in these countries, following encounters with the police, to be sent back “home”, often to a country to which they have few links (Peutz et al. 2006, Drotbohm 2011). The situations of these young people highlight the ambivalence of the passport, or other documents, which imply unambiguous identification with one singular place, when many people have multiple senses of identity and belonging (Coutin 2003a, Mandel 2008, Drotbohm 2011). It is in these situations that the ambivalent and tense relationship between belonging and citizenship comes to the fore.

The situation of the 1.5 and second generation in Italy, which is characterised by precarious legal status and racialised ideas about citizenship, offers important comparative contributions to this subject (Andall 2002, Riccio and Russo 2010, Bianchi 2011, Colombo et al. 2011, Zinn 2011, Colombo and Rebughini 2012). Specifically, my focus on everyday encounters with the bureaucracy of immigration law highlights the disjunctures at play when cultural insiders are made into structural outsiders. The current Italian citizenship law, passed in 1992, is based on the principle of *jus sanguinis*, which means that citizenship is most easily obtained through ancestry. For those newly arriving with no such ancestral links, or even for those born in the country, naturalisation is the only option. To naturalise as an Italian

citizen, among other bureaucratic requirements, applicants must document ten years of continuous legal residence in Italy (five years for EU citizens). In Italy residency does not only refer to one's place of address but is an official bureaucratic status for citizens and non-citizens alike. Residency is distinct from legal status and non-citizens are not obliged to hold residency: registered domicile is sufficient for the purpose of permit renewal, family reunification and other applications. The official status of residency, however, is necessary for citizenship applications. The requirement of ten years of documented continuous residency was a frequent stumbling block for long-term migrants who desired to submit citizenship applications. Loss of residency caused, for example, by an eviction following a problem with one's landlord, means that applicants are required to re-build ten years of documented residency. This is the case even if the period of absence is very short. Given these bureaucratic requirements, those I knew who did hold Italian citizenship had usually been living in Italy for much longer than the required ten years in order to have become eligible for the application.⁵⁴ Considering these difficulties in obtaining citizenship, it is unsurprising that the number of migrants who naturalise as Italian citizens is low compared to other European countries (Bianchi 2011: 324).

Due to the citizenship law's emphasis on ancestry rather than birth, for those who are born or grow up in Italy, attaining citizenship is a lengthy and difficult process. Minors can obtain citizenship through their parents, or if someone is born in Italy they can apply for citizenship within one year of their 18th birthday. This is, however, a bureaucratic procedure that is far from straightforward. If, for example, a child's parents fall into "illegality" after loss of employment, this would strip the child of the possibility to apply for citizenship on turning 18. Instead, he or she would be required to fulfil the same criteria as any adult migrant. Additionally, if those born in Italy do not submit the citizenship application within a year of their 18th birthday, they lose the right to do so at all. After reaching 18, in theory young people no longer have the right for a family permit and thus must either work or study full-time to avoid losing their legal status. Accordingly, many young people faced legal precarity on reaching adulthood, and certainly did not have the same possibilities as their peers with native parents. As noted in previous chapters, although in the Italian

⁵⁴ Most people I knew who had obtained citizenship had been living in Italy for 20 years or more before they submitted the application.

context it was very easy to fall into “illegality”, there were also fairly frequent regularisation procedures. Thus, if they had access to particular resources, it was common for migrants to fall into “illegality” and then re-gain “legality” at a later stage. As for migrants in general, so too for the 1.5 and second generation: I met several young people who had lost legal status at 18, and then later re-gained legal status in a regularisation procedure. Such a context challenges definitions of “legality” and “illegality”, showing them to be unstable and shifting categories. In this context being an “illegal” migrant, or being issued with a deportation order, did not necessarily preclude possibilities for future legal status. However, such legal status was experienced as precarious and unstable.

As well as the legal precarity that many of these young people confronted, they also faced exclusion on the basis of their appearance and skin colour. As will be explored, in Italy there is a conflation between nationality and ethnicity, which excludes the space for categories such as being Black *and* Italian. In spite of this, in their everyday performances, young people in this category challenged such ideas. Before turning to their experiences I will discuss the way in which migrants are generally perceived in the Italian context.

THE “*EXTRACOMUNITARIO*” OTHER⁵⁵

Anthropological literature has explored the way in which racism has become increasingly conceptualised through notions of “cultural fundamentalism” (Stolke 1995). This contemporary anti-immigrant rhetoric “emphasizes differences of cultural heritage and their incommensurability” (Stolke 1995: 4) moving away from an emphasis on race and biology. Showing such discourses to be present in Italy, Maritano has discussed the Italian “obsession with cultural difference” (2002). Through descriptions of migrants’ supposed eating and living practices, Maritano’s Italian informants depict themselves and migrants as irreconcilably different. Similarly, Triandafyllidou’s Italian respondents were concerned about the “‘cultural gap’ between Us and Them” (1999: 77). These respondents were concerned that any

⁵⁵ *Extracomunitario* is the male singular, *extracomunitari* is the plural. The term translates as a non-EU migrant.

kind of assimilation would threaten the authenticity of Italian culture (*ibid*). Such discourses based on “cultural fundamentalism” were also prevalent in my fieldsite. At the centre, discriminatory discourses based on cultural mores, such as food, breast-feeding or religious practices were frequently voiced by some staff members. However, as well as racism which was narrated through discourses of incommensurable cultural differences, as the following examples will elucidate, episodes of racism based on bodies, skin and appearance were also at the heart of my informants’ experiences. Didier Fassin (2001) has discussed the bio-politics of otherness prevalent in France. He notes that:

While the political discourse did not explicitly refer to race ... there has been growing lexical confusion, leading to the designation of French people born in France as “Maghrebin”, “Africans”, “foreigners” or “immigrants” revealing how skin colour and supposed origin have overwhelmed the legal definition of the Other (2001: 6).

As this following section will show, through the identification of complexion, skin colour, dress, “*tracce*” (referring to facial features), language and other indicators, migrants were automatically identified as “*extracomunitario*”, meaning non-Italian, immigrant and non-citizen.

In her article “Cultural Citizenship as Subject-Making” (1996), Ong discusses how through everyday processes, Asian immigrants in California are made into subjects of a particular nation state. Taking poor Cambodians and rich Chinese immigrants as contrasting examples, Ong shows how “dominant ideologies clearly distinguish among various Asian nationalities, assigning them closer to the white or the black pole of American citizenship” (1996: 743). As poor welfare recipients Cambodians are “blackened”, while the Chinese immigrants’ wealth has a “whitening” effect. As these examples illustrate, “racial hierarchies and polarities continue to inform Western notions of cultural difference” (1996: 751). Indeed, as Riccio and Russo point out with relation to Italy, “it is not a matter of mere cultural racism; phenotypic characteristics have also become more and more relevant in fostering Italian internal boundaries” (2011: 362). Unlike traditional “receiving” countries, such as America or the UK, in Italy there is not a discourse which

acknowledges the existence of Asian or Black Italians as a cultural category. As Andall has written in relation to her work with the second generation in Milan, “being black and being Italian were perceived as mutually exclusive categories in Italy” (2002: 400). My informants, therefore, were not placed on a pole of Italian citizenship. Instead, through discourses of either criminalisation or victimisation they were constructed as poor, low-status and other.

This understanding corresponds to Flavia Stanley’s argument that in Italy ethnicity and nationality are conflated, meaning that anyone who is not considered to be Italian (or a tourist) is demarcated as “*extracomunitario*” – non-EU migrant. As Stanley has written:

[i]n a culturally pluralistic society, nationality can also have a similar connotation to “ethnicity”, which exists entirely outside the issue of citizenship...While the use of “ethnic” does reveal a person’s deviation from the norm of whiteness in the United States, one who is ethnic is not necessarily assumed to be a noncitizen. The reverse seems to be true in the context of increasing immigration and the existence of more culturally diverse populations in Italy (2008: 55).

This understanding of citizenship and nationality based on ethnicity meant that being identified as an immigrant foreigner (rather than a tourist foreigner) was to be identified as an inferior other. Migrants in Italy are labeled “*extracomunitari*” which is an ideologically loaded term. Although this literally translates as non-EU citizens, it is used generally to refer to migrants from the global south or post-Soviet countries, notwithstanding actual EU member status. For example, Romanians or Poles are labeled “*extracomunitari*”. While on the other hand, Australians and Americans – who *are* technically “*extracomunitari*” – are not labeled in such a manner. Accordingly, the term is used to refer to migrants who were deemed to originate from lesser-developed nations and is closely related to the notion that migrants are low-level workers, criminals or objects of charity. The assignation of such a status is closely tied to exterior appearance and, as will be explored below, the assumption that Italian-ness can be detected through a particular kind of racialised body. Being defined as “other” in such stereotypical and negative terms based on appearance was a frequent cause for complaint by my informants, who experienced racism on a daily basis. They would describe with anger the way in which

presumptions about their identity would be made solely through their appearance. Al Badisi, an Italian citizen, from Morocco, said:

Just this morning I was at the post office in *Porretta* [small town north of Bologna]. I was filling in my *bolletta* [bill] and the woman working there was chatting away to two *carabinieri* [military policemen] who happened to be there. The *carabinieri* turned to leave, calling out to the woman that they were leaving but that they would pass by in a little bit. Then, I tell you, they turned their heads and looked pointedly in my direction. I know that they meant it in reference to me, I was the only person in there and they were trying to say I was a threat to the woman.

Biniam, also an Italian citizen, told me: “when you get on a bus, people look at you suspiciously, as if you are going to rob their bag or something. Next time you’re on the bus, look around. The immigrants are at the back and the Italians are at the front.” In the case of women, presumptions about criminality were expanded to include presumptions about prostitution. Chiara told me: “do you know how many times men have pulled up in their cars on the side of the road while I’m waiting for the bus asking ‘how much?’ In broad daylight!”

These statements echo the way in which “*extracomunitari*” are portrayed in the media according to racialised stereotypes. Al Badisi and Biniam were perceived to be *maghrebini* and thus dangerous (Biniam was actually Eritrean but was constantly mistaken for a Moroccan), while Chiara, as a black woman, was equated with prostitution. Such discrimination against presumed “*extracomunitari*” also affected access to work and housing. In a similar situation to what Fassin describes occurring in France (2001: 6), Chiara described to me her long and depressing processes of searching for rental property. On meeting her, prospective landlords who had been enthusiastic to rent to her over the phone, quickly made up excuses as to why the property had suddenly become unavailable.

While it is fair to state that the term “*extracomunitari*” classifies migrants into an inferior and discriminated against category, there was also internal differentiation in this classification. Stereotypical discourses about particular nationalities produced judgements about the kind of temperament, ability to integrate and type of employment such migrants were expected to hold. Sweeping generalisations were prominent in judgements made about clients in the day-to-day

workings of the centre. Bangladeshis were *teste dure* (“hard-headed” or slow) meaning they were subjects to be pitied and ignored as they tried to sell you roses and various light-up plastic goods in bars; Ukrainian women were tough and difficult, but also made the perfect *badanti* (carers) for elderly Italians; Moldovan women were gentle domestic workers and, because of their reputation as well-integrated, seemed appropriate for work in bars. Senegalese were good-natured and strong, with the men regarded to be good workers in engineering factories; Indians were intelligent; Pakistanis were corrupt and misogynistic and were said to rip each other off through dubious loans used to set up grocery shops. The Chinese were hard-working and entrepreneurial; Moroccans were deviant and, along with Tunisians, considered likely to be drug-dealers; while Filipinos were sweet and unthreatening, with both men and women expected to work in the cleaning services.

Similar stereotypes prevailed in society at large. On my second day in Bologna my Italian flatmate Paolo, who was sporting a faded red “I did not vote for Berlusconi” T-shirt, narrated to me the goings on in the noisy little *piazza* below our apartment. The noise, Paolo informed me, was caused by the groups of people that hung out there, usually “*extracomunitari*”. Apparently, until recently, groups of Senegalese men used to populate the *piazzetta* who, according to Paolo, were “big and jovial.” They were “harmless to others,” he told me, but they did end up “arguing and fighting with each other after drinking every day from noon.” Currently, he informed me, Eastern European men frequented the area, also drinking continuously. “They are problematic and can become very aggressive, especially the Polish men.” However, none were worse than the Moroccans who “cause more problems than the Tunisians or Algerians,” he explained. This type of discourse was common in discussions about *immigrati* and came up frequently when I told people about my research project. These stereotypes tended to be similar across different people’s narratives and were also reflected in – and possibly partly constituted by – the media (Mai 2002, Maritano 2002, Riccio 2002).

In the Italian context, then, ethnicity and nationality were conflated. Those who did not “look” Italian were not considered to be Italian. Furthermore, those deemed to originate from the global south or post-Soviet countries were singled out for special discrimination, and described in terms which denoted their position as “others”. In this way certain bodies were associated with inferiority and with a lack

of political rights. In the next section I will explore issues concerning “authentic” and “inauthentic” citizenship which arose when “*extracomunitari*” became “Italian”.

AUTHENTIC AND INAUTHENTIC CITIZENSHIP

Notwithstanding their actual citizenship status, in my fieldsite migrants were indiscriminately placed in the category of “*extracomunitario*”. The cultural category “Black Italian” did not exist, but one could be an “*extracomunitario*” with citizenship. In this context Italian citizenship was stripped of any significance other than its formal legal meaning. As I will explore, for my “new Italian” informants citizenship was generally considered as having no more significance than a piece of paper: it was viewed as akin to a *permesso* and serving solely instrumental ends. Such an observation is prevalent across studies with migrants in the Italian context (see also Andall 2002, Bianchi 2011, Colombo et al. 2011, Zinn 2011).

All of my “new Italian” friends – migrants who had acquired citizenship – had accounts of times they had been stopped by the police either on the street or at some kind of security checkpoint. On such occasions the presentation of their Italian identity card had caused confusion, suspicion and the demand to see a *permesso di soggiorno* (a document which an Italian citizen would obviously not have). Once citizenship status was eventually and grudgingly acknowledged, it was nonetheless considered “inauthentic” (Gilroy 1995: 48). Which is to say that having an Italian passport did not mean that someone was “really” Italian.

These ideas about authentic and inauthentic citizenship were prominent in the everyday workings of the advice centre. Clients were asked if they *had* Italian citizenship rather than if they *were* Italian. When staff members or centre users affirmed, instead, that they *were* Italian, it was voiced as a political statement rather than a neutral comment. If one claimed and identified their Italian citizenship in this way, this was done as if responding to a disbelieving official: one who, as commonly occurred, challenged the authenticity of an Italian identity card at a security point. Or, alternatively, the affirmation was made in a tongue-in-cheek tone; these neo-citizens were sardonically communicating that they knew they would never be *really*

considered as Italian, but were also simultaneously challenging this assumption. Reflecting this attitude, my friends and colleagues Al Alami and Al Badisi did not take offence when Ginetta subtly joked about their ultimately inauthentic citizenship. In summer 2010 they both finally gained their Italian citizenship after five years and four years of waiting respectively. During that period there was light-hearted joking in the centre when either one turned up. Ginetta called Al Alami, the first to obtain citizenship, *Italo1*, while Al Badisi was named *Italo2*. Ginetta's name-calling was received with ripples of laughter from Al Alami and Al Badisi, as well as the others in the centre. Her ironic comments highlighted the way in which, although Al Alami and Al Badisi were now officially Italian citizens, it was a joke to think that they could ever be *really* Italian.

The case of Rose and her total unawareness of the rights which citizenship bestowed upon her, clearly elucidates the uncritical understanding of citizenship as nothing more than a bureaucratic process – the final stage in the documentation regime. Rose came in to the centre to ask if it would be possible to bring her sister to Italy through family reunification. She was initially told this was not possible, before the staff member thought again and asked if she had Italian citizenship. It turned out that she did, and therefore, on grounds of family reunification, her sister would be able to obtain a permit in Italy. Rose then asked if she could bring her mother and husband. “No problem,” she was told. By this point the staff member had left, and she and I were speaking in English together. She was beaming and said, “I had no idea I could do all this. It's not bad, this Italian citizenship.” Two points are highlighted by this encounter: firstly, despite the large number of clients who passed through the centre who were Italian citizens, staff members often presumed clients' “*extracomunitario*” status (without first checking this), and secondly, clients who were Italian citizens still *identified* as “*extracomunitario*”, and were often not aware of the rights they had gained by obtaining citizenship. Rose's ignorance about her newly acquired rights revealed her attitude to her procurement of Italian citizenship. For her this acquisition was like the renewal of one's last ever permit, a bureaucratic step which meant that she no longer had to deal with the *Questura*. She did not consider that Italian citizenship was, in terms of access to rights, the same as *being* Italian, and nor did people consider her so. Others I knew held a similar understanding to Rose, however their attitude was more critical. Indeed, the most common statement in conversations about obtaining Italian citizenship was: “it

doesn't change anything, but it is good not having to queue at the *Questura* anymore." When stating that, "it doesn't change anything," my informants were referring to the way in which, despite their citizenship status, they were nonetheless still treated like "immigrants". Those who were particularly angry about the discrimination they experienced attempted to distance themselves from their Italian citizenship, emphasising that they did not "feel" Italian or want to be considered so. Those more critical felt disheartened that no matter how long they spent in Italy they would always be considered "*extracomunitario*". As Chiara told me:

With Italians who know me – they'll say "you're different, you're not a real immigrant." They say all of this because I speak perfectly and "play the Italian". But, if they saw me on the bus, in an office or on the street, and did not know me, they would be just like everyone else. They would presume I am an *immigrata di merda* (immigrant of shit). That is what Italians think when they see an *extracomunitario*.

As I will explore below, the acceptability of Chiara due to her "playing the Italian" with her accent, clothes and manner of acting, challenges these seemingly clear-cut assumptions about authenticity.

In this context, then, legal citizenship was not considered to confer equality or to be an instrument to create common sociality. Rather, there was authentic citizenship and inauthentic citizenship. The inauthentic citizenship of migrants was a legal document and nothing more. Although the formal rights which accompany citizenship were obtained, these neo-citizens were still considered "*extracomunitari*", which by definition is a non-citizen and ultimately represented what that word implies: poor, other and low-status. Studies which have critiqued Marshall's analysis of citizenship as a "status bestowed on those who are full members of the community" (Marshall 1950: 14) which includes civil, political and social rights and obligations, have observed that in reality citizenship is unequally experienced by members across society (Yuval-Davis 1991, Kymlicka and Norman 1994). Differentiating factors include age, gender, ethnicity, sexuality, class and economic status. Of particular note, in a setting where market participation increasingly sets the tone for full membership of society, is the capacity to accumulate wealth and to spend it. As Calavita has noted, since migrants' poverty is a key factor in their

stigmatisation and marginalisation within Italian society (2005a: 159), “consumer” may be a more appropriate term to denote inclusion in that society than “citizen”. As she writes: “to be a legitimate participant you must be, if not an actual consumer, at least perceived to be capable of consumption... it is because of the nature of immigrants’ participation in the marketplace – as discounted labor – that they can never be full members of this community of consumption” (2005a: 163). By this logic, migrants face similar forms of exclusion as a large number of poor citizens (*ibid*: 164).

However, as the next section will discuss, the 1.5 and second generation are challenging these logics which dismiss migrants as second-class citizens. With their regional Italian accents, fashionable clothes and nonchalant attitudes this young group is not as easily demarcated as “*extracomunitario*”. Instead, they look like consumers. The 1.5 and second generation challenged assumptions about what constitutes Italian-ness (Andall 2002) and stretched ideas of “authentic citizenship”. After presenting two case studies which demonstrate the possible risks that current citizenship laws create for this group, I will analyse the challenges that the 1.5 and second generation were making. While there may be limited public discourse concerning “new Italians”, in everyday encounters the 1.5 and second generation, who embody an Italian “habitus” and “body techniques” (Mauss 1973), were challenging the discourses described above.

PERFORMANCE AND APPEARANCE

While those migrants who spoke Italian with a strong foreign accent seemed to be easily demarcated as inauthentically Italian, those who came to Italy as children or those born in the country to foreign parents came to embody an Italian “habitus” (Mauss 1973) and therefore disrupted these ideas about authentic and inauthentic citizenship and Italian-ness. Literature on the second generation in Italy has explored the way in which this group of young people face challenges of daily racism and access to citizenship (Andall 2002, Bianchi 2011, Riccio & Russo 2011). Commentators have explored second-generation associations and the way in which this group try to propel their political agenda and challenge racist and discriminative

attitudes (Riccio & Russo 2011, Zinn 2011). This section examines similar themes, but instead of looking at political arenas in which the 1.5 and second generation challenge attitudes, it focuses on everyday encounters and the apparent disjunctures that the 1.5 and second generation embodied in the incongruity between their bodies and bodily performances.

While the processes of othering discussed above imply a clear sense of what makes an Italian Italian, both the historically weak sense of nationhood and the lived reality of the 1.5 and second generation suggested that the notion of a clearly demarcated national identity was not as strong as it seemed. Ideas about Italian-ness were not so clear cut and were increasingly being challenged by the second generation, who effectively performed Italian-ness but may not have “looked” or *been* Italian. This uncertainty and curiosity regarding those who were considered as non-Italians yet behaved like Italians was evident in the advice centre. Staff members could be generally described as liberal and open minded, yet long-term migrants who spoke perfect Italian were received in a patronising manner as charming and novel subjects. Those who were the most phenotypically different from “typical” Italians were even more subject to this kind of reception. This was particularly true for young Chinese people who, having grown up in Bologna, spoke in strong Bolognese accents. The Chinese community was generally perceived to be closed, and local people assumed that very little Italian was spoken. Although it was never explicitly stated, in my opinion this kind of reaction stemmed from the paradoxical “novelty” of a person with Chinese physical traits speaking fluent, native and Bolognese Italian.

Even more surprising, and more indicative of being a true native, was the case of “foreigners” speaking with regional accents. The first time I met Tesfay, the leader of the Young Eritreans’ Association, he was teased by Claudio, an Italian volunteer at the centre. Claudio was from Lecce in Puglia (the South of Italy) and Tesfay grew up in Bari, which is Lecce’s rival city. As Tesfay was leaving the centre one day, he and Claudio well-meaningly heckled each other with partisan banter. After Tesfay had left, those at the welcome counter said, “God, it is such a shock when he speaks. A *Barese* Eritrean!” Here Claudio and the others were referring to Tesfay’s strong *Barese* accent. The Southern regional accent on a black man was “matter out of place” (Douglas 1991: 36), and in this way Tesfay destabilised

Claudio's and others' rigid understandings of identity. The importance of regionalism in this comment was significant. As noted, Italy's regional character and late national unification meant that people often felt closer to their region than the country as a whole. Thus to be regional was a strong indicator of Italian-ness (see also Zinn: 2011: 380). The shocked reaction of apparent "outsiders" speaking in local accents is not unique to the Italian context, but two issues make such a reaction noteworthy. Firstly, in Italy, notwithstanding class, everybody has an accent which betrays their regional background, and accents are common topics of conversation. To speak fluently in Italian is to speak with a regional accent (I was teased and confused strangers with the Bolognese accent which I developed during fieldwork). Additionally, migrants' presence is fairly evenly distributed across Italy, meaning that there is not a particular Italian accent which would be deemed acceptable for a migrant to have.⁵⁶ Secondly, because migrants were automatically assigned to the category of "*extracomunitario*", not being identified as Italian was to be identified as somehow inferior.

Not all migrants feel continually cowed by such assumptions and prejudices, however. Some have come to feel sufficiently secure in their citizenship status to assert themselves in subtle ways, even mocking their fellow countrymen. As previously noted, my friend Chiara was an Eritrean by birth. She has lived in Italy for 27 years, since she was 13 years old. She was called Chiara Mariotti – thanks to her paternal grandfather's ancestry – and spoke perfect Italian, yet she had dark skin and long braided hair revealing her Eritrean origins. Her gesticulations, way of speaking, eating and walking all demonstrated her embeddedness in an "Italian" "*habitus*", but in the Italian context her dark skin automatically made her "*extracomunitaria*". When she was younger she would run home crying after episodes of racism in which she was mistaken for a prostitute or heckled in the street. On other occasions she struggled to find a job and to secure a tenancy from a landlord. In recent years, she told me, she has learnt to deal with the prejudice in different and more empowering ways, mainly through humour and her strong sense of irony. She used to become frustrated and angry when visitors at the museum where she worked asked her to re-fill the toilet-roll in the bathroom, because "black

⁵⁶ Although it should be noted that it is a common trajectory for migrants in Italy to start off their journey in the South of Italy and to then travel North in search of better paid and more secure employment.

person equals cleaner,” she ironically commented. Now, however, she reacts differently and told me that the best way to address the problem is with humour. An ongoing joke she recounted to me was that while she cleaned the stairs of the building in which she lived, she allowed people to think that she was Signora Chiara Mariotti’s *colf* (cleaner) and then revelled in their discomfort when she turned up to her building meetings as *the* Signora Chiara Mariotti: no-one would match the Italian name with her dark skin. Additionally, she laughingly recounted to me the conversations she has had with various officials over the phone and their surprise when she arrives in person sure that there has been a mistake. She described how, when she goes to public offices, officials will often speak slowly to her, thinking that perhaps she does not understand Italian. I witnessed this when I accompanied her to offices to run errands. There was often a moment’s delay when the official first saw her and then heard her speak, followed by a slightly bemused expression. She told me how she enjoyed this moment of tension when the official was left looking rather foolish. Playing on prejudices, she questioned and challenged people’s views by embodying the contradiction of dressing, speaking and behaving like an Italian, yet not looking like one. Chiara was fully aware that people were often surprised and perplexed by her “immigrant” looks and contrasting “Italian” behaviour and language-skills. Playing dialogically with the signifiers that were foisted upon her as a black woman in Italy, through her irony and her joking Chiara was able to mock prejudice and subtly challenge the discriminatory assumptions of those around her.

As early members of the 1.5 generation, Chiara and Tesfay embodied what Gilroy terms “ideological contradictions” (1995: 62). Like the black athletes who Gilroy describes as challenging ideas of Britishness, Chiara’s and Tesfay’s embodied Italian-ness expressed through language, dress and body movements seemed to contradict their black skin – or vice-versa. The contradictions that Chiara and Tesfay embodied correspond to Stanley’s statement that “those seen as physically distinct from Italians, regardless of their performativity, also carry the assumption that they are not citizens of the Italian state” (2008: 56). As has been argued, judgements about who was (or could be) “Italian” were based on a very limited notion of Italian-ness. Identity was expressed and practised according to body politics, where difference from the physical “Italian look” immediately demarcated somebody as not “Italian”. While Stanley may be correct in her analysis of people’s immediate

judgements, both Chiara and Tesfay unsettled these naturalised assumptions. Claudio's joking with Tesfay, and staff members' shocked and patronising reaction to Bolognese-Chinese teenagers, revealed the discomfort and ideological contradictions that the tension between "body" and "body techniques" created. While Gilroy's black athletes represented an ideological contradiction when he was writing, the perception of blackness has changed significantly in contemporary Britain.⁵⁷ Accordingly, while there is not yet a mainstream discourse regarding the possibility of a hybrid-Italian identity, ideas about Italian-ness, race and belonging are perhaps – or perhaps are becoming – more open to disruption and subject to temporal change. Chiara, Tesfay and Bolognese-Chinese teenagers were not easily made other, but rather caused uncomfortable and perplexed reactions through the ideological contradictions that they embodied.

However, despite the extent to which "body techniques" disrupted understandings of "Italian-ness" and being "*extracomunitario*", as described by Bilal in the opening vignette, the existing bureaucracy remained an exclusionary force which produced a disjuncture whereby an apparent insider was at risk of becoming a structural outsider. These processes of othering and structural marginalisation need to be understood as working in tense and contradictory relationships with actual social relations that exist, notwithstanding the lack of a discourse on hybridity. This group complicates the division and hierarchy between "formal citizenship" and "substantive cultural identity which defines genuine membership" (Gilroy 1995: 49). In this way, documents, citizenship, appearance, body techniques and "habitus" can work at diverse tangents to one other, all of which must often be negotiated simultaneously by the migrants themselves. The following examples highlight such contradictions and dynamics.

"BUT I HAVE AN IDENTITY CARD": ITALIANS WITHOUT CITIZENSHIP

⁵⁷ This is not to suggest that British society or sport is race-issue free. Recent events about racist slurs on the football pitch in England show that this is not the case.
<http://www.guardian.co.uk/commentisfree/2013/mar/29/english-football-racist-fa-looks-other-way>
 Accessed 15th October 2013.

In the last few days of my fieldwork, a 17 year old called Lindita came in to the centre for advice as her citizenship was “almost ready”, as she said, but her *permesso* had expired. The *permesso* had expired over a year ago, and thus was theoretically un-renewable. Since a valid permit is a requirement for concession of citizenship, this could have created serious problems. Lindita was born in Italy and when she turned 17 years old the *Comune* (municipality) had written to her, informing her of the possibility of applying for Italian citizenship within a year of her 18th birthday. Receiving such information from the *Comune* was rare, and ignorance regarding the fact that one must apply within a year after turning 18 led to many people losing out on the possibility of attaining Italian citizenship. Fortunately to have received the letter, Lindita and her mother followed the instructions and completed the appropriate paperwork for the application. However, they were unaware that one of the fundamental requirements of obtaining citizenship is to have a valid permit at the moment of the *giuramento* (oath). Lindita was very relaxed about the situation, and when I met her she seemed as though she had entered the advice centre on a whim. On hearing her situation Alberto became concerned about her losing this possibility for citizenship. Lindita, however, remained calm, saying, “it’s fine, I have a *carta d’identità*” (identity card, which is a valid identity document for an Italian but useless for a non-citizen). Her ignorance regarding the details of the procedure revealed her liminal status: although by law she was considered a migrant, she did not inhabit a “migrant world” which may have bestowed her with the appropriate knowledge. Furthermore, her calmness and certainty of the power of her identity card demonstrated the way in which she felt she belonged in Italy.⁵⁸

In a similar situation was Aurelie. Her father was well-known in the centre, having been back and forth in his efforts to sort out her permit. He had told staff in the centre that Aurelie’s permit had been “blocked” in the *Questura* for two years, while his had already been issued. According to staff members this situation was strange, as children are dependent upon their parents: if Aurelie’s father had the

⁵⁸ Lindita’s situation was very common among young people in her position. There is currently a joint campaign between Save the Children Italia, G2 (a second generation association) and Anci (National association of Italian *Comuni* [municipalities]) aiming to raise awareness in *Comuni* regarding the right of those born in Italy to apply for citizenship within one year of their eighteenth birthday. It was not uncommon for young people who were eligible to apply for citizenship to lose this opportunity because they were unaware of the procedure, and their *Comune* (through which the application is completed) did not alert them to this possibility.

correct requirements to renew his permit then hers should automatically have been renewed. Unable to fit all the pieces of the story together to create an understandable narrative, Alberto finally asked him to send his daughter to the centre. A few days later, Aurelie came in. She stood out from many of the other people in the centre. She was dressed in the manner typical of Italian teenagers, with tight jeans and high-top designer trainers. Her fluency in Italian and her accent, which turned her Zs into Ss, gave away her Bolognese upbringing. When she showed me an old photocopy of her father's permit, a scrappy A4 sheet of paper with a photo of her six-year-old self stapled on, I realised who she was and told her to wait while I went to find Alberto.⁵⁹ Since Alberto was going for his weekly meeting at the *Questura* with the vice-director the following Friday, he asked Aurelie for all her identity documents so that he could present her situation to the vice-director at the *Questura* and find out what had happened. Accordingly, on Alberto's request, I photocopied Aurelie's documents. When I asked her for her identity card, she presented me with a flimsy paper card with the details written in French. "It is from the Ivory Coast's consulate," she informed me, as I quizzically turned it round in my hands. I told Alberto that she did not have the usual Italian identity card (to which all legal residents are entitled) and the reality of Aurelie's situation dawned on Alberto as he put together the pieces of the story. Alberto realised that there was no blocked application for renewal of a permit. Instead, Aurelie neither possessed a valid permit at the current time, nor had possessed one for three years since her father's renewal.

The problem lay in her father's ignorance about the need for children to acquire their own, independent, legal status. When Aurelie's father had renewed his permit, she had already turned 15 at which age, although still dependent upon her father, she ought to have been issued her own permit upon application. However, the application had never been submitted and Aurelie had technically slipped into the "limbo" of "illegality". Passing Aurelie back her Ivory Coast embassy-issued identity card, Alberto asked, "So you haven't had a permit for three years?" She shrugged her shoulders with a curious look, apparently totally oblivious to the significance of, or unbothered by, this information. As I chatted to her later she told me that she had arrived in Italy when she was six months old: "I was practically born

⁵⁹ Before the introduction of electronic, credit-card sized permits, the permit existed as an A4 piece of paper.

here,” she said. Later that evening I saw her with a group of young people, giggling on the arm of her boyfriend. She may have been technically “illegal” but, like Lindita, she did not seem to feel disenfranchised or concerned; her sense of belonging to Italy overrode the technicalities of her legal status. Both girls’ reaction to the news that they were “illegal” and at risk of being denied citizenship was met with a kind of casual bemusement. I did not interpret their reactions as arrogant or as a sign that they felt superior to other migrants. Rather, for these girls the world of immigration bureaucracy was one from which they were disconnected, and one which was completely out of sync with their sense of belonging. Chiara – who had herself migrated as a child – often said that the 1.5 and second generation was in some ways the most vulnerable group in terms of immigration politics (see also Riccio and Russo 2011: 363). It was precisely because of their cultural capital and embodied sense of integration that many young people, out of sheer ignorance – theirs and their parents’ – risked their legal status.

The second generation were not all strangers to the immigration bureaucracy. In fact it was common for children to accompany their parents or other members of their community to the advice centre to act as interpreters. However, despite familiarity with the immigration bureaucracy, for those without citizenship the contradiction between holding precarious legal status in the country where one had grown up, and citizenship in one’s parents’ land was common to all. The girls’ rather indifferent reaction to news of their precarious legal statuses differs from that reported in research conducted in the US, which emphasises the second generation’s feelings of abjection on realising their “illegal” status (Gonzales and Chavez 2012). Instead the girls seemed to hold what Andall has called a, “second-generation attitude” (2002). Perhaps over time Lindita and Aurelie would also feel like they had “awoken to a nightmare” (Gonzalez and Chavez 2012). For the moment, however, these seemingly nonchalant attitudes highlighted the contradiction which immigration and citizenship laws posed for the 1.5 and second generation. These girls’ situations, and their reactions challenged the state’s categorisation of citizen, non-citizen and “legal/illegal” migrant. As Gonzales and Chavez (2012) show, the 1.5 generation must wrestle with the contradiction of being socialised by American values through their education and environment, yet simultaneously holding the status of undocumented migrants. Being undocumented in turn impacts work,

education, training, travel and other everyday opportunities, as those without papers are excluded from such taken-for-granted possibilities. The girls described above, like these young undocumented Americans, challenge our assumptions of who an undocumented migrant is. Their experiences offer insights into the disjuncture which exists when state practices simultaneously produce the same individual as both “cultural citizen” and undocumented migrant. That is, these young people are contradictorily culturally socialised as Americans or Italians but as adults become subject to the same laws which, as De Genova (2002) has argued, tactically produce a vulnerable and tractable work force.

Individuals such as Lindita, Aurelie, Chiara and Tesfay undoubtedly challenge ideological assumptions concerning race, belonging and citizenship. Moreover, as a growing body of literature on second generation associations has explored, the 1.5 and second generation in Italy are becoming politically active and demanding more nuanced recognition of Italian-ness and citizenship (Riccio & Russo 2011, Zinn 2011). However, despite these transformations, the structural obstacles which exclusionary immigration and citizenship laws create entrench the marginalisation of migrants and their children, fundamentally limiting possibilities for change. Exclusionary citizenship laws, economic marginalisation, low-level work opportunities and racial stigmatisation interact to produce and reproduce migrants as inferior and other. As Calavita notes, “with this powerful economics of alterité, and the legal infrastructure that supports it” integration policies and initiatives demanding equal recognition face considerable challenges (2005a: 165).

CONCLUSION

This chapter has explored the tensions in the pervasive discourse of othering in Italy. This discourse has set up a powerful division between Italians and “*extracomunitari*” which must be understood in terms of a particular social and historical setting (see Chapter 1). The result of this othering, together with exclusionary immigration and citizenship laws, has been that ethnicity, nationality and citizenship have largely been conflated (Stanley 2008). This has meant that those who do not “look” “Italian” are not considered to be “Italian”. In line with Fassin’s discussion of bio-politics,

racialised discourses based on skin colour and appearance are used to dichotomously characterise non-Italians as either tourists or “*extracomunitari*”. Being identified as “*extracomunitario*” is to be made into a low-status worker “other” with associations of criminality and poverty. However, examining the situation of the 1.5 and second generation shows how unstable and contestable these racialised assignments are.

An inflammatory media and an emphasis on entry and flows of immigrants have dominated the political discourse on migration in Italy, making immigration appear to be in a permanent state of emergency (Cole and Saitta 2011: 528). Additionally, the “master narrative emerging from opinion polls, political rhetoric and government policy and practice is that Italy remains a white, Catholic nation rooted in Italian soil” (*ibid*). However, in spite of this and the structural marginalisation that migrants and their children are subject to, the 1.5 and second generation are challenging ideas of insiders/outside and citizenship in everyday encounters simply by being. This chapter has aimed to show the tensions and contradictions at play in a situation where stereotypes and ideas of the “other” are challenged on a daily basis. Yet those who challenge still remain potentially structurally and legally marginalised because migration and citizenship laws, and the bureaucracy that accompanies them, are out of sync with everyday social contexts and encounters. This exclusionary bureaucracy, plus the lack of an alternative political discourse about migration and hybridity, acts as a blockage to any real change that could occur over time in Italy. These young migrants have cultural capital, but do not necessarily have the legal right to remain in the country. Worse still, they run the risk of being permanently excluded from citizenship if they fail to closely attend to their legal status. Although being a legal citizen would not necessarily diminish racism or processes of othering, it could encourage changes in society over time so that, for example, being Black and Italian need no longer be considered mutually exclusive categories (Riccio and Russo 2011: 370). This analysis challenges and contributes to our understanding of citizenship and the ways in which inclusion in a society is multi-faceted, precarious and temporal. What it means to be a citizen exists in law and on paper, and also in everyday encounters which create new and unexpected meanings.

Possibilities for change in Italy lie with the 1.5 and second generation, whose situations profoundly highlight the injustices which the *Bossi-Fini* law creates. While

Italians were sometimes shocked and bemused by the existence of Black or Chinese Italians – those, who through their dress, speech and gesticulations embodied “Italianness” yet did not look “Italian” – they were equally shocked to realise that many of these young people were in fact risking “illegality” in their limbo status as “illegal citizens”. While a change in citizenship law would alter the situation of the second generation, the disjuncture made apparent through their subjection to immigration law highlights the profound injustices and inequalities that immigration policies create for *all* migrants. Literature has shown the way in which immigration law produces and re-produces migrants’ structural marginalisation, a process which enables the subordination of their labour (De Genova 2002, Calavita 2005a). While social and legal processes successfully naturalise migrants’ otherness, making their social, legal and economic marginalisation acceptable, when those who seem less “other” (such as the 1.5 and second generation) are also subject to such processes, these injustices are brought into sharp focus. This highlights the injustice that such laws create not only for the 1.5 and second generation, but also for those who may be considered “other” but are nonetheless human. This is a reality not only pertinent to Italy but across different “host” settings, where members of the second generation are being deported back to their “home” nation-states, parents are unable to legally enter the country where their children have citizenship, and husbands and wives struggle to live legally within the same borders. Examining the 1.5 and second generation’s everyday experiences of the documentation regime brings into sharp relief the profound difficulties, contradictions and injustices which immigration law creates, not only for them, but in the lives of all migrants.

CHAPTER SEVEN

MOVING ON: ITALY AS A STEPPING STONE

April 2010 – “The Arab Spring”

The centre has plummeted into chaos in the past couple of weeks. Fresh crowds of young Tunisian men arrive daily from Lampedusa. Their deeply tanned faces, sport caps, designer t-shirts and trainers make them easily identifiable. Every evening the news channels screen the island’s daily events, depicting swarms of young men exiting boats and hanging languidly around. Cameras focus on particular individuals being interviewed. “Let us leave the island,” they demand. “We’re treated like dogs here! Let us go. I don’t even want to stay here, I want to go France where my family are.” Politicians and the media treat the arrival of these thousands of mainly young men as akin to a natural disaster, something completely out of the state’s control. Their arrival has sparked bedlam as Berlusconi’s government grapple with what action to take while attempting to communicate to the rest of the world that this is not only Italy’s problem. The news channels report that Berlusconi has offered tax cuts to all Lampedusa islanders and, as an act of solidarity, bought a mansion on the island. Meanwhile Maroni, the Home Minister, has passed a law allowing all those who had arrived between 1st January 2010 and 5th April 2010 a temporary permit. Once identified and documented, the young Tunisians gladly leave the island, seeking out friends and relatives in Italy and beyond. Through word of mouth, those who have arrived in Bologna quickly discover the advice centre, which is inundated with queries as to how to access the temporary permit. Chaos ensues because the rules and regulations of the emergency permits are unclear. The holders of these permits are not entitled to work and there are few housing options or other forms of assistance available to them. “Well we’ll just have to go and steal then,” these young men provocatively respond when told that they are not allowed to work with these permits. “We need to eat,” they say. Most of them intend to leave Italy. France is the most popular planned destination, since many have friends or relatives there. The Tunisians’ desire to leave Italy is welcomed by the Italian government,

and the newly invented temporary permits allow them to travel within the Schengen area.⁶⁰ However, France does not view this as their “problem” and on 17th April Nicolas Sarkozy, the French President, stalls the progress of trains arriving from Ventimiglia on the Italian-French border. In response, the Italian foreign minister angrily announces that Sarkozy’s action is “illegitimate and in clear violation of general European principles.”

INTRODUCTION

This chapter centres on migrants’ often-stated desires to leave Italy. It was a commonly held view that Italy was inferior to other Northern and Western European countries, which were perceived as being better organised and less racist, as well as providing improved employment opportunities. Having arrived in their destination, migrants are generally depicted as remaining (unless they are removed against their will through deportation). But an analysis of desired or actual on-migration highlights how migrants’ trajectories continue to be mobile.⁶¹ Freedom of movement acts, changing labour markets and diasporic networks of communication add to migrants’ mobility as destination countries shift and change. Imaginations of better opportunities elsewhere shape migrants’ experience of life in Italy and highlight the differences and inequalities between “host” countries.

After a brief review of the transnationalist literature, I will recount the stories of some of those who left Italy. This section describes the way in which migrants took advantage of EU agreements on freedom of movement (such as the Schengen area), asylum laws and the flexible nature of the Italian immigration system in attempts to succeed in their migration trajectories. Following this, I will explore how the discourse of leaving infused the experiences of those who stayed, leading to feelings of disappointment and failure about their inability to move on. As I will

⁶⁰ The Schengen area was created in 1995. It represents a territory where the free movement of persons is guaranteed. Given this, migrants’ Italian permits were valid in Schengen member-states, but they could not be renewed there.

http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/133020_en.htm

⁶¹ I use the term on-migration to refer to migrants who arrived in Italy but then migrated again to a different destination.

argue, the migration experience of those who remained in Italy was shaped by their failure to leave and their lack of hope for the future. Their disappointment led them into condemnation: both of Italy and of themselves. In the last section of this chapter I will explore how my informants transformed themselves into “flexible citizens” (Ong 1999). While flexibility and mobility are usually regarded as qualities of which the migrant elite has exclusive ownership, in this section I will argue that my informants’ use of Italy as a stepping stone was situated within a broader ideology of capitalist accumulation (Ong 1999: 6).

MOBILITY AND ON-MIGRATION

Transnationalist literature has illustrated the ways in which migrants practice their lives across borders, notably between the “sending” and “receiving” countries. This body of literature has challenged the idea that migration is a one-way or static phenomenon, and instead shows that economic, political and familial practices span different nation states (Basch, Glick Schiller & Szanton Blanc 1994). With technological developments enabling rapid money transfers and frequent contact through cheap phone-calls and e-mails, the dynamism and fluidity of migrants’ lives has only increased (*ibid*: 52). Exploring transnational migrants’ practices allows theorists to challenge understandings and assumptions about nation-states, citizenship and borders. Individuals can simultaneously belong and not belong to different nation-states (Gardner 2002), while securing legal status or formal citizenship in the “destination” country can actually result in the intensification of contact with one’s “home” country and those left behind (Coutin 2003a).

These themes and practices discussed in the transnationalist literature were prevalent and visible among migrants in my fieldsite. The Sunday afternoon walks I took with Chiara around Bologna would often end at the Bangladeshi-owned call centre, where we would squash up in a phone booth to call her parents in Asmara, the capital of Eritrea. Sometimes these conversations ended happily, while other times Chiara would come out fuming, recounting to me the latest family feud that was taking place between Bologna, Rome, Asmara and Saudi Arabia. Other times I accompanied her to the pharmacy to buy medicines for her father that were not

available in Eritrea. We would wrap the boxes up and print her father's name on the packages. These would then be given to Chiara's brother, Biniam, who would deliver them to another Eritrean who was going to Asmara. On other occasions Biniam would excitedly tell me about food parcels filled with ingredients difficult to find in Italy that somebody had brought back with them after returning from a holiday in Asmara. More generally, money was sent, conversations about houses being built took place, and foreign TV channels were paid for and watched in Bolognese apartments. Very importantly, the corpses of the dead were sent home to be buried. At the centre, many of the applications completed, and much of the information disseminated, related to these ongoing connections between "home" and "host" countries. People completed family reunification application forms, queried whether a new law was to be introduced that would enable a family member to migrate, or applied for tourist visas on relatives' behalf. While these connections between "home" and Italy were central elements of my informants' lives, they are not this chapter's primary focus, which centres instead on discourses about the "final destination" of the migration process.

Shifting focus away from "home" or "host" countries to the migration *process*, recent research has explored how the "destination" country may shift both literally and in migrants' imaginations. Andersson's work, which has explored the migration circuit between West Africa and Spain, emphasises the immobility of migrants as they become trapped passing time in the Spanish enclaves of Ceuta and Mellila. These enclaves are akin to "waiting rooms" for migrants, which they must inhabit while aiming to access their "real" destination (Andersson 2012: Chapter 6). In a similar vein, Collyer examines "places in-between origin and destination" (2007: 668), highlighting the significance of fragmentation in migrants' journeys. These works make important contributions, emphasising the significance of the journey itself, which in some cases never ends. They show how the increasing obsession with border controls in Europe impacts on migrants' transits, making it likely that they will find themselves trapped in certain locations. However, despite the duration of time which "transit migrants" (Collyer 2007) endure in these ideologically configured waiting rooms, the migrants depicted in these accounts nevertheless remain "in transit". The stories I present in this chapter, in contrast, are of those who, for a while at least, have made Italy their home. It is from this home base that they either move on elsewhere, or desire to do so. Although some people viewed their

stay in Italy as temporary from the outset, they nonetheless, at least to some degree, settled in the country by working, paying taxes, and renting homes there.

Migrants' imagination of a final and superior destination, in contrast to the stepping-stone country they may be in, highlights the way in which "host" countries are hierarchically ranked. In my informants' eyes, countries such as the UK and the US were imagined to be the ultimate destinations where money could be made, education was available, professional development was possible, racism was less prevalent, multiculturalism celebrated and, most importantly, where the second generation would be considered equal to children of native parents. In other words, these were countries from which one would *not* on-migrate. Focusing on Southern European destinations reveals the true extent of migrants' mobility as they search for improved economic, social and welfare opportunities elsewhere. As the case studies presented in this chapter show, conducting research in stepping-stone countries underlines how perceptions and experiences are heavily shaped by the desire to on-migrate from countries of intermediate destination. Other research conducted in Southern European countries also reflects this pattern. Andall's (1999) Cape Verdean domestic worker informants "immigration shopped" between different European countries in order to find better employment and living conditions. Relying on information through diasporic networks, they desired to move from Italy to the Netherlands where they would have better work opportunities. In Italy they were largely restricted to employment as live-in domestic workers, while the Netherlands offered more diverse job opportunities and possibilities for training, as well as independent housing. Improved work and housing conditions also meant that the women would be in better positions to complete family reunification applications to be re-united with spouses and children, a strong motivating factor. Similarly, Gutierrez-Garza (forthcoming) describes her Latin American informants leaving Spain for London with the idea of finding better work opportunities, social welfare benefits and escaping racism. Pereira terms such on-migration as "spatial mobility" (2012). Drawing from her example of on-migration from Portugal, Pereira notes how EU freedom of movement accords and the mobility they allow, highlight the inequalities between countries within the EU (2012: 644). This is an important point to raise considering that those countries which are geographically and politically easier to enter, such as Italy, are often not necessarily desired as the final destination

(Andall 1999, Vigh 2009). The definition of such countries as stepping stones, and the strong desire to leave them, has a significant effect on the migration experience and the way those involved imagine their lives and futures.

Focusing on migrant destinations such as Italy, which are seen as “second-best” by migrants, not only reveals further dynamics of transnationalism and movement, but also pushes us to address the imagined and real inequalities that exist within Europe and the “West”. As is becoming increasingly apparent in the current Euro-zone crisis, the EU is not composed of an equal and homogenous set of nation-states. Rather, there are daily newspaper reports depicting Southern European countries – Italy, Spain, Greece and Portugal – as less economically and politically advanced than their Northern counterparts, which are called on to “save” them. As Cris Shore notes: “Now many see the EMU as a ‘transfer union’ where money is transferred from the prudent, self-disciplined northern European countries to the profligate ‘Club Med’ southern Europeans” (2012: 8). Italy is very much part of this ideologically configured “less-disciplined” Southern European set. Its historically weak sense of nationhood, inequalities between regions, late industrialisation, predominance of family-firms, presence of powerful crime organisations, widespread corruption in public life and pervasive underground economy (Mammone and Veltri 2012, Yangisako 2002, King 1987) combine to yield a characterisation of the country as less politically and economically advanced. In this chapter I will explore migrants’ strong conviction that Italy was inferior to other Western European countries: a conviction on which their desire for on-migration was founded. Their negative views of the country were spurred by their experiences of everyday racism, low level jobs, poor working conditions, inefficient bureaucracy and lack of opportunity, while their imagination of improved conditions elsewhere was fuelled by the knowledge they gained of others’ experiences via transnational networks of communication.

ITALY AS A STEPPING STONE

Given this often-cited negative view of the country, a frequent discourse among migrants was the notion that Italy was only a temporary migrant destination, a stepping stone to eventually settling somewhere better. Due to its geographical

position and easily manipulated immigration rules, Italy was a convenient place to begin one's European trajectory. But it was not usually imagined as the final destination. Clients arriving at the centre frequently asked how they might strategise to settle elsewhere, and informal conversations were often dominated by discussions of how the quality of life was superior for migrants in other parts of the world. Conversations revolved around friends or family who lived elsewhere, people's own desires to leave, or experiences of having lived elsewhere in the past. This desire to settle in other destination countries was present across different migrant communities, with the choice of country tending to reflect a given community's largest diaspora (see also Good 2007: 7-8, 40). Social imagination was crucial in the idea and realisation of people's on-migration.

Appadurai has argued that imagination in the contemporary era has a particularly important role:

More persons throughout the world see their lives through the prisms of the possible lives offered by mass media in all their forms. That is, fantasy is now a social practice, it enters, in a host of ways, into the fabrication of social lives for many people in many societies (1996: 53-4).

He emphasises the importance of imagination as social practice which can actively lead to people making concrete changes in their lives which were previously inconceivable. For those migrants in my study who either planned to leave or indeed succeeded in leaving Italy, it was their social imagination, created through "the sphere of radio and television, cassettes and videos, newsprint and telephone" (1996: 6), which in part compelled their movement. Such social imagination, however, was created not only via the media but also through concrete and personal transnational contacts. These contacts influenced individuals in their choice of final destination: they usually desired to migrate to countries where their co-nationals were already well established. Italy's lack of an earlier colonial presence was a factor here too. People selected it as an intermediary destination on pragmatic grounds, but felt no kindred spirit, loyalty, or entitlement of the kind which – in however ambivalent a fashion – might inspire the former imperial subjects of a colonial power. In contrast, the destinations to which people *did* aspire *were* connected to a colonial history

which in turn had shaped existing patterns of migration: North Africans often aimed to reach France, while Pakistanis and Bangladeshis would dream of going to London (see also Good 2007: 7-8). As I will explore below, those originating from Eritrea (a former Italian colony) were an exception, but their connection to Italy did not produce a desire to remain.

As well as wanting to go where their national communities were well established, migrants were also aware of the benefits offered by particular host countries, with Scandinavian countries particularly favoured due to their reputation for strong social welfare systems and high levels of employment. On the other hand, decisions about where to on-migrate were also determined and constrained by diplomatic and legal frameworks. For example, the long-term permit is valid only in Schengen member countries. Given that the UK is not a Schengen member-state, it would be unavailable as a destination to the holder of such a permit. Thus “social imaginations” were shaped by, and constructed on the basis of, stories, rumours and experience, as well as pragmatic knowledge about concrete laws.

Individual on-migration stories varied significantly. Some on-migrated almost immediately on arrival, as part of a pre-arranged plan. Others on-migrated years later, sometimes after even having acquired Italian citizenship. While other individuals left Italy several times before finally moving back to Italy, in a process one might term “on-on-migration”, and settling there. The differences in people’s trajectories depended on various factors, such as their “home” country, whether they had family members in Italy or elsewhere, the places they had other kinds of contacts, or the location for which they had managed to access visas. In the Eritrean community, for example, there was a wide understanding of Italy as a stepping-stone country and people often moved on from Italy fairly rapidly. Living in Italy with one’s family was a constraining factor for on-migration. Moving on would be more expensive and some considerable period would likely need to be spent in Italy in order to accumulate funds. On the other hand, there were many migrants who may have desired to on-migrate at some point, but who had since established themselves in Italy and no longer wished to uproot.

My connections with Chiara and Biniam made it inevitable that many of the stories I heard about the use of Italy as a stepping stone involved Eritreans. Unlike the case with other migrants, the presence of Eritreans in Italy *was* in some measure related to Italy's brief colonial experience in North Africa: Italy was the colonial power between 1890 and 1941, when Britain expelled the Italians from the country during WWII. More pertinently, it was recent, post-colonial experiences that drove the contemporary waves of migrants out of Eritrea and brought them to Italy, albeit only temporarily. In 1961 the Ethiopian Emperor Haile Selassie annexed Eritrea to his empire, beginning a bitter war between the two neighbouring countries that lasted for 30 years. Ever since, there has been a more or less steady exodus from the country, and around a quarter of Eritrea's population now lives in the diaspora (Arnone 2008). Although there was a period of calm when Eritrea won independence in 1993, further conflict broke out over a border dispute in 1998, re-starting the flow of migration. Those whom I knew in Bologna cited the obligatory and never-ending military service as a predominant reason for leaving. Military service is mandatory for both men and women from the age of 18, and since the Eritrean government declared a state of emergency, the term of conscription is indefinite. Biniam also told me that the mass exodus of young people created an atmosphere in which even those who were in good positions in Eritrea felt that migration was an almost obligatory life stage. Since it is illegal to flee military service, young men and women who migrate must exit the country clandestinely. Many travel to Sudan and then travel by land or air to their next destination. These journeys are potentially extremely dangerous. During my fieldwork period there were stories told within the Eritrean community, and reports in the Italian press, of smugglers holding migrants to ransom and of boats sinking as they crossed the Mediterranean.⁶²

What particularly distinguished those Eritreans who migrated since the second outbreak of the war from their predecessors was that they did not imagine Italy as their final destination, preferring instead to test their opportunities for success in Northern and Western countries (Arnone 2008: 327). "For the Eritrean

⁶² At the time of writing a boat, with mostly Eritreans and Somalis on board, was shipwrecked. Of the 500 passengers on board only 155 survived, making it one of the largest-scale disasters of its kind.

community, Italy is just a stepping stone,” Biniam told me one quiet afternoon sitting at the counter.

No-one ends up staying here. Of the group who I arrived with [other Eritreans who arrived in the same year], there were eight of us and now there is only me left. Eritreans are like sheep: they all follow each other. It used to be Great Britain but now Sweden is the country of choice. I would say about 95 percent of Eritreans who come to Italy move on elsewhere.

In recent years, Biniam informed me, Eritreans had been less successful in claiming asylum in the UK and chances of having claims accepted were perceived to be higher in Sweden, where refugees also enjoy a more generous social welfare system than in Italy, receiving housing and benefits.⁶³ When I asked him who had remained in Italy and why, Biniam responded that those who have family or other obligations may be forced to remain, while others may be too “*deficiente*” (deficient – incompetent) to migrate elsewhere. When introducing elderly Eritreans who had lived in Italy for over thirty years, Chiara and Biniam described to me that this group of people had been attracted to Italy due to the perceived ties created through the shared colonial history (see also Arnone 2008: 327).⁶⁴ This attachment, however, did not seem to exist for later generations. While many I spoke to did feel a certain affinity with Italy, talking about Italian architecture, bars and food on display in Asmara, there was a general consensus among the younger generation that better opportunities were available elsewhere. Accordingly, the colonial history did create a degree of perceived affinity between Eritrea and Italy, but the supposed inferior opportunities that Italy offered reduced the density of the Eritrean network in the country and encouraged new migrants to move on.

The prevalence of on-migration among Eritreans was confirmed by the countless numbers of such nationals I met in my 19 months of fieldwork, many of whom were about to leave or had already done so. There was the *Professore*, as Biniam called him, who had previously been a university lecturer in Asmara. After several years spent saving money in Bologna, he had decided to move to the United States where he would try to claim asylum. He undertook a dangerous journey that

⁶³ In Italy those who have been granted asylum do not automatically receive public housing or any kind of financial support.

⁶⁴ People from this earlier generation spoke Italian as it was taught in Eritrean schools.

involved travelling from Italy to El Salvador and Mexico before entering the United States as an asylum-seeker. While the United States was often discussed as the desired destination for many Eritreans, the risks and costs involved in getting there were too high for most. In other cases, migrants' desire to ensure that their children might settle and grow up outside of Italy was the driving force behind their decision to on-migrate. Several parents I knew successfully applied for their children to join them in Italy through family reunification, only to swiftly send them away to other European countries. Fekle spent months struggling to apply for her 16 year-old son Simon to come to Italy from the Sudan.⁶⁵ Weeks after he arrived, Simon hid in a lorry and crossed the channel to the UK, where he claimed asylum as a 14-year-old. His application was successful and an English family have since adopted him. Although Fekle was again separated from her son, she considered his on-migration a success and was comforted by the belief that he faced a brighter future. Also keen for his children to live elsewhere in Europe, Johan, an Italian citizen himself although originating from Eritrea, frequently came to the advice centre to check the status of his teenage children's permits. They had recently arrived in Italy through family reunification. But as soon as the permits were issued they flew to Sweden where, after discarding their Italian permits before going through passport control, they claimed asylum. When I left the field their asylum claims were being processed. In both of these cases the parents placed greater importance on their children living in countries perceived to offer better opportunities, than living in close proximity of them. This reflects the extent of people's beliefs that their children would be better off living outside of Italy.

Not all Eritrean attempts at on-migration were successful, however. In July, Biniam's cousin Emanuel left his job in Genoa to fly to Sweden. From there he would attempt to fly to Cancun in Mexico in an effort eventually to reach the United States. He knew of several others who had attempted such a route with success. However, Emanuel returned soon after his departure having been stopped in Stockholm for not holding the correct visa. When I said to Biniam that Emanuel

⁶⁵ Simon was in Sudan because Fekle was concerned that the Eritrean government would not allow him to exit the country as it would be perceived as a move to avoid military service, which begins for all Eritrean citizens at the age of 18. Visas for family reunification and other applications can be issued by any state, therefore many Eritreans travelled clandestinely to Sudan before migrating elsewhere.

must be very disappointed, Biniam shrugged his shoulders saying, “there is a very high risk of being stopped. He wasn’t surprised.”

“But what about all the money he must have lost on the ticket?” I asked. “Well that’s what it costs,” he replied, again shrugging his shoulders.

Although the frequency and normality of such passages made them appear almost mundane, such journeys, especially to the US or the UK, were highly risky and likely to fail. Due to the country’s long-standing political problems, Eritreans are often eligible for asylum or humanitarian protection in Western countries. Claiming asylum is a means to gain legal residence in a country, yet the Dublin Regulation dictates that would-be refugees should remain in the first country they arrive in.⁶⁶ Therefore, refugees arriving on the shores of Italy must claim asylum in Italy. This means that those who had on-migrated elsewhere, and who had successfully been granted asylum, were risking future deportation back to Italy. Ignorant of such laws, many Eritreans have claimed asylum in the UK, and other countries, after originally passing through Italy. Those who fall victim to efficient immigration bureaucracy may have their asylum in the UK revoked, sometimes even years later, after it is discovered that records of their fingerprints already exist in Italy.⁶⁷ Those attempting to counter such a fate were rumoured to burn their fingertips in efforts to become undetectable in the new country. This solution, although distressingly drastic, is only temporary: fingerprints grow back identical and hence cannot be erased. Chiara told me that others decided to burn their fingerprints with acid, which ensured their permanent disfiguration.

In this respect, migrating to the US or other countries not involved in the Dublin Regulation is safer as claimants’ fingerprints will not be on a shared database. However, as mentioned above, destinations such as the US or Canada are in other respects far riskier as well as being more expensive to access. One means of reducing the risk of being discovered was to avoid claiming asylum in Italy altogether. Many of those I knew who had successfully gained asylum elsewhere in Europe had previously been living in Italy, not as refugees, but rather with family or work permits, and some even had citizenship. While the fingerprint data bank for asylum

⁶⁶ The Dublin Regulation (previously the Dublin Convention) was originally set up in 1990. It is a European Union law, which provides a Europe-wide database for fingerprint records of asylum seekers. The principle of the Regulation is to ensure that asylum seekers apply for asylum in the first EU member state to which they arrive.

⁶⁷ See Channel 4 Film *Unreported World: Breaking into Israel*

claimants was likely to be crosschecked, the border agency of the new destination countries cannot feasibly crosscheck asylum seekers' fingerprints with those of all legal migrants living in countries which have signed the Dublin Regulation. Therefore, by *not* claiming asylum in Italy and instead obtaining a permit through other means (for example a *decreto flussi*, an amnesty or family unification) these Eritreans were effectively remaining beneath the radar and were unlikely to be caught out when they eventually did claim asylum in the UK, Sweden or elsewhere.

An Eritrean woman called Yanet had adopted this strategy. She was the partner of Dewat, a close friend of Biniam and Chiara's. Dewat had lived "illegally" in Italy for ten years. He eventually obtained a permit during the 2009 domestic worker amnesty as Chiara "employed" him as her "carer" (see Chapter 5). Several years previously, during the time Dewat had been trapped in Italy due to his "illegal" status, Yanet had moved to Sweden, where she had claimed and been granted asylum, and was now living as a refugee with their two young children. She had, however, previously resided in Italy for over five years, where she held the long-term permit, public housing and a job in a cleaning company. When Yanet and Dewat's second child was still young and while she was still receiving contributions for maternity leave, Yanet travelled with the children to Sweden where, after disposing of their passports and her Italian long-term permit, she successfully claimed asylum. Living in Stockholm she received the full benefits to which she was entitled as a refugee. Meanwhile, in Italy, she remained, on paper, a legal resident. Her public housing was still in her name (Dewat was living in the flat) and she continued to receive contributions for maternity leave. In Sweden, Yanet lived under a different name and, because she had never claimed asylum in Italy, was very unlikely to be discovered.

I met Yanet when she made a return trip to Bologna in which she was organising paperwork related to her resignation from the cleaning company. Eventually her paper existence in Italy would fade, as her documents relating to her legal status, public housing and employment among others expired. Happily living in Stockholm, this was not a problem. The key to Yanet's success was her foresight in not having claimed asylum in Italy which would have meant her fingerprints were recorded in the database which EU member states share. In 2011, after Dewat received his permit through the amnesty and became "legal" in Italy, he joined Yanet

in Sweden. Paradoxically, while his previously “illegal” status had confined him within Italy’s borders for over ten years, his permit to stay in the country enabled him to leave it.⁶⁸ Two weeks after arriving in Sweden under a different identity, Dewat claimed asylum: his claim has since been accepted. Worried that the children might accidentally reveal Dewat’s real identity to the social service officers who have contact with the family, he and Yanet pretended to their children that he was their father’s brother (the children had not seen Dewat for two years). Although he had previously attempted to claim asylum in Italy, he was unlikely to be caught out by the Dublin Regulation as more than ten years had passed since he had made the original claim. Chiara explained to me that at the time of Dewat’s original claim, the electronic database for fingerprints did not exist. Without this technology it would be very difficult for Dewat’s double claim to be discovered.

LEGAL BASE

It was not only by claiming asylum elsewhere that migrants on-migrated from Italy. The long-term permit also offered possibilities for starting a life in a new destination. The much sought-after permit, also known as the *carta*, was technically valid for work purposes in all Schengen-member states. Ironically, for many the motivation to obtain a long-term permit was to leave Italy. Those who were holders of the long-term permit, or desired to be, frequently visited the centre to ask for information about which countries it was possible to work in and how. “You have to find out in that country. Do you have a friend or someone there?” was the standard response by staff members. Some did permanently migrate to other countries if they found work, while others would live elsewhere for a period of time before returning to Italy and possibly on-migrating again if they could. The long-term permit offered more freedom than the regular one, since it did not require renewal and therefore did not necessitate presenting evidence of income for such renewal. For migrants, this meant a relief from potential anxiety and worry. Over the past 12 years, for example, Naveed (see Chapter 4) had held a long-term permit. This had given him the freedom to live in Italy, Germany, Belgium and France, as he followed different work opportunities and contacts. He preferred living in Germany, France or Belgium

⁶⁸ Over the years Dewat had tried to leave Italy using false documents. Each attempt had failed.

where he was better paid. But several years ago, following a period of unemployment in France, he decided to return to Italy. When I met him he had been living in Italy continuously for the past five years.

Long term permits, enabling such mobility, could promise a future elsewhere, but for the time being this might mean that family life was severely curtailed. The husband of a Pakistani woman I knew, who lived in Bologna with her children, was mostly absent from family life. For weeks at a time he went to different Schengen member countries, including Norway, Sweden and others, in attempts to find secure employment. She told me how her husband thought there were improved employment options outside of Italy, and once he had found something permanent the whole family intended to migrate. Other people told me how having a family severely limited one's ability to on-migrate, as re-settling was more expensive. For those who did not leave, having a family and being settled was a commonly cited reason for remaining in Italy.

While I have argued in this thesis that the Italian immigration bureaucracy is exclusionary and difficult to manage, in my informants' stories Italy was often represented as a kind of "soft option": the flexibility of its regime made it suitable as a legal "base" in Europe. Given the relative ease of obtaining a permit in Italy in comparison to other European countries (Schuster 2005), migrants were able to rely on the legal status with which their Italian permit endowed them, yet simultaneously seek out better opportunities elsewhere. Shore has argued that the introduction of the Schengen accord represented the culmination of "Fortress Europe" (2000). He writes that the accord consisted of a "host of initiatives designed to fortify Europe's southern and eastern frontiers against illegal immigrants and other species of unwanted aliens" (2000: 80). For those migrants trying to enter Europe this argument is no doubt valid, yet Shore does not address the way in which, firstly, some Schengen countries are easier to enter than others, or secondly, that the Schengen agreement actually more easily allows non-EU legal residents to move around and reach their desired migration destination. With the freedom to cross borders enabled by the Schengen accord, migrants could use Italy as a place to access and renew permits while working elsewhere and eventually on-migrating.

Towards the end of my fieldwork, a distinctively-dressed Pakistani man sporting a bowler hat, Ray-ban sunglasses and a stripy monochrome t-shirt caught

my attention. He asked if I spoke English and I helped him with the application for an unemployment permit. Intrigued by his perfect English accent and style of dress, I asked him if he had spent time in the UK. “No. I used to live in America though,” he replied. He described to me how he had lived in New York for 12 years. For ten years he had held a valid work permit and worked as a limousine driver. When his permit expired, in efforts to remain in the country, he applied for political asylum, but his application was rejected. For a period he remained “illegal”, but found it much harder to be an “illegal” migrant in the United States after 9/11. Knowing an acquaintance in Italy who hired him in the *decreto flussi*, he decided to migrate to Europe. He did not intend to stay in Italy for long, but the permit offered him at least some mobility. Consequently, as in the case of many Eritreans, Italy can be used as a platform to enter Europe or, as in the case for the Pakistani man and many others, as a base where legal status is more easily obtainable and from where other opportunities in Europe can be scoped out. Since “illegal” status immobilises migrants, Italy’s easily manipulated rules and access to permits made it a country which migrants could use as a legal base until they were either securely set up elsewhere, or until they made Italy their final destination country. As will be explored below, the way migrants used the Schengen accord highlighted the inequalities and hierarchies between European countries.

While this section has so far mainly described people who did actually leave Italy, for many such mobility was not possible. While the Pakistani man intended to gain an Italian permit in order to move elsewhere, in reality the standard permit (in contrast to the less-easily-acquired long-term permit) allowed little freedom. As has been noted elsewhere in this thesis, permit renewal was a time-consuming process, contingent on evidence of salary and employment (see Chapter 3). If one spent most of the year living outside of Italy one would be unlikely to have the requisites for renewal, meaning that unless one was prepared to become an “illegal” migrant elsewhere, continued domicile and employment in Italy was necessary in order to be able to renew. Moreover, if one had family in Italy further mobility became more difficult and costly as movement involved uprooting spouses and children. Indeed several informants who lived alone in Italy described to me how, due to expenses, they would not bring their families to Europe until after they had on-migrated. More generally, the resources needed in order to be mobile – principally contacts, money and language skills – were not easily available to all.

However, even for those who remained in Italy, the idea of leaving was a dominant discourse. When visitors to the centre discovered that I was not Italian, they would frequently tell me about their hopes for leaving in the future, or their failed attempts to leave in the past. The notion of leaving shaped their experience and feelings about their migration trajectory. People's continued residence in Italy was, therefore, in a dialogical relationship with both future and failed dreams to leave the country.

THERE IS NO FUTURE HERE

For many who remained in Italy there was a lingering sense of failure and disappointment. Analogous to motivations that spurred initial migration, the desire to leave Italy was commonly framed in terms of trying to create a better future. Explaining why they did not want to remain, people described living in Italy as akin to a "big prison" in which they could not imagine their lives improving despite their hard work and sacrifice. Migrants' sense of failure and disappointment was related to their negative experience of low-level jobs, poor pay and everyday racism, but more profoundly it was related to anxiety for their children's future and the perception that there was no hope for improvement. Such disappointment with the migration project is not unique to migrants in Italy. Migration literature frequently emphasises migrants' disappointment on arrival in their "host" destination countries (Mahler 1995, Gardner 2002, Vigh 2009). Disappointment is often related to the economic realities of low paid jobs and expensive living costs – the realisation that the streets are not paved with gold (Mahler 1995: 92). As Mahler notes, these expectations are often created by those who have migrated earlier, who may paint an unrealistic picture of their experiences out of a desire to save face (1995: 84). Thus, feelings of disappointment are certainly not unique to Italy's migrants. However, in the Italian case, migrants' disappointment was dialogically related to the perception that there were greater, if still limited, possibilities for success elsewhere.

Khalid, a Tunisian man who frequently visited the centre, told me how everybody should migrate to France. Although he lived in Bologna with his wife and two Italian-born children, before his marriage he had lived in France for a year and a

half. One morning in the centre, while he was waiting for his appointment, he described to me how in France migrants do not confront the same barriers and difficulties faced in Italy – difficulties which he believed were purposefully propagated by Berlusconi’s government’s politics. He told me how in France the process of obtaining documents was a simple bureaucratic procedure – “they don’t try and make life difficult, you know?” – while in Italy it felt like a struggle through a maze of documents for which the migrant was personally responsible. After a bogus marriage with a French woman fell through, Khalid was forced to return to Italy where he still had a valid permit. After returning, he applied for his wife to join him through family reunification, and later his two children were born in Bologna. He said that in Italy his main concern was that he could not envision a future, and worried for his children who were born and would grow up in a country where they had no citizenship and faced daily prejudice. I asked him if he intended to return to France, to which he responded that he would like to, as would his wife, who constantly laments that there is no *real-life* in Italy. However, given his financial situation he could not see how he would be able to. “It’s her I am sorry for,” he said pointing to his seven-year-old daughter.

It is this concern for children’s future that was cited as one of the central reasons for leaving Italy. As discussed in the previous chapter, the 1.5 and second generation face bureaucratic and racial exclusion, and parents were worried about their children growing up as second-class citizens. This division between Italians and migrants or “*extracomunitari*” is hierarchical, and is manifested in the low-level work sectors that migrants occupy. Accordingly, the chance of being professionally successful in the country seemed to feel unrealistic, even for migrants born and bred in Italy. This led to many desiring a future elsewhere for the sake of their children. Stella, an Eritrean woman in her sixties, worked as a cleaner in the trade union and frequently passed by the centre to chat to Biniam before and after her shifts.⁶⁹ When I joined them on one occasion she described her experience of citizenship. Having already acquired Italian citizenship after more than 20 years of residence, Stella told me how she had originally been persuaded by her colleagues to submit the application. Recounting to me how quick Italians were to point out the fact that she was not *really* Italian, she laughingly described how those who judged her as non-

⁶⁹ Stella was Kidane’s mother see Chapter 6.

Italian say it is because of her accent, yet she knew it was because of the colour of her skin. While she was not interested in being considered “authentically” Italian, she was concerned about her grandchildren, who were born in Bologna. “I am worried about the kinds of divisions that will be made for them. They will not be Eritrean and they will not be Italian.”

Such ideas were set against the belief that better futures could be found elsewhere. Similarly concerned for his baby daughter, Livia, Biniam frequently semi-joked about how he would send her to the UK for university. “There is no future here [*Non c’è il futuro qui*],” he would say seriously. This idea of “no future”, which Khalid, Biniam and others discussed, referred to the notion that there was no hope for a *better* future in Italy, and left open the perhaps utopian possibility that there might be one elsewhere. The UK, France, Belgium, Germany and Sweden were all imagined as places where better futures were possible. These imagined lives in other countries were developed through electronic media and contact with family and friends. When referring to life in other European countries people would exclaim, “black people are doctors and lawyers!” “There are shops where you can buy all the Eritrean ingredients,” or “your permit gets sent to you in the post”. On one occasion, learning that I was English, a man from Bangladesh informed me, “you even have a female Bangladeshi in your parliament. Yes, I would like to live there.” Such positive images of accepting, cosmopolitan and efficient countries were contrasted with Italy, which was viewed as discriminatory, inefficient and backward. The conditions that pushed migrants into marginalised positions in Italian society, and created them as the subaltern “other”, led to their disparagement of the country for its perceived lack of cosmopolitanism, multiculturalism and development. Therefore, migrants’ negative experiences led to derogatory and condescending opinions towards Italy. Although these opinions had a defensive use, they also fuelled migrants’ sense of failure: many ultimately blamed themselves for their lack of mobility. My respondents felt that residency in what they considered a second-choice country and failure to move on pointed to their own deficiencies.

It is worth noting here that although my informants said their motivations to leave Italy were related to the way they were treated as migrants (their experiences of immigration bureaucracy, racism and so on), leaving Italy for better opportunities is also a phenomenon among young Italians born to native Italian parents, particularly

in the current economic climate. High levels of unemployment, as well as implementation of austerity measures, are pushing increasing numbers of young Italians from across the country to leave.⁷⁰

ONLY “*DEFICIENTI*” STAY

Adding to the sense of failure and despondency for those who remained in Italy was a commonly held view among different communities that those who stayed were either “*deficienti*” (deficient, incompetent) and thus incapable of leaving the country, or “*delinquenti*” (criminal, delinquent) and profiting from the country’s flexible and clientelistic systems. Regardless of whether or not this stereotype was true, the negative portrayal of those who remained in Italy was contrasted with the positive depiction of those who had left. During evenings out with Chiara and other volunteers or staff members from the centre, the conversation frequently turned to those who were no longer around. I learnt the names and characters of a set of people who, with Chiara, had been part of the advice centre’s original team. These people were described as political, bright, ambitious and keen to fight for migrants’ rights. Chiara would sigh nostalgically as she recalled various events and struggles that they had experienced together. “But now he is in *parte tue* (your parts),” she would say, referring to different individuals who had since migrated to the UK. If not living in the UK, they were in France, Belgium or Germany. “Why did they leave?” I enquired of her. “To find better opportunities elsewhere... and because they were smart,” she answered. In this sense, the centre acted as a microcosm for a wider pattern in Bologna, in which the supposedly best and brightest moved on.

People from all different communities emphatically told me that those migrants who had settled in Italy – be they Moroccans, Tunisians, Eritreans, or from some other place – were not representative of that national group. Rather, those who remained in Italy were considered as either delinquent or incompetent. Although he did occasionally go to Eritrean bars, Biniam always complained about those who

⁷⁰ <http://www.bbc.co.uk/news/magazine-16871801>
<http://www.guardian.co.uk/world/2013/feb/19/italy-elections-young-people-emigration>

frequented them: “only those with *teste dure* [hard heads – fools] are here [in Italy]. There is nobody to have a serious conversation with.” On other occasions, when he did meet someone he liked, he would enthusiastically and positively discuss how this individual was different to the others and how he had been able to have an intelligent conversation about the political situation in Eritrea. Similarly, Medhi frequently warned me not to speak to certain of his countrymen: “they are delinquents, Anna, stay away from them.” Like Biniam, he told me how in Morocco many people were intellectual and political but that here [in Bologna] the majority were delinquent. Such a discourse about the “low calibre” of migrants who remained in Italy further compounded individuals’ own sense of failure.

On one of our regular Saturday night dinners at her house, Chiara told me that there were four different kinds of migrants who remained in Italy. Firstly, there were those who were unable to change their circumstances. This category referred to those who lacked the skills, resources or language to improve their situation. Secondly, there were those who were content with their situation and therefore lacked the drive to dramatically change their circumstances. This category referred to those who might have originally planned to leave the country but had since settled with their family and were relatively securely employed. She cited Al Alami as an example of such a migrant. He held a fairly stable job in the trade union, lived in a public housing apartment in a good neighbourhood with his three children and wife, and had recently obtained citizenship. Thirdly, Chiara noted, there were those who effectively engaged in *il sistema paese* (system of the country [see Chapter 5]). This category referred to those who have taken advantage of what she considered to be a corrupt system. She specifically referred to individuals she knew who were involved in community associations and had embezzled funds from the *Comune* (municipality). Lastly, she said, are those who do not have the courage to start again. In a rare moment of dejection, she said, “I’m in that category. It’s true. I don’t have the courage to start somewhere new, from zero.” With her serious sight problems plus her lack of additional language skills, Chiara admitted that she felt disadvantaged, and did not have the energy to try to overcome these problems in order to begin all over again. As such, my informants’ denigration of Italy, adulation of perceived superior countries and damning opinions of the type of migrant that remained in Italy made their own trajectory appear more negative than it ought to

have been. While they ultimately attributed their situations to their own failure, their own circumstances in fact challenged such sweeping statements about Italy, and the kind of migrant that remained there.

If staying in Italy was perceived as indicative of failure on behalf of my respondents, it did not mean that people did not get on with their lives or enjoy them. As Chiara noted in her categorisation of Italy's migrants, many ended up creating good lives for themselves and their families in Italy. Furthermore, despite migrants' frequent lamentations regarding the country, some people I spoke to told me that they preferred life in Italy to that in countries such as Sweden or Norway. As I was told by Ahmed, an Algerian man who I met at the *Questura*, "life in Italy is better than in Norway. It is so cold there, and everybody just stays in their houses." Migrants' experiences were related to their personal circumstances, their country of origin, and the particularities of onward migration for those who shared those origins. For Biniam and other Eritreans, it was the sheer scale of on-migration from Italy that made for the sense of failure among those who remained. In contrast, individual achievement and economic success were reasons for migrants to become more sedentary. Among the Chinese people I spoke to, for example, there existed a much lower degree of on-migration – and consequently of dissatisfaction as well. This could be related to the fact that Chinese people were more likely to be self-employed and own a business, providing better long-term options. Idris, Biniam's 50-year-old best friend who had previously lived in the United States, owned a cleaning business in Bologna and did not wish to on-migrate. He worked long hours but had become financially successful and, unlike Biniam and his other co-nationals, was relatively satisfied with his life in Italy. Economic success or belief in such a possibility was, therefore, a motivating factor to remain in Italy, although it was not a reality for most.⁷¹

Chiara, on the other hand, held a different and uncommon view of migrants who left Italy and what their departure signified for those who remained. Indeed, her moment of sombre reflection cited above was rare. Despite her highly critical opinion of Italy, she firmly believed that migrants should not on-migrate. While her brother advised those who could do so to leave Italy, Chiara passionately argued that

⁷¹ A report by Caritas shows that, despite contributing ten percent to Italy's GDP in 2010, foreign workers' salaries are markedly lower than native Italians', earning on average 32,8 percent less.

it was the responsibility of today's migrants to make Italy a better country for the future. Although she whole-heartedly agreed that quality of life was better for migrants elsewhere, she did not think that leaving the country was the solution. At the beginning of her relationship with Al Badisi, they would frequently argue over his semi-serious comments about moving on. As we were sitting around a table celebrating Alberto's birthday on a warm June evening, the conversation turned to those who had once worked or volunteered at the centre but had since migrated. Dejectedly, Al Badisi commented that they had been clever to make such a move. Immediately riled, Chiara fervently disagreed with him. "It is our responsibility to stay here. Do you think it was easy in England or France when immigrants first arrived? They struggled for the way it is now," she said, looking to me for confirmation. Chiara believed that time and commitment were needed from the first generation in order for the situation to improve for the next. She passionately argued against the defeatist "jump-ship" attitude of Al Badisi and Biniam, observing that it was difficult to imagine a better future if the most intelligent and hard-working migrants continued to leave the country. She compared the situation to a "brain-drain" in which the best, most ambitious and promising people migrate, meaning that the situation in the "home" country never improves. She thus held those who had left partly responsible for the lack of development for migrants' rights in Italy. In her opinion, it was precisely those individuals who were needed in order to create change. Demonstrating her strong sense of social responsibility and justice, she argued that it was up to individuals like her and Al Badisi to make the system better. "Us immigrants also have to take responsibility for the situation in this country. We can't only blame the politicians. If we want things to get better we have to work for it, like people have done before in other countries." Discussing the drastic rise in the cost of permit renewal, Chiara exclaimed: "We [immigrants] have to get pissed off! We have to get pissed off! We cannot accept this situation, we need to react. People like me can be the *portavoce* [spokesperson], but we need the masses behind us." For Chiara, collective action and solidarity were needed to improve the situation.

However, such a view was not shared by others. Instead, possibilities for betterment were seen to lie elsewhere. For the majority of those with whom I spoke, remaining in Italy was tinged with disappointment. While these may be common experiences for migrants in any destination, I argue that the notion of Italy as a

stepping stone country added a particular dimension to migrants' sense of disappointment and infused the experience of those that remained. In the next section I will discuss the way in which the notion of a stepping-stone country, which can be used as a starting point or base from which to improve one's circumstances, is situated within the wider logics which drive migration, transnationalism and capitalism.

FLEXIBLE CITIZENSHIP

This chapter has shown the way in which, as well as engaging in transnational practices between "home" and "host" countries, migrants are embedded in transnational projects within Europe and, occasionally, across the Western world. As noted by Schuster (2005: 767), while the mobility of elite professionals has been theorised, poorer migrants' mobility has been understudied. In *Nations Unbound* (1994) Basch, Glick Schiller and Szanton Blanc intimately describe the way in which the grounding for their informants' transnationalist practices was closely related to their experiences of racism and social marginalisation in the US. As the authors note, their West Indian informants maintained ties to home through family networks, and they "called upon these transnational practices... when responding to the economic vulnerability and racial humiliations they suffered in the United States" (1994: 100-101). These practices included remitting funds and investing in houses and land back home (*ibid*). In addition to these kinds of transnational practices, which have been well-documented, in this chapter I have explored how my informants were also involved in practices which linked their "home" to a multiplicity of "destination" countries across Europe and even further afield. Similar to the respondents in *Nations Unbound*, their practices were motivated by the racial and social marginalisation they experienced in Italy. As we have seen, migrants engaged in networks with friends and family, becoming keenly aware of other nation-states' welfare systems, immigration permit systems and border regimes, in their efforts to accumulate capital and improve their life conditions.

In this final section I wish to situate migrants' desires to leave Italy within the cultural logics of globalisation, global capitalism and transnationalism (Ong 1999).

For many, the motivation to leave Italy was parallel to the logic that had compelled them originally to migrate: that of moving to places which offered better opportunities for life improvement. As noted, leaving Italy was also bound up with decisions based around families and networks, which were often situated in a historical context of colonialism. However, while recognising the complexity and nuances in migrants' decisions to on-migrate, I suggest that we can also view my informants' stories as revealing of a wider discourse situated within the "cultural logics of accumulation" (Ong 1999: 6) in which improved social and material capital were desired.

While Ong's (1999) high-flying and elite Chinese respondents faced significantly different concerns to those which preoccupied my informants, her arguments surrounding flexible citizenship have relevance here:

Flexible citizenship refers to the cultural logics of capitalist accumulation, travel, and displacement that induce subjects to respond fluidly and opportunistically to changing political-economic conditions. In their quest to accumulate capital and social prestige in the global arena, subjects emphasize, and are regulated by, practices favoring flexibility, mobility, and repositioning in relation to markets, governments, and cultural regimes (1999: 6).

As Ong notes, "those most able to benefit from participation in global capitalism were those able to celebrate flexibility and mobility" (1999: 19). As I have argued throughout this thesis, flexibility and mobility are also celebrated by migrants drawn from more humble backgrounds who, although lacking elite status, nonetheless aspire to the "good life". Therefore, while flexible citizens are viewed by Ong as the global elite, whose mobility is embedded in their wealth, the data in this chapter have shown how the marginal and seemingly immobile can also be considered as flexible citizens in a contemporary global capitalist marketplace. While the long-term permit is intended to confer secure legal status in Italy, for my informants it was used, with varying degrees of success, as a means of accessing more profitable labour markets elsewhere. As we have seen, by taking advantage of the Schengen free travel accord, those with long-term permits and good networks of contacts were able to engage in Europe's diverse labour markets and accumulate capital. While Italy was not perceived as the ideal destination country, given the relative ease with which

documents could be accessed, for flexible citizens it was able to serve as a legal base when opportunities elsewhere were more restricted.

The case study of Yanet has shown how the “cultural logics of accumulation” (Ong 1999: 6) can be manifested in multiple and surprising ways. Yanet – a “multiple-permit” holder – could be described in the same terms as Ong’s informants who hold multiple passports: “The multiple passport holder is an apt contemporary figure; he or she embodies the split between state-imposed identity and personal identity caused by political upheavals, migration and changing global markets” (1999: 2). Through transnational networks of information Yanet was able to take advantage of Italy’s more permeable borders in order to enter Europe and gain legal status. From there she was able to enter Sweden which, in comparison to other countries, offers generous social welfare to refugees and was likely to confer such a status on her. By carefully managing her legal status, Yanet was able to simultaneously profit from a position in between two European welfare states. In doing so she was able to maximise her income through maternity leave contributions in Italy, as well as benefits for refugees in Sweden. Meanwhile, holding public housing in both countries meant that she and her partner were at no point obliged to pay rent. What differentiates Yanet from Ong’s flexible citizens is the fact that, rather than benefiting by gaining access to diverse markets across national boundaries, she was profiting from state welfare provision instead.

As I have discussed, on-migrating was not solely rooted in economic instrumentalism. In reference to migrants’ hopes for their children, individuals not only hoped that in the future their offspring would be able to enjoy improved circumstances for capital accumulation, but also that they would be free from racist or xenophobic discrimination. As observed by Calavita, migrants’ experiences of racism, legal precarity and economic marginalisation are deeply intertwined (2005a). I argued in the previous chapter that many felt frustrated by the fact that, regardless of their citizenship status, integration or wealth, they would nonetheless be considered “*extracomunitari*”, with all of the negative associations and limitations for mobility which that term implies. Of course, their ideas regarding racial equality may have been idealistic. Indeed, Ong notes how in the US her rich Chinese informants struggled to be recognised as holding cultural capital, since there was a “mismatch... between the symbolic capital and its embodiment” (1999: 91-92). Despite this, however, my informants held firm to their conviction that outside of

Italy their opportunities for social and economic mobility would be improved. Accordingly, their desires to leave Italy were embedded within the interlinked desires to gain more social and economic capital and opportunities for their children, as well as to escape racialised discrimination.

In labelling my informants flexible citizens I do not wish to romanticise their on-migration as an act of resistance. As we have seen in this chapter and throughout the thesis, migrants were on-migrating in order to take up subordinate positions in other societies, either in low-level jobs or as welfare-dependent refugees. Furthermore, as articulated by Chiara, such on-migration could be theorised as detrimental to wider struggles for migrants' rights in Italy. In this view, the cultural logics of accumulation (Ong 1999: 6) in which migrants' on-migration was embedded can be seen as perpetuating their inequality and social marginalisation. Lastly, as I have also shown, such mobility was not accessible to all. Critiquing Appadurai, Ong has written that he "gives the misleading impression that everyone can take equal advantage of mobility and modern communications" (1999: 11). Indeed, those such as Biniam, who were not able to on-migrate, show that access to the benefits of late capitalism is far from equally distributed. In addition to inequalities embedded in political economy, differences were also created through individuals' own trajectories. Their reasons for staying in Italy were related to timing, luck, family situations and a host of other factors. When flexibility was not obtained, rather than identifying "the processes that increasingly differentiate[d] the power of mobile and nonmobile subjects" (Ong 1999: 11), those who remained in Italy attributed their immobility to personal failure. Indeed, Biniam's opinion that those who remained were "*deficienti*" was accompanied by an acute sense of his own failure to improve his life conditions by on-migrating.

CONCLUSION

This chapter has explored Italy's migrants' commonly-acknowledged desire to leave the country. This desire was embedded in a belief that Italy was inferior to other Northern and Western European countries, and that the quality of life would be superior elsewhere. Migrants in Italy, as in other Southern European countries

(Andall 1999, Vigh 2009, Pereira 2012, Gutierrez-Garza forthcoming), developed social imaginations of life elsewhere, based on transnational contact with co-nationals in the diaspora and back home. Italy's easily manipulated immigration laws and the EU's freedom of movement accords allow migrants a certain amount of mobility, which encourages and concretises such imaginations of life elsewhere. Situating my informants' desires to on-migrate within the cultural logics of accumulation (1999: 6), I have suggested that they are akin to Ong's flexible citizens. Yet the flows and flexibilities celebrated by late capitalism are also intimately connected to the global inequalities it creates. For those who did manage to move on, their position as the most marginalised in society continued in a new setting, while those who remained wrestled with the enduring belief that they had failed.

CHAPTER EIGHT

CONCLUSION

MIGRANTS' STRATEGIES OF NAVIGATION CONTEXTUALISED: "ILLEGALITY" COVERED UP.

This thesis has analysed migrants' everyday encounters with the Italian documentation regime. On the one hand, the preceding chapters have depicted migrants' resilience and resourcefulness in the face of a labyrinthine immigration law which is fuelled by anti-immigrant sentiment. Reflecting what is considered to be an "Italian" attitude towards the state and bureaucracy, migrants became strategic navigators of the documentation regime. While the peculiarities of the *Bossi-Fini* law meant that it was easy for migrants to fall into "illegality", at the same time the law was easily open for manipulation. With the help of brokers, they bent rules and manipulated loopholes, enabling possibilities which would otherwise be unavailable. On the other hand, I have shown that their strategic navigation of the bureaucracy offered only minimal advantages, and that ultimately migrants remained in structurally marginal positions. Throughout this thesis I have illustrated that possibilities for taking advantage of the documentation regime's flexibility were not equally available. Resources in the form of money, contacts and kinship, as well as friendship networks, were indispensable. Chapter 4 focused on those who acted as brokers within the documentation regime, who were often essential mediators for migrants in order to have applications accepted or find out information. As these patterns illustrate, examining the systems of brokerage which existed in the documentation regime highlights the inequalities within it. Brokers were essential in order to navigate the bureaucracy, but not everyone had equal access to those who were effective. While financial exchange was often assumed to guarantee a higher quality service, this was not always the case and stories of individuals being scammed by lawyers, organisations and informal brokers underlined the serious disadvantages of the system's flexibility and the uncertainty it created. The limitations and risks which migrants faced in their navigation of the documentation

regime demonstrate that although immigration law offered loopholes and possibilities for manipulation, ultimately their navigation of the bureaucracy provided negligible advantages and securities. How useful, one might wonder, were such strategies in the longer term?

* * *

In the last few weeks of writing this thesis, tragedy has once again struck at Lampedusa. On 3rd October 2013 over 300 people drowned when their boat sank as they tried to reach Italy, Europe and the West. According to the media it was one of the worst disasters of its kind. I speak to Chiara on the phone the Sunday after the tragedy, and she asks if I have heard about it. I respond that I have, saying how sad and terrible it is. “The thing that annoys me,” she says in her usual contrary tone, “is that earlier in the week another boat also sank. But that boat only had 13 passengers on board, so it wasn’t worth making a big deal of.” She finds it abhorrent, she tells me, that large numbers of people need to be killed before any public interest is shown in migrants’ plight.

Chiara’s observation about the tragedy receiving high levels of publicity is true. In the UK the incident has occupied substantial sections of newspapers and their websites, and many people who know about my interest in Italy comment on the tragedy to me. Writing my conclusion, I feel that this story of migrants struggling to arrive in Italy and the West should occupy a space in my analysis, and that omitting it would be negligent; in fact, after reading a draft of my conclusion, both my supervisors suggest that I should include such a commentary. Yet, agreeing with Chiara, I am reluctant to write about the tragedy. Such boats are always sinking. So it is undeniably the sheer number of lives lost that means this particular incident has been reported in the international press, that its victims have received a state funeral, and that the EU has come under pressure to reform its immigration policies. Despite the large number of migrants who arrive in Italy on boats (30,100 in 2013 according to the UNCHR), in this thesis I have only briefly mentioned this form of migration (see Chapter 7).⁷² In some ways, it feels opportunistic to give it attention now.

⁷² Despite media portrayals, the number of people who arrive on boats is actually small. “Illegal” migration to Europe more often involves bribing embassy staff in order to obtain tourist visas or using

Yet, thinking about my reluctance to write about the incident pushes me to view the connections between the tragedies that occur on Italy's shores and my own focus on the more everyday impact of immigration law. My thesis has not focussed on this sharp end of immigration law, where not only legal status but life itself is precarious and at risk. Instead, I have analysed the more mundane processes of immigration policies and the violence which they, and their implementation, perpetrate. The tragic images depicting the Lampedusa arrivals live up to popular perceptions of who an "illegal" migrant is. Immigration policies which lead to people's deaths are called into question, but the fact that such policies themselves produce "illegality" remains hidden. "Illegality", "suffering" and "poverty" appear as embodied characteristics rather than as creations of political processes that are legitimated in immigration policy itself. It is recognised that these tragedies are related to structural issues concerning poverty and war, but at the same time they are portrayed as unexpected emergencies rather than as the *inevitable* products of structural inequalities. The tragedy of the disasters on Italy's shores obscures the fact that such journeys are produced by the same patterns of inclusion and exclusion which are inherent in the laws explored in this thesis. Although immigration law is criticised for not "working" properly, there is no interrogation of the fact that immigration policy itself creates "illegality". Instead, the way in which the victims are portrayed makes such "illegality" seem natural and embodied.

In media accounts, the victims of Lampedusa are portrayed as passive and lacking agency: images which are, of course, incommensurate with the real stories of the individuals who knowingly undertake these journeys. In contrast, the people in this thesis have been conveyed as tactical and strategic navigators, in terms reminiscent of the Manchester School who highlighted how "social actors operate as active agents building social, political and economic roles rather than simply following normative scripts" (Lewis and Mosse 2006: 11). I specifically analysed the role of the migrant broker in Chapter 4, but the everyday migrant, faced with the individual responsibility of organising a plethora of documents, is similarly required to act in a broker-like way. Laws have to be learnt, contacts gained and loopholes found by *all* migrants in their navigation of the regime. Often the help of advisers is

one of the methods I have described in this thesis (*decreto flussi*, amnesty or family reunification). (See Andersson 2012: 15).

needed but, as we have seen, accessing that help also requires strategic behaviour. As Lewis and Mosse note, actor-oriented approaches have been criticised for a tendency to neglect broader issues of power and structure (2006: 10). Taking note of this critique, this thesis has shown how migrants are capable of taking advantage of the documentation regime while simultaneously being obstructed by its inconsistencies, foreclosures and uncertainties. These obstructions were situated within wider patterns of structural exclusion which migrants were forced to confront on a daily basis. Rather than focus on the dramatic and emergency moments of migrants' exclusion, I have explored the everyday legal and social processes through which migrants are simultaneously included and excluded.

* * *

While this thesis has shown the ways in which migrants actively navigated immigration bureaucracy and took advantage of its flexibility, we should remember the objectives that these actors were hoping to achieve. The people depicted in this thesis were attempting to obtain minimal rewards: gain or re-gain legal status, be reunited with a close family member, or perhaps access more durable security through citizenship or the long-term permit. As I noted in the preceding chapters, due to the particularities of Italian immigration law, long-term secure legal status and citizenship were difficult to obtain. Many long-term migrants were excluded from the citizenship applications because, due to precarious working and housing conditions, they were unable to demonstrate ten years of continual documented residency, which was an essential requisite. (Residency is not the same as domicile, as I explored in Chapter 6.) With regards to the long-term permit, in Bologna the particular interpretation of laws by the *Questura* made obtaining it "very difficult", as my respondents told me. "You have to be *perfetto* [perfect] to obtain the long-term permit," Chiara once said at the reception counter. "No, *furbetto* [diminutive of *furbo*]," a client waiting interjected.⁷³ Additionally, the measly yet essential rewards gained through strategically navigating the bureaucracy were accompanied by the real risks potentially faced in such practices.

⁷³ *Furbo* means to be cunning and clever. See Chapter 5 for a full analysis of the term.

In the case studies discussed in Chapter 5, I showed how over-bending the rules led to the (possible) loss of citizenship. Rashid and Kidane craftily exploited the gap between paper and practice, but in doing so left themselves vulnerable to exposure. In Rashid's case, because he received family benefits for his children, despite the fact that they lived in Pakistan, he was forced to withdraw his citizenship application. In the other case, Kidane and his partner concealed his presence on their family residence certificate in order to secure public housing, but this caused their daughter to be unable to obtain citizenship when Kidane did. While their adept navigation of the welfare system demonstrated both individuals' integration into *il sistema paese*, as non-citizens there were limits to their rule-bending practices. Given the extent to which migrants must document their lives for the submission of applications, actors such as Rashid and Kidane were at risk of becoming entangled and trapped within the different truths that their papers depicted. This illustrates the great legal contradiction built into the system: migrants were forced to develop rule-bending attitudes and practices in order to be successful in even the most basic applications, yet too much rule-bending could mean losing out on more than one might have gained. In a similar situation were those of the 1.5 and second generation, such as Elida and Josephine (Chapter 6 [Kidane was also a member of the 1.5 generation]), who in some respects were in the most vulnerable positions of all. They did not view themselves as "immigrants", yet were not legal citizens. Their obliviousness to the world of immigration bureaucracy put them both at risk of losing citizenship and even legal status. In fact, Josephine was unaware that she was technically an "illegal" migrant. The limits to migrants' strategies of navigation, the risks they held and the limited advantages they offered push us to consider who ultimately benefits from migrants' strategies. Undoubtedly, certain aspects of the law held benefits for individuals. In the case of Dewat, for example, Chiara's "hiring" of him as her "carer" enabled him to escape ten years of "illegality" and move to Sweden, where he was reunited with his partner and two children. The fate of "illegal citizens", however, forces us to scrutinise the real value of such benefits.

In the introduction I discussed literature which has argued that immigration laws work tactically to create a vulnerable and deportable workforce (Portes 1978, Kearney 1991, Heyman 1995, Calavita 2005a, De Genova 2002). Drawing on such work, and considering the structurally marginal status which migrants hold in Italy, I

would like to venture some conclusions concerning the connections between political discourse, economic interests, immigration policy and migrants' practices of navigation. Although from migrants' point of view it was useful to manipulate the law's flexibility, this often enabled only temporary and emergency solutions. In cases in which migrants attempted to secure long-term and stable statuses, such strategies of manipulation were ineffective and even risked damage to their applications. Considering this, I suggest that migrants' manipulation of the law's loopholes was structured by a system in which legality itself was shifting and insecure – that is, legal status was often experienced as precarious and temporary even by the most integrated and long-term migrants.

In what follows I would like to discuss the various ways in which migrants' loophole finding tactics enabled the Italian state to silently reconcile various contradictions. I am not suggesting that the Italian state has a unified and intentional project to generate opaque laws that it hopes migrants will exploit in order to serve its own interests. As established in recent anthropological literature, the state is not a single, unified entity but “a dispersed ensemble of institutional practices and techniques of governance” (Blom Hansen and Stepputat 2001: 14) composed of heterogeneous elements and representing diverse interests. Migrants' creative use of the 2011 *decreto flussi* to bring over family members otherwise not permitted by law clearly demonstrates that the unofficial use of laws was accidental and multifaceted. Moreover, the cases studies discussed throughout this thesis have illustrated that the manipulation of the official remit of laws was enabled by a host of different actors, often with divergent intentions. These included immigration officials, bureaucrats, staff at advice centres, landlords, employers and migrants themselves. Heeding this point, in line with Sharma and Gupta I argue that while the “apparently banal practices of bureaucracies” (2006: 11) may appear apolitical, it is “these putatively unremarkable practices that render tenable the political tasks of state formation, governance, and the exertion of power” (*ibid*). As strategies of becoming and staying “legal”, migrants' manipulation of the law's loopholes covered up the way in which the *Bossi-Fini* law institutionalised illegality. Furthermore, they reconciled the inherent contradiction between the Italian state's political rhetoric which rejects migrants and the simultaneous economic need for their labour. Rather than view migrants' practices of navigation as solely the consequences of a disorganised and arbitrary bureaucracy which fosters discretionary practices, following Calavita I

suggest that “the confusion...was neither random nor unpredictable; rather, it followed closely the contradictions of the political-economic landscape, and the landmines therein” (2001: 222).

It is no coincidence that domestic work contracts have featured throughout this thesis. The crisis of caring for the elderly which exists in Italy, as well as the rest of Western Europe, is a key factor in immigration policy and migrants’ ways of navigating it. Through the country’s objective need for domestic and caring labour Italian governments not only desire, but are in fact pressured, to create possibilities for entry and legalisation. The rising population of the elderly, and lack of state-provided care, means that cheap and foreign domestic workers provide the perfect solution for Italian families. In contrast to a care home, employing *badanti* (carers) also allows an elderly person to stay in their own home and receive individual care. The domestic worker amnesty in 2009 and the *decreto flussi* in 2011 – as well as previous decrees – provided opportunities for domestic workers to enter and/or be regularised. But these regularisations provided more than just a solution to the care crisis. While many genuine domestic workers took advantage of such procedures, as the ethnographic case studies in this thesis have illustrated, non-domestic worker “illegal” migrants *also* took advantage of the country’s need for domestic and care labour. By finding an “employer”, “illegal” migrants were able to depict themselves as domestic workers and apply in the amnesty. Additionally, it was widely acknowledged that the *decreto flussi* also acted a means for “illegal” migrants already on Italian territory to access permits. Overall, therefore, the flagrant misuse of the domestic worker amnesty and the *decreto flussi* led to thousands of undocumented migrants, who otherwise would have remained “illegal”, being regularised.

Rather than view migrants’ “misuse” of the domestic worker amnesty and *decreto flussi* as subversive, I suggest that it enabled the Italian state to cover up its own production of “illegality” while simultaneously satisfying its economic need for migrant labour. The strategies covered up “illegality” in two ways. Firstly, migrants’ tacit and unofficial use of both the amnesty and the *decreto flussi* enabled the Italian state to hide the large number of “illegal” migrants dwelling in the country’s frontiers, who would be considered undesirable by significant portions of the public and trouble other EU member-countries concerned about border security, particularly

in the light of the Frontex agreements between states. Secondly, migrants' use of the regularisation procedures also masked the fact that the country's immigration law increased the number of "illegal" migrants on Italian territory (Calavita 2005a: 43). It was not only new "illegal" migrants who took advantage of regularisation policies. They were also used by migrants who had lived in Italy for years, or who were born in the country, but had fallen into "illegality" usually through unemployment. Such unofficial regularisation of "illegal" migrants, therefore, covered up the way in which immigration law produced "illegal immigration" itself, in some cases even causing members of the 1.5 and second generation to become "illegal". I met several individuals at the centre who, incongruously with their native Italian accents, were checking the status of their 2009 domestic worker amnesty applications. Brief enquiries revealed that they had been born or grew up in Italy but bureaucratic difficulties, usually related to their parents losing their permits due to lack of employment, had led them to fall into "illegality". The ease with which such individuals could be re-regularised in an amnesty or *decreto flussi* helps to obscure the injustice that such a fate is indeed possible.

Therefore, by not implementing strict controls on domestic work contracts, the Italian state enabled any "illegal" migrant to apply in the amnesty. This effectively worked to greatly diminish the number of "illegal" migrants on Italian territory without upsetting the voting public; the *decreto flussi* held a similar function. Placing migrants' strategies within a wider context shows that they enabled multiple conflicting outcomes. The crisis of care for the elderly was seen to be addressed through the 2009 amnesty, as Italian families were able to legalise or find a domestic worker. Other industries also gained desired labour: migrants gained permits in regularisation procedures through domestic work contracts but then went onto work in other industries. Dewat was employed at IKEA, Ismail was employed as fruit picker and Hamdi as a removals man, thus satisfying the labour demand in those sectors.

By acknowledging these wider forces I do not wish to reduce my analysis to an "interest-oriented" approach which views law as simply a tool for economic and political objectives (Coutin 1996). Instead, I have argued that migrants' navigation and interaction with immigration law plays a fundamental role in states' immigration policies. Immigration laws are not simply imposed onto migrants; rather, migrants and those who work on their behalf shape policy itself, giving it new meanings.

Above I argued that migrants' strategies should not be understood as challenges to immigration law, but instead as enablers for the functioning of contradictory immigration policy. Recognising this, however, does not mean that we should consider migrants and their actions simply as pawns within wider structural, economic and political processes. Understanding the significance of migrants' strategies also requires the inclusion of the motivations and outlooks that guided their navigation. Although the outcomes of migrants' strategies of navigation were often no more than legal status, interaction with the documentation regime involved more than just the desire to be "legal". Strategic navigation of the bureaucracy was intimately tied up with family concerns: employing a daughter or sister as the family's domestic worker in order to renew her permit (see Chapters 3 and 5); using the *decreto flussi* to be reunited with one's parent; or hiring one's "illegal" girlfriend in the domestic worker amnesty in order to marry her.⁷⁴ In other cases, oppressive family obligations motivated migrants' navigation of the documentation regime (see Chapter 5). Aside from family matters, migrants' strategies also enabled them to create professional opportunities for themselves. Naveed and Medhi, among others, became brokers, profiting financially and professionally. Lastly, other actors used Italy as a stepping stone in order to take advantage, sometimes simultaneously, of different states' welfare systems, asylum regimes and employment opportunities (see Chapter 7). Gaining permits in Italy was part of migrants' longer-term projects to ensure a better life for their children or be reunited with family or friends who lived elsewhere in Europe.

Analysing the detailed processes of migrants' engagement with bureaucracy highlights how immigration law is manipulated and acted upon by a host of different actors. In-depth ethnographic analysis of actors' interaction with immigration bureaucracy reveals more than whether immigration policies "work" or not. It reveals the way in which immigration policy plays out on the ground in a dynamic relationship with a host of factors including global economic concerns, the West's crisis in care for the elderly, family issues, the Italian legal system, and particular cultural attitudes towards the state. Above all it reveals the farcical nature of

⁷⁴ The *pacchetto sicurezza* (security packet), which was introduced in 2009 changed the law on marriage for undocumented migrants. While previously those without permits could legally marry, in efforts to stop those who "married for documents", the law made legal status a requirement for legal marriage. This law was not, however, introduced in San Marino and I knew several individuals without permits who, post-2009, married there.

immigration law, which does everything *but* “control” immigration flows. If it is the case that “illegality” is the problem, there is perhaps one obvious solution.

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