



Master Thesis

Securitization of Migration Policies in Italy

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Abstract English

In 2008, following the electoral triumph of the center-right coalition in Italy, the newly appointed Prime Minister, Silvio Berlusconi, announced that a “national security emergency” had deprived the Italian population of the right to be free from fear. Even though the Premier refrained from identifying the roots of this state of affairs, the subsequently launched “security package” clarified that, alongside terrorism and organized crime, immigration was deemed to be one of the security threats to the Mediterranean country. It was based on this assessment that, in the years of 2008 and 2009, immigration policy took a repressive turn in Italy: as a result of this understanding of the phenomenon, a number measures said to criminalize movers, and of provisions accused of violating these individuals' freedoms and basic human rights were adopted. This securitized policy evolution was, however, at odds with the basic values upon which the Italian Republic is founded. As a liberal democracy, Italy should abide by human rights laws and standards, regardless of the pressures and difficulties brought about by the international context. In light of this observation, how have security concerns managed to circumvent and suppress the necessary presence of human rights considerations in the country's immigration policy? The present study aims at addressing this question. Since contemporary political battles over the definition and handling of societal matters mostly occur in and over language, this study is based on a critical discourse analysis of the parliamentary debates that led to the approval of the centerpiece of the Italian “security package”, the Security Law no.94, concerning “Provisions in the Field of Public Security”.

Key words: securitization; immigration; immigration policy; security package; Italy.

Abstract German

In 2008, nach dem triumphalen Wahlsieg der Mitte-rechts Koalition in Italien, verkündete der neu angelobte Premierminister, Silvio Berlusconi, dass eine „nationale Sicherheitsnotlage“ die italienische Bevölkerung um ihr Recht frei von jeder Furcht zu sein gebracht habe. Obwohl der Premier die Ursachen dieser Sicherheitslage nicht näher identifizierte, machten die anschließend verabschiedeten „Sicherheitspakete“ klar, dass neben Terrorismus und Organisierter Kriminalität, Immigration als eine Gefahr für den Mittelmeerstaat angesehen wurde. Basierend auf dieser Einschätzung nahm Immigrationspolitik einen repressiven Schwenk in den Jahren 2008 und 2009 in Italien: daraus folgte das Phänomen der Kriminalisierung von Immigranten. Diese Evolution der Sicherheitspolitik steht aber im Widerspruch zu den grundlegenden Werten, auf Basis deren die italienische Republik gegründet wurde. Als eine liberale Demokratie sollte Italien Menschenrechtsgesetze und Menschenrechtsstandards berücksichtigen, unabhängig von durch den im internationalen Kontext erzeugten Druck und Schwierigkeiten. Angesichts dieser Beobachtungen stellt sich die Frage wie Sicherheitsbedenken es geschafft haben, die Bedenken in der Immigrationspolitik bezüglich der Menschenrechte zu umgehen und zu unterdrücken. Die vorliegende Studie setzt sich mit dieser Frage auseinander. Nachdem aktuelle politische Kämpfe über Definition und Behandlung von gesellschaftlichen Belangen mehrheitlich durch Sprache ausgefochten werden, basiert diese Studie auf einer kritischen Diskursanalyse der parlamentarischen Debatten, welche zur Annahme des Herzstücks des italienischen „Sicherheitspaketes“, das Sicherheitsgesetz Nr. 94, bezüglich „Zusätze im Bereich der Öffentlichen Sicherheit“, relevant waren.

Acronyms

AN – National Alliance

CdL – House of Freedoms

CEI – Identification and Expulsion Centers

CPTA – Temporary Assistance and Detention Centers

ECHR – European Convention of Human Rights

ECJ – European Court of Justice

EP – European Parliament

EU – European Union

IdV – Italy of Values

LNP – Northern League

MpA – Movement for Autonomies

MR – Members' resources

NGOs – Non-governmental Organizations

PD – Democratic Party

PdL – People of Freedoms

UDC – Union of Christian and Center Democrats

UDHR – Universal Declaration of Human Rights

Table of Contents

1 Introduction	5
2 Securitizing Immigration: a theoretical overview	18
2.1 The invisible enemy: the rise of insecurity in Europe	18
2.2 Securitization Theory: Copenhagen School and Beyond	24
2.2.1 The Copenhagen School: the concept of securitization and the importance of language	25
2.2.2 Theoretical amendments and (some) reformulations: the role of practices and other concerns.....	28
2.3 Migration and security: a “dangerous” connection.....	33
2.4 Language as a social practice: ideology and power.....	46
3 Immigration to Italy: still in search of the “Bel paese”	50
3.1 The “Greater Italy”: from emigration to immigration	52
3.2 Immigration to Italy	60
3.2.1 Immigrants: when, who, why, and where	60
3.2.2 Heading to the insecure North? Social climate and discrimination in Italy..	69
3.3 Italian migration policy: from the 1980s to 2002	79
3.4 Free from fear? The Italian infamous “Security Package”	89
4 On Security and Rights: analyzing of the debates over the Law no.94.....	100
4.1 Critiques to the “Security Package”: Immigrants, human beings.....	101
4.2 Critical Discourse Analysis: a Methodological Note	112
4.3 Security versus rights: an analysis of the debates over the Law no.94.....	128
4.3.1 Center-left: more security, more rights	132
4.3.2 Center-Right: more security, more duties	150
5 Conclusion	176
6 References	185
Annex 1: Timeline of the Italian “Security Package” (2008-2009)	198
Annex 2: List of the Parliamentary Sessions devoted to the Discussion of the Security Bill	200
CURRICULUM VITAE	202

1 Introduction

The news coverage of the public security problems afflicting Italy during the late 2007 and the beginning of 2008 heralded what would become one of the central themes of the general elections of March 2008, namely: the “national security emergency”. Aggressions, murders, rapes, robberies, assaults, growing signs of urban degradation, garbage disposal troubles, problems with Rom camps, among others, filled the pages of the main newspapers of the country, and prefigured the (in)security polemic that would take over that year's political campaign.¹ As expected, the widespread sense of unease related to the concern about crime and victimization and to the perception of increasing urban disorder and decay was instrumentally mobilized by political actors for electoral purposes. The center-right coalition in particular – which had hitherto been in the opposition, and had observed the successive failures of the center-left government to address Italy's pressing security problems – , built a political platform that strongly relied on the call for legality. It was based precisely on this law and order political program that Silvio Berlusconi became for the fourth time the President of the Italian Council of Ministers.²

In consonance with the bloc's electoral promises, the months that followed the political dispute were marked by an intense endeavor to approve a “package” of security measures that would, according to the rhetoric used by the newly formed majority, restore one of the primary rights of the citizenry: the right to live a life free from fear.³ To this end, the so-called “security package”⁴ included a large number of legislative measures, which covered a highly heterogeneous set of topics, ranging from terrorism and mafia to violence on sports stadiums and immigration policy. In respect to the latter topic, it is noteworthy that new regulations on immigration gained a disproportionate amount of space in nearly all the laws that compose the “security package”: not only did

¹Laura Sartori. Lavavetri, Punkabbestia e Rom, Spritz, Furti e Graffiti: Cos'è l'insicurezza in Italia?. In: M. Donovan and P. Onofri (Eds.). *Politica in Italia. I fatti dell'anno e le interpretazioni*. Edizione 2008. Bologna: Il Mulino, 2008, p. 281-300. Available at: <<http://www.darwinbooks.it/doi/10.978.8815/144072/_13__3>>.

²Evelyn Shea. Elections and the Fear of the Crime: The Case of France and Italy. *European Journal of Criminal Policy and Research*, n.15, 2009, p.83-102. Available at: <<<http://www.springerlink.com/content/qgq7h877k8877925/>>>.

³The right of the Italian citizenry to live a life free from fear was declared by the Italian Premier Silvio Berlusconi on the occasion of the Third Council of Ministers of the current government (Naples, 21st of May of 2008). The audiovisual archive of this conference may be found on: Governo Italiano, Presidenza del Consiglio dei Ministri. Audiovideo della Conferenza Stampa a Termine del Consiglio dei Ministri n.3, Naples, May 21st 2008. Available at: <<<http://www.governo.it/GovernoInforma/Multimedia/dettaglio.asp?d=39096>>>.

⁴For a list of the measures included in the “security package”, see: Annex 1: The Italian “Security Package”.

the first governmental decree (no.92) deal extensively with cross-border movements of people, but so did most of the decrees announced thereafter, and the main draft law proposed (Bill S 733 and AC 2180) by the government to regulate security-related matters. Together, these pieces of legislation contained a bundle of provisions that significantly modified the country's policy framework on immigration, as well as the legal condition of foreigners residing in Italy.⁵

The inclusion of immigration regulation on public security acts is neither new, nor surprising. Illustrative of this is the fact that since the Fascist regime, the Italian state has approached foreigners with some degree of suspicion, after all, in times of international turbulence migrants potentially represent a danger to the national security and to the public order of a country.⁶ But that is not all: over the past fifty years, international movements of people, particularly from the developing areas of the world to high-income regions, have received progressively more attention, becoming by the dawn of the twentieth first century one of the main global concerns not only of Italian, but of all Western politicians and electorates.⁷ In fact, migration has been consistently approached by European political classes as an ever-increasing problem to national cultural identities, to economic prosperity, and to the maintenance of the public order.⁸

More specifically, the treatment of the migratory phenomenon as a problem in the old continent dates back to the mid-1970s, when faced by a period of economic strain, traditional recipients of foreign workers and of post-colonial subjects decided to halt the entry of migrants to their territories – a decision that failed to achieve its objectives due to the right to family reunification, which maintained the incoming flows of people alive.⁹ However, back then, the increasing public awareness of migration merely turned the issue into a public concern, and it was only in the 1980s that the

⁵Massimo Merlino. The Italian (In)Security Package: Security vs. Rule of Law and Fundamental Rights in the EU. Research Paper n.14, CHALLENGE Project, 2009, p.1-33. Available at: <<<http://aei.pitt.edu/10764/1/1809.pdf>>>.

⁶Giovanna Zincone. Immigration and Immigrant Policy-making in Europe, 2009. In: Giovanna Zincone, Rinus Penninx and Maren Borkert. Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, Amsterdam: Amsterdam University Press, 2011.

⁷Martin O. Heisler and Zig Layton-Henry, Migration and the Links between Social and Societal Security, p.148-166. In: Waever, O. et al. (eds.) Identity, Migration and the New Security Agenda in Europe. London: Pinter, 1993, 221 p.

And: Héctor Gorski, C. Fernández, and A. Manavella. A Right-based Approach to Migration Policies in a Context of Emergencies: “Expelling states ” and Semi-persons in the European Union. Work package 9: University of Barcelona. CHALLENGE project, 2009, p.1-12. Available at: <<<http://www.libertysecurity.org/article2499.html>>>.

⁸Jef Huysmans, The European Union and the Securitization of Migration. Journal of Common Market Studies, v.38, n.5, 2000, p.751-777. Available at: << <http://onlinelibrary.wiley.com/doi/10.1111/1468-5965.00263/pdf> >>.

⁹Jef Huysmans, The European Union and the Securitization of Migration, 2000.

phenomenon came to be framed as a troublesome matter related to more serious societal problems, including *inter alia* economic and political instability, raising criminality and terrorism.¹⁰ Needless to say, this perception was aggravated after the 2001 terrorist attacks.¹¹ Italy was no exception to these patterns. In spite of the fact that immigration is somewhat more recent in this Mediterranean state, the portrayal of foreigners as security threats is neither a new nor an isolated event: even though a fully fledged security emergency had not been announced before, popular hostility and repressive immigration policies have been quite common in the country. Alessandro Dal Lago¹², for one, argues that third-country nationals have been approached as public enemies in the country at least since the mid-1990s.

Notwithstanding the growing anxiety surrounding immigration in the European continent, statistical data does not seem to justify these fears: even though the movement of people towards industrial countries has increased since 1945¹³, the share of international migrants in the world's population has remained surprisingly stable over the past half century, and unlike developed countries' restrictive immigration policies suggest, most of these cross-border movements occurred either between developing regions or between high-income countries themselves.¹⁴ Moreover, as it is expressly recognized by the European Union (EU)¹⁵, barriers to international movements of people are being erected at a time when the economic and demographic input of immigrants is considered ever more important to the mature economies of the Northern hemisphere, as they face aging populations and labor market shortages in low and high-skill sectors.¹⁶ In spite of this need, the general objective of European immigration

¹⁰Jef Huysmans, *The European Union and the Securitization of Migration*, 2000.

¹¹Didier Bigo et al. *The Changing Landscape of European Liberty and Security: Mid-term Report on the Results of the Challenge Project*. CHALLENGE Project, 2007, p.1-45. Available at: <<http://www.libertysecurity.org/IMG/pdf_ChallengeMidReport.pdf>>.

¹²Alessandro Dal Lago. *Non-persons: The Exclusion of Migrants in a Global Society*. Milan: IPOC di Pietro Condemi, 2009. 288p.

¹³James F. Hollifield. *The Emerging Migration State*. *International Migration Review*, v.38, n.3, 2004, p.885-912. Available at: <<<http://www.jstor.org/stable/27645420>>>.

¹⁴United Nations Development Programme. *Overcoming barriers: Human mobility and development*. Human Development Report, 2009, 229p. Available at: <<http://hdr.undp.org/en/media/HDR_2009_EN_Complete.pdf>>.

¹⁵The European Commission recognizes the importance of immigration to the continent's economy in a number of Communications, notably the one on immigration, integration and employment, issued in 2003. What's more, the Council has also acknowledged the economic significance of immigration in a number of occasions, such as in the European Councils of Tampere and The Hague. See more in: European Commission. *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on Immigration, Integration and Employment*, COM/2003/0336, 2003. Available at: <<<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0336:FIN:ES:PDF>>>.

¹⁶James F. Hollifield. *The Emerging Migration State*, 2004.

policies continues to be the limitation of the scale of migration.¹⁷ Restricted entry is justified on various grounds, but the argument that immigration poses dangers to the internal security of states has been popular among politicians, bureaucratic bodies and the media.¹⁸ Indeed, in Italy, the approval of a “security package” that spends as much time trying to restrict immigration as it does fighting terrorism and criminal organizations can only be reasonably justified if the migratory phenomenon is considered a serious security threat *per se*.

To be sure, migration, similarly to other social phenomena, may in fact become a cause of turbulence to receiving and sending societies. For starters, the incoming and outgoing flows of individuals may create conflicts within and between states.¹⁹ Historically, for example, the displacement of populations has triggered clashes between political units in the international system.²⁰ International and internal migrants may also cause distress within polities, either because governments are unable to manage cultural and political changes related to their presence, or because communities of outsiders are perceived as cultural and economic threats to the native population.²¹ When it comes to countries of origin, the increasing magnitude of human capital flight from developing to developed countries is certainly one of the worrisome aspects of emigration, in particular because the loss of bright minds and ultimately of the resources spent to educate and train them are enduring deprivations to countries undergoing development processes – even more so if they possess scarce financial and scientific resources.²²

These problems indicate that, in itself, the political attention devoted to the migratory phenomenon is not misplaced: incoming and outgoing flows of individuals have unpredictable, yet crucial consequences for both sending and receiving states. Thus, they are likely to significantly affect the future of most societies around the globe. In this sense, the attempt to understand and manage the phenomenon seems to be a step in the right direction. However, this endeavor should be an enlightened one, that is to say, it should be founded upon well-informed assessments of the multiple causes and

¹⁷Despite the restrictive character of these policies, developed countries often adopt positive measures to attract the better educated. See more in: United Nations Development Programme. Overcoming barriers, 2009.

¹⁸Jef Huysmans, Migrants as a Security Problem: Dangers of ‘Securitizing’ Societal Issues, p.53-72. In: R. Miles and D. Thränhardt (eds), Migration and European Integration: the Dynamics of Inclusion and Exclusion. London: Pinter, 1995, 209 p.

¹⁹Myron Weiner, Security, Stability and International Migration. International Security, v.17, n. 3, 1992, p.91-123. Available in: << <http://www.jstor.org/pss/2539131> >>.

²⁰There are several instances of cases in which immigrants and refugees represented political risks to their host countries, most notably in the Middle East. See more in: Myron Weiner, Security, 1992.

²¹Myron Weiner, Security, 1992.

²²Soumana Sako. Brain Drain and Africa's Development: A Reflection. African Issues, v.30, n.1, 2002, p. 25-30. The African "Brain Drain" to the North: Pitfalls and Possibilities. Available at: <<<http://econ399.atwiki.com/file/open/21/Brain+Drain+and+Africa%27s+Development.pdf>>>.

consequences of migration²³, and not based on a negatively biased view that conceals the potential and actual positive impacts of human mobility. This is exactly the problem with much of the policy-making in the West, as well as with the new Italian legislation: politicians, electorates and the media often disregard the positive contributions immigrants bring to their societies, such as their help in boosting economic growth.²⁴

Despite this and many other beneficial effects, the disproportionate focus on the disruptive consequences of international flows of people suggests that migration is still chiefly associated to notions of destabilization and insecurity.²⁵ Indeed, over the last two decades, the presence of immigrants in Europe was not only politicized, but effectively securitized, that is to say, migration was turned into a security concern, into a matter of life or death.²⁶ Collectively held understandings about the impacts of migration upon European societies frequently include the portrayal of immigrants as carriers of multifarious threats to the continent's way of life; foreigners are considered menacing not only because they are said to displace native workers from their jobs, thereby augmenting unemployment, but also because their presence in Europe allegedly endangers the cultural, social and political foundations of Western societies.²⁷ The questionable character of such considerations suggests that immigration is not inherently a security concern, but that it came to be framed as such through a process of social construction.²⁸ The establishment of tougher visa requirements, the reinforcement of border controls, the usage of new technologies to augment the level of surveillance over populations, the weakening of asylum-seekers' status and the formation of transnational collaboration schemes between police and intelligence services are some of the concrete results of the formation of this migration-security nexus.²⁹ From this viewpoint, it is clear that the Italian "security package" is not alone: it follows a European-wide trend.

Although contestable, the securitarian approach to migration usually goes largely unchallenged. In part, this is because this perspective is but one component of a wider

²³In fact, this is precisely what the Human Development Report of 2009 attempts to achieve: by studying the multiple causes and consequences of human mobility, the contribution shows how well-informed migration policies could help to enhance human development. See more in: United Nations Development Programme. *Overcoming barriers*, 2009.

²⁴United Nations Development Programme. *Overcoming barriers*, 2009.

²⁵Martin O. Heisler and Zig Layton-Henry, *Migration and the Links*, 1993.

²⁶Jef Huysmans, *Migrants as a Security Problem*, 1995.

²⁷Jef Huysmans, *The European Union and the Securitization of Migration*, 2000.

²⁸Roxanne Lynn Doty, *Immigration and the Politics of Security*. *Security Studies*, v.8, n.2, 1998, p.71-93.

²⁹Anastassia Tsoukala. *Looking at Migrants as Enemies*, p.161-92. In: D. Bigo and E. Guild (Eds), *Controlling Frontiers: Free Movement into and within Europe*. Aldershot: Ashgate, 2005. 283p.

global development, namely: the emergence of a “risk society”, to use Ulrich Beck's³⁰ terms. According to this view, since the end of the Cold War, the world is undergoing deep social, political, cultural, environmental and technological transformations, which in addition to creating new risks to humankind, question the capacity of modern rationality to dictate the best means to achieve desirable social outcomes. As a result of the desperate attempt to make sense of, and to manage these changes, novel insecurities and risks are identified, or rather anticipated.³¹ However, differently from conventional states threats, new dangers are potentially global in character and may emanate from a diverse and unpredictable number of sources, such as from technological advancements, and environmental changes. The heterogeneous character of the Italian security package illustrates well this point. It is precisely because these dangers' objective “capabilities” and ideological strength cannot be gauged that they are seen as particularly alarming to the Western world.³² Therefore, in spite of not representing tangible and certain threats, these alleged dangers – including the ones related to cross-border movements of people –, generate a logic of emergency and suspicion, which leads, by its turn, to the adoption of concrete measures and policies of prevention and risk management, oftentimes at the expense of people's rights and liberties.³³

A paradoxical picture results from this process: in order to safeguard their populations from the imprisonment that is living in fear, contemporary liberal democracies increasingly chose to counteract sources of insecurity with illiberal practices, and justify their actions by resorting to the maxim that “security is the first freedom”.³⁴ The Italian case is paradigmatic in this respect: whereas, on the one hand, the Premier Berlusconi contended that the package of security measures launched by his government would allow the resident population to live a life “free from fear”, on the other hand, the critics of the novel set of security laws (analysts, NGOs, Catholic groups, amongst others) argued that the provisions breached the rule of law, and the fundamental rights of nationals, and of foreign-born individuals living in Italy.³⁵ Despite critiques to illiberal practices, political manoeuvres that breach the liberal and democratic principles of Western societies are generally deemed acceptable due to the

³⁰Ulrich Beck. Living in the World Risk Society. *Economy and Society*, v.35, n.3, 2006, p.329-345. Available at: <<<http://www.skidmore.edu/~rscarce/Soc-Th-Env/Env%20Theory%20PDFs/Beck--WorldRisk.pdf>>>.

³¹Ulrich Beck. Living in the World Risk Society, 2006.

³²Ulrich Beck. Living in the World Risk Society, 2006.

³³Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

³⁴Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007, p.1.

³⁵Massimo Merlino. *The Italian (In)Security Package*, 2009.

urgency attributed to security-related problems.³⁶ Paradoxically, however, the predominance of security over freedom and individual rights tends to reinforce the climate of fear and unease that first motivates the adoption of illiberal practices. This happens because the acceptance of the latter as a legitimate means to safeguard the population institutionalizes the securitization of an issue, as well as the sense of urgency related to it.³⁷ In other words, ironically, measures devised to re-establish a secure international or national environment often function as a feedback device that maintains the “politics of unease” alive.³⁸

A parallel mechanism seems to be operative in the handling of immigration both in Italy and in Europe as a whole: several restrictive policies initially established to counter threats allegedly related to, or stemming from the migratory phenomenon have brought about negative consequences to immigrants' rights, as well as to European populations' freedoms. The rising supremacy of the security logic over immigration-related matters has led European states to adopt several controversial measures that breach not only liberal and democratic principles, but also basic human rights, as the criminalization of irregular migrants in Italy exemplifies.³⁹ Besides, the restrictive and exceptional character of this type of legislation has helped to reinvigorate the senses of insecurity and unease that were already predominant in the continent.⁴⁰ Therefore, the reduction of the migratory phenomenon to a security problem has served to exacerbate rather than to diminish the insecurities and vulnerabilities of European societies. As a result of these developments, over the past two decades, a hegemonic discourse about immigration emerged in European governmental spheres: according to this discourse, immigration is a threat to individual nation states and to the continent as a whole.⁴¹ In

³⁶Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

³⁷Didier Bigo. *Security and Immigration: Toward a Critique of the Governmentality of Unease. Alternatives: Global, Local, Political*, v.27, 2002. Available at: <<<http://www.questia.com/googleScholar.qst?docId=5002461855>>>.

³⁸Didier Bigo. *Security and Immigration: Toward a Critique of the Governmentality of Unease*, 2002.

³⁹This may happen either directly – by progressively diminishing the rights associated to different immigrant statuses – or indirectly – for instance, by creating detention centers for migrants, or by using technologies of surveillance and control over persons, who are profiled as dangerous without having committed any crime. See more in: Ryszard Cholewinski. *The EU acquis on irregular migration: reinforcing security at the expense of rights*. *European Journal of Migration and Law*, v.2, 2000, p. 341-405. Available at: <<<http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/ejml2&div=28&id=&page=>>>. And: Héctor Gorski, C. Fernández, and A. Manavella. *A Right-based Approach to Migration Policies*, 2009. And: Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

⁴⁰Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007. And: Didier Bigo. *Security and Immigration*, 2002.

⁴¹Alessandra Buonfino. *Politics, Discourse and Immigration as a security concern in the EU: a tale of two nations, Italy and Britain*. Paper presented at the ECPR Joint Sessions of Workshops, Uppsala. Workshop: ‘Who Makes Immigration Policy? Comparative Perspectives in a post 9/11 world, 2004,

Italy, the identification of the migratory phenomenon as one of the main threats to the security of the country, coupled with the approval of the novel set of security laws – notably of the Law no.94, the main legislative piece of the package –, made it clear that the understanding of migration in the largest Southern European country, too, has been dominated by a security logic. On the consequences of this view, we have that other concerns related to the migratory phenomenon, such as “rights-based” considerations, were relegated to a second plane.⁴²

The dominance of a securitized discourse on immigration did not preclude the emergence of antagonistic alternatives to it; on the contrary, there are scholars, NGOs, political actors, parts of the media and even segments of the lay population which criticize this framing of migration, and chose to approach the issue from different perspectives, that is, as a social, economic, political and human phenomenon. However, the understanding of migration as a phenomenon somehow related to security has not only become dominant, but, as the usage of the term “hegemonic” suggests⁴³, it has been, to a large extent, naturalized; in other words, the equation immigration, thus risk/danger became largely commonsensical both in the public and academic spheres.⁴⁴ Yet, this is no reason to assume that the linkage between migration and security is absolute and undisputed⁴⁵; those who question this perspective point out a number of reasons for which its dissemination is problematic and worrisome: firstly, the alleged negative impacts of migration over security do not bear resemblance with the phenomenon's empirically observable consequences; secondly, the migration-security nexus reduces the complexity of the migratory phenomenon to a question of risk management and threat annihilation in detriment to the multifarious aspects of this social, economic, and above all, human process; thirdly, such a negative understanding

p.1-30. Available at:
 <<<http://www.essex.ac.uk/ecpr/events/jointsessions/paperarchive/uppsala/ws16/Buonfino.pdf>>>.

Didier Bigo. Security and Immigration, 2002.

⁴² Caritas Italiana. Almanacco Immigrazione 2009: Fatti e Notizie sull'Immigrazione, 2009. Available at:
 <<http://www.caritasitaliana.it/materiali/Area_Riservata/immigrazione/ALMANACCO_IMMIGRAZIONE2009.pdf>>. And: Massimo Merlino. The Italian (In)Security Package, 2009.

⁴³ Norman Fairclough. Critical Discourse Analysis: the Critical Study of Language. London: Longman, 1995, 265p.

⁴⁴ An evidence of the naturalization of the securitarian discourse on immigration is the commonsensical idea that the lifting of internal borders in Europe should be followed by an active policy to enhance security at the EU's external borders in order to fight, among other problems, irregular immigration flows. Thus, the rhetoric of freedom of movement shapes perceptions, discourses and policies on immigration in the continent, even though the connection between internal mobility and irregular migration is not clearly established. See more in: Dieder Bigo and Elspeth Guild. Introduction: Policymaking in the name of freedom, p.1-13. In: In: D. Bigo and E. Guild (Eds), Controlling Frontiers: Free Movement into and within Europe. Aldershot: Ashgate, 2005. 283p.

⁴⁵ Jef Huysmans and Vicki Squire. Migration and Security. In: Dunn Cavelty, Myriam and Mauer, Victor eds. Handbook of Security Studies. London, UK: Routledge, 2009.

of international mobility masks several issues and interests influencing the treatment of immigrants in European states⁴⁶; and, fourthly, this perception justifies the adoption of policies that affect negatively the rights and freedoms of native citizens, as well as those of foreign residents.⁴⁷

Needless to say, these problems are interconnected in that they stem from the consideration that migration is a complex phenomenon that goes far beyond the security logic; it is a process that involves economic, demographic, humanitarian, historical and political considerations – to name a few. Therefore, whereas the current predominance of an overly negative, simplified and debatable view of immigration flattens the issue to a question of establishing a condition of “freedom from fear” through the elimination of alleged risks and threats⁴⁸ – regardless of what it takes to reach such objectives –, the multitude of understandings mentioned above elucidates that there is no reason to presume that the security-migration nexus is the only discourse type informing policy-making processes and debates on migration in Europe. Moreover, as Huysmans and Squire⁴⁹ note, migration is not the sole complex variable here: securitizing processes, too, as social and political processes, are embedded “in social and societal negotiations of central political questions, which are rarely engaged exclusively in security terms”.⁵⁰

Notwithstanding the plurality of discourses on the international movement of people, it should be stressed that the dominance recently acquired by the securitarian narrative generates concrete problems for foreigners, in particular because its hegemonic position means that security policy is the *main* – albeit not the only – type of policy mediating belonging in Europe (again, the recent policy evolution in Italy exemplifies this point).⁵¹ Accordingly, the criteria of membership to European political communities, as well as their measures of integration are directly influenced by the identification or anticipation of threats and risks, and such influence may lead (and has led) to cuts in immigrants' rights and freedoms. In this respect, however, it is also

⁴⁶See, for example: Christina Boswell, Migration Control in Europe after 9/11: Explaining the Absence of Securitization. Conference on Immigration Policy after 9/11: US and European Perspectives. University of Texas, Austin, 2-3 March 2006. Available at: <<https://web27.cc.utexas.edu/cola/centers/european_studies/_files/pdf/immigration-policy-conference/boswell.pdf>>.

⁴⁷See, for example: Ryszard Cholewinski. The EU acquis on irregular migration. And: Claudia Aradau. The Perverse Politics of Four-Letter Words: Risk and Pity in the Securitisation of Human Trafficking. Millennium - Journal of International Studies, v.33, n. 2, 2004, p.251-278. Available at: <<<http://mil.sagepub.com/content/33/2/251.abstract>>>. And also: Héctor Gorski, C. Fernández, and A. Manavella. A Right-based Approach to Migration Policies, 2009.

⁴⁸Anastassia Tsoukala. Looking at Migrants as Enemies, 2005. And: Didier Bigo et al. The Changing Landscape of European Liberty and Security, 2007.

⁴⁹Jef Huysmans and Vicki Squire. Migration and Security, 2009.

⁵⁰Jef Huysmans and Vicki Squire. Migration and Security, 2009, p.14-15.

⁵¹Jef Huysmans, The European Union and the Securitization of Migration, 2000.

interesting to highlight that there are other, additional principles which *necessarily* inform these countries' politics of belonging, notably the notion of liberalism, fundamental/human rights, and democratic values (these are referred to throughout the rest of this study as the “rights-based” discourse).⁵² These principles lie at the heart of European politics, and therefore can hardly be ignored by politicians and policy-makers. This means that the influence of security policy over immigration regulation is not unrestricted: foreigners cannot be reduced to dangerous subjects whose presence in Europe is unwanted; they must be treated as human beings invested with fundamental rights. Hence, the capacity of states to exclude aliens is not absolute, even in a context dominated by the securitization of foreigners. The proliferation of immigrant statuses over the past half century is symptomatic of this process, as Joppke⁵³ observes: “empirically, immigration has multiplied membership categories in Western societies, defying the citizen-alien dualism of either full or no membership at all”.⁵⁴

Despite the theoretical imperative to take immigrants' rights as human beings into account, a puzzling picture still emerges if one compares these considerations to the recent, repressive development of immigration policies in Europe, and more specifically in Italy. In light of this contradiction, the following inquiries emanate: if a liberal, “rights-based” discourse *must* be given a voice in liberal democracies⁵⁵, how can one explain the fact that several policies devised to regulate immigration in European states impact negatively on foreigners' rights and freedoms? Why and how have security concerns progressively managed to circumvent the necessary presence of human rights considerations in European regulatory frameworks? In other words, what explains the ground gained by security concerns in immigrant-related matters, and how are other liberal and humanitarian discourses silenced? The present study aims at addressing these questions, using the Italian “security package” as a case study. As mentioned previously, the measures that compose this “package” are accused of violating the freedoms and fundamental rights of both the native and foreign individuals residing in the country. It is precisely due to this repressive and clearly securitized policy evolution that Italy is considered a valuable case to examine here. Taking into consideration that the securitarian understanding of immigration is a socially and politically constructed

⁵²Christian Joppke. *Immigration and the Nation-State: The United States, Germany, and Great Britain*. Oxford: Oxford University Press, 2003, 368p.

⁵³Christian Joppke. *Immigration and the Nation-State*, 2003.

⁵⁴Christian Joppke. *Immigration and the Nation-State*, 2003, p.6.

⁵⁵Even more so with the legal development of wider a “rights-based liberalism” both nationally and internationally, as stressed by Hollifield. See more in: James F. Hollifield. *The Emerging Migration State*, 2004.

view, and that contemporary political battles mostly occur in and over language⁵⁶⁵⁷, a focus on how the dominant security narrative on immigration suppresses the “rights-based” discourse in institutionalized sites of political and ideological struggle – as the government, the Parliament or security institutions – seems to be appropriate to investigate the inquire. Therefore, in order to canvass the matter, the present study looks at the parliamentary debates that culminated in the adoption of the main legislative piece of the “security package”, the Security Law no.94 (Bill S 733 and AC 2180), concerning “Provisions in the Field of Public Security”. What's more, since language is simultaneously one of the main sites in which, and means through which political contentions take place, these debates are analyzed using the interpretative methodological framework of critical discourse analysis provided by the discourse analyst Norman Fairclough.⁵⁸

As it was mentioned above, immigration has both positive and negative consequences for receiving and sending states, and due to this uncertainty as well as to other factors, contemporary states adopt an ambivalent position in relation to the phenomenon.⁵⁹ Most of the so-called developed states, including Italy, are reluctant to open their borders, even though many of them need the extra manpower provided by foreigners. This ambivalence generates a contradictory state of affairs: whereas most people are free to leave their home countries, the majority of states have in place restrictive immigration policies, which not only regulate who is allowed into the territory, but also for how long, under what conditions, for which purposes and so on. In fact, as said, the propagation of legal migration statuses reflects precisely the conflicting interests of state actors in immigration.⁶⁰ Since states' norms and rules of membership and belonging originate a spectrum of inclusion and exclusion of outsiders, which respects receiving societies' needs, duties, international agreements, etc, the present paper advances the hypothesis that in order to discursively conciliate an exclusionary security discourse with an inclusive “rights-based” discourse, parliamentarians of the center-right coalition instrumentally use the Italian state's

⁵⁶As it is going to be explained later on, it is said that contemporary political battles mostly occur in and over language because other forms of coercion and persuasion, such as the usage of physical violence, are no longer acceptable in democratic states. In liberal democracies, political and ideological disputes take place primarily in language, that is to say, in the form of symbolic contentions (written texts, speeches, images, etc). Owing to the importance of language, the power to define/redefine the meaning of linguistic signs also becomes important. More on these matters may be read on sections 2.4 and 4.2, or at: Norman Fairclough. *Critical Discourse Analysis*, 1995.

⁵⁷Norman Fairclough. *Language and Power*. Second Edition. London: Longman, 2001, 226p.

⁵⁸Norman Fairclough. *Critical Discourse Analysis*, 1995.

⁵⁹Christian Joppke. *Immigration and the Nation-State*, 2003.

⁶⁰Christian Joppke. *Immigration and the Nation-State*, 2003.

official categorization of migrants. In more detail, the hypotheses put forth here are the following:

- The “rights-based” discourse on immigration is instrumentally appropriated by the actors advancing a security logic;
- The antagonistic aspects of these discourses are brought together in the rules and procedures of membership and belonging of the country. In other words, the articulation of a legal and institutional framework that transcends the notion of foreigners as a “non-I”, as an “Other”, allows politicians to formulate a spectrum of inclusion and exclusion against which the worthiness and dangerousness of each immigrant may be gauged.
- This framework provides the government with the power of discretion to:
 - translate security concerns into policies that target specific, “dangerous” groups;
 - maintain a “rights-based” facade to migration regulation; and
 - advance national economic interests related to the inflow of particular categories of foreign-born individuals (e.g. high-skilled and seasonal migrants).

In order to investigate whether these hypotheses are correct or if they should be qualified, altered or even discarded, this study is divided in five parts. In addition to this brief introduction, it contains three main chapters and a final, conclusive section. The main objective of the subsequent chapter is to introduce the conceptual framework that supports the foregoing discussion, as well as the analysis delivered thereafter. To this end, the securitization theory, the migration-security nexus, as well as the social theory of discourse that underlies the approach to critical discourse analysis used here are further explored. The third chapter, in turn, introduces the case study under investigation in this work, that is, it presents the brief history of immigration in Italy and the evolution of the country's immigration policy from the mid-1980s until the security provisions adopted by the fourth Berlusconi government (2008-today). However, it should be added that this chapter aims at more than simply rebuilding the history of migration in the Mediterranean state; it endeavors to disclose, based on scholarly literature, the main frames used by the Italian population to approach immigrants, as well as to demonstrate that a securitized perception of the phenomenon became dominant in the country over time. Thereafter, the fourth chapter presents the critical discourse analysis of the parliamentary debates that led to the approval of the Security Law no.94, concerning “Provisions in the Field of Public Security”, in addition to introducing in further details the methods used in the analysis. At last, the fifth part

concludes the study by summarizing the main inquire as well as the main findings of the analysis. What's more, some qualifications are made to the conclusions of the study based mostly on methodological difficulties.

2 Securitizing Immigration: a theoretical overview

The main objective of the present chapter is to introduce the theoretical and conceptual framework that backs up the discussion presented previously, and the inquiries to be investigated in this study. Therefore, the “securitization” theory, the nexus between migration and security, as well as the social theory of discourse that underlies Norman Fairclough's⁶¹ approach to critical discourse analysis are explained in some detail. In addition, the chapter starts up with a brief introduction on a wider, yet important phenomenon to understand the securitization of migration in the Western hemisphere, namely: the emergence of societies obsessed with managing and controlling risks, insecurities and threats. In order to present this large array of topics orderly, the remaining of this chapter is organized as follows: succeeding the first section on the rise of uncertainty and insecurity in Europe after the Cold War, the securitization theory is introduced, both in its early version – which provides the basic conceptual framework to analyze security phenomena as social constructions –, and in its upgraded state, which includes a number of criticisms and reformulations that enriched the theory and helped to expand its applicability. Thereafter, the migration-security nexus is explored, and problematized. At last, Fairclough's⁶² social theory of discourse is introduced, with a focus on his discussion about language, power and ideology.

2.1 The invisible enemy: the rise of insecurity in Europe

The end of superpower rivalry in the middle of the 1980s does not seem to have made the Western hemisphere a safer place: the prominence of security issues in national and regional political agendas, the apparently multiple and unforeseen global risks to mankind, the novel character of known threats, and the politics of fear instigated by the mass media and political classes are strong indicators that, despite the end of the Cold War and the unprecedented level of prosperity of Western populations, security matters and their management still occupy much space in the minds of both policy-makers and lay people. The emergence of societies haunted by known and unknown dangers – ranging from the very concrete threat posed by the degradation of the natural environment to the virtual risks wrought by technological changes – is said to be

⁶¹Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁶²Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

associated to the fast pace and radical character of widespread transformations that affect various spheres of life, notably globalization, regional integration, and continued modernization.⁶³ The resulting scenario is one of a society in the midst of an overwhelming 'swathe of change' which, for its complexity, cannot be properly managed, and much less grasped. Thus, the opening of this epoch of uncertainty also brings the utility of modern rationality, based on simple means-end calculations, into question as multiple futures become possible.^{64 65} The current difficulty, or rather incapacity to comprehend the causes and to envision the consequences of these transformations generates doubts and fear of what is to come. Yet, these developments must be confronted somehow in that their good and bad products affect the present, and shapes the future of mankind.⁶⁶

Therefore, despite the incalculable character of risks, human societies are still attempting to manage insecurities and to mitigate potential dangers. The irony of this approach is that, due to their uncertain and ultimately unpredictable character, risks are possibly infinite, and thus, in trying to anticipate them, security experts and others end up proliferating the amount of situations, processes and actors that may eventually represent threats to humanity.⁶⁷ One of the most important consequences of this paradoxical state of affairs is the emergence of a "risk society". This expression, originally formulated by Ulrich Beck⁶⁸, is meant to describe late-modernity's obsession with the identification and management of potential dangers. In this sense, the author states that: "being at risk is the way of being and ruling in the world of modernity; being at global risk is the human condition at the beginning of the twenty-first century".⁶⁹ In spite of the prevalence of this (in)security logic, risks are not real; that is to say, unlike traditional security threats, such as the concrete nuclear and military power of the Soviet Union, risks are devoid of substance, they are anticipations of possible scenarios, they are social constructions.⁷⁰ This consideration puts an interrogation mark over the very definition of security: if uncertainty about the future is enough to disseminate a widespread politics of fear, this means that security is also a socially constructed

⁶³M.J. Williams. (In)Security Studies, Reflexive Modernization and the Risk Society. *Cooperation and Conflict*, v.43, n.1, 2008, p. 57-79. Available at: <<<http://cac.sagepub.com/content/43/1/57.short>>>.

⁶⁴If the effects of scientific and technical progress, for example, are unforeseeable, modern instruments designed to calculate and control transformations and potential dangers will not be efficacious in present times.

⁶⁵Ulrich Beck. *Living in the World Risk Society*, 2006.

⁶⁶M.J. Williams. (In)Security Studies, 2008.

⁶⁷Ulrich Beck. *Living in the World Risk Society*, 2006.

⁶⁸Ulrich Beck. *Living in the World Risk Society*, 2006.

⁶⁹Ulrich Beck. *Living in the World Risk Society*, 2006, p.330.

⁷⁰Ulrich Beck. *Living in the World Risk Society*, 2006. And also: Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*. Boulder, CO: Lynne Rienner, 1998, 213 p.

condition, i.e. it is the representation of a condition as being devoid of dangers, rather than a condition in itself.⁷¹ In this sense, societies may feel secure or insecure regardless of the empirically observable conditions of safety or danger of a given situation.

The constructed character of security is well illustrated by the situation in which Western European countries found themselves after the end of the Cold War: at first glance, given the establishment of a peaceful international order, in which no real state threat existed, analysts would most probably describe the continent as a safe place. However, as mentioned in the beginning of the present section, this was not how European politicians and electorates chose to approach the recently gained freedom from a hostile nuclear neighborhood. According to Buzan⁷², the demise of the Communist bloc did not eliminate instability and insecurity in the old continent; on the contrary, the early 1990s were marked by the unfolding of a sociopolitical revolution, which resulted from the intensification of the globalization process, as well as from the deepening of regional integration. Together, these processes are said to have exposed national *societies* – hitherto shielded from the external world by territorial borders – to a number of strong international pressures, such as the competitiveness requirements of the global, neoliberal economic order. As a result, insecurity and uncertainty continued to take part of the region's everyday life.⁷³

The transformations spurred by globalization and regionalization demonstrated that, although sources of fear and insecurity were no longer to be found in state actors, this by no means meant their disappearance⁷⁴; rather, as both Beck⁷⁵ and Buzan⁷⁶ argue, instability and insecurity were found elsewhere, in a diffuse set of entities, processes and transformations, whose potential risk is however, incalculable. This understanding was reinvigorated and aggravated in the early 2000s as a result of terrorist attacks in the United States and Europe.⁷⁷ Additionally, it became clear that the state as such was not the sole entity whose existence could be put into question by the products of this ongoing revolution. In fact, currently, risks are de-localized, meaning that they are no longer confined to one territory, but are omnipresent, threatening the globe, specific regions, states, as well as small localities.⁷⁸ In this regard, it is interesting to note that

⁷¹Jef Huysmans and Vicki Squire. *Migration and Security*, 2009.

⁷²Barry Buzan, Introduction: the Changing Security Agenda in Europe, p.1-16. In: Waever, Ole et al. (eds.) *Identity, Migration and the New Security Agenda in Europe*. London: Pinter, 1993, 221 p.

⁷³Barry Buzan, Introduction, 1993.

⁷⁴Barry Buzan, Introduction, 1993.

⁷⁵Ulrich Beck. *Living in the World Risk Society*, 2006.

⁷⁶Barry Buzan, Introduction, 1993.

⁷⁷Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

⁷⁸Ulrich Beck. *Living in the World Risk Society*, 2006.

the direct exposure of domestic contexts to new pressures coming from abroad also paved the way for the emergence of a new focus for insecurity in Europe, namely the society.⁷⁹ As a result of these developments, in the aftermath of the Cold War, the concept of “societal security” was coined by scholars of the Copenhagen School of security studies. According to Weaver, societal insecurity refers to:

[...] the ability of a society to persist in its essential character under changing conditions and possible or actual threats. More specifically, it is about the sustainability, within acceptable conditions for evolution, of traditional patterns of language, culture, association, and religious and national identity and custom.⁸⁰

In light of this novel understanding, the European security agenda, traditionally concerned with military threats, was no longer suitable to address the rising sources of instability and insecurity in the continent. In this context, the task of safeguarding populations against alleged dangers coming from abroad became particularly difficult for national states in that the objects to be protected were unclear, defined by the loose and subjective ideas of identity and society. Moreover, as aforesaid, detecting potential menaces to “national” security became an arduous job since these are neither confined to the territories and institutions of states’ counterparts nor necessarily material and immediately obvious.⁸¹ Immigration illustrates well this point, and it was in fact one of the issues captured by the logic of this new and more multifaceted understanding of insecurity, as it is going to be further discussed later on. Therefore, this uncertain environment required the traditional security vocabulary to be revisited and broadened in order to, first, subsume the apparently ever-increasing number of actors and events under the label of “threats”, and second, to define what and/or who was being threatened.⁸²

In spite of the urge to reform the security vocabulary and tools, the reappraisal of the field did not lead to a decrease in the importance of the traditional Westphalian state as a basic point of reference to those occupied with security concerns.⁸³ In this respect, a point to note is the aforementioned rise of the concept of “societal security”, which clearly reflects the persistence of the framework of nationality – a crucial component of the modern nation-state – in identifying dangers and in defining measures to mitigate

⁷⁹Ole Waever, *Societal Security: the Concept*, p.17-40. In: Waever, Ole et al. (eds.) *Identity, Migration and the New Security Agenda in Europe*. London: Pinter, 1993, 221p.

⁸⁰Ole Waever, *Societal Security*, 1993, p.23.

⁸¹Barry Buzan, *Societal Security, State Security and Internationalization*, p.41-58. In: Waever, Ole et al. (eds.) *Identity, Migration and the New Security Agenda in Europe*. London: Pinter, 1993, 221 p.

⁸²Ole Waever, *Societal Security*, 1993.

⁸³Didier Bigo. *Security and Immigration*, 2002. And: Ulrich Beck. *Living in the World Risk Society*, 2006.

their effects.⁸⁴ The continued strength of this and other conceptual and institutional statehood components in dealing with security concerns may be considered surprising in that new risks and threats are global in extent, multifarious in character, and may originate within, as well as outside territorial borders. In light of these developments, it seems slightly paradoxical that the state and its central elements – territoriality, sovereignty, citizenship and nationality – prevail as the lenses through which the challenges of the contemporary world are viewed. In addition, the fact that the classical sovereign state has been weakened in this transformed global environment indicates that, although still serving to structure Western societies' thought, the Westphalian political model is no longer capable of providing efficient means to appropriately manage the world in the twenty-first century.⁸⁵ So, why hold on to these concepts?

According to both Beck⁸⁶ and Bigo⁸⁷, the persistence of this somewhat anachronistic frame is partly explained by the idea of politics of denial: governments, having to cope directly with the uncertainty of an ever-changing world, chose to rely on conventional responses and measures in order to safeguard themselves, that is to say, to keep their positions of authority and power untouched. If instead they recognized that national modes of governance are ill-equipped to face the challenges of a global risk society and that humankind must look for new, more cosmopolitan solutions for current difficulties, they would be voluntarily giving up some degree of power and authority, although they would probably be more successful in managing this age of global crisis and risk. However, politicians, in addition to being unwilling to lose their authority, know that declarations of intent and legislation often suffice to quiet down unsatisfied electorates and to reinforce their legitimacy.⁸⁸ Meanwhile, national and transnational security agencies, albeit motivated by a similar self-interested reasoning, take a more globally oriented view as the identification of unconventional threats and risks to nation-states *and* regions allows them to widen their field of competence and to preserve their functions and budgets.⁸⁹

The problem with the maintenance of an outdated⁹⁰ conceptual and institutional

⁸⁴ Although Weaver's idea was differentiating state security from societal security, more often than not the former serves as a container of the latter. Therefore, both notions are still embedded into a statehood vocabulary, even though they are meant to denote different referent objects.

⁸⁵ Ulrich Beck. *Living in the World Risk Society*, 2006.

⁸⁶ Ulrich Beck. *Living in the World Risk Society*, 2006.

⁸⁷ Didier Bigo. *Security and Immigration: Toward a Critique of the Governmentality of Unease*, 2002.

⁸⁸ Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

⁸⁹ Didier Bigo. *Security and Immigration*, 2002.

⁹⁰ Here, the term "outdated" is not used as a reference to the technological basis of security apparatuses, but rather in reference to modern, means-end rationality, which cannot grasp current events, regardless of how much technology is put into such efforts.

security framework is that it not only fails to diminish the feeling of unease; the attempt to use modern knowledge to foresee, prevent, manage and control potential threats actually enhances insecurity, for it proliferates risks, as it was explained above. What's more, the focus on the state reifies national boundaries, the mythical idea of nationality, as well as the sovereign power of national governments.⁹¹ This consideration clarifies that inadvertently relying, for example, on the above mentioned claim that *national* societies are now the new focus of insecurity is to accept that the debatable notion of national identity possesses concrete existence, and that it can be endangered by external processes, including immigration.⁹² Interestingly, it is precisely because this notion of societal security provides a fixed point of reference to populations facing insecurity that it seems to have conquered the hearts of political classes, of the media, and of normal citizens.⁹³ Hence, despite of being a shallow understanding, the idea of an endangered society gained stage in the political sphere due to the predominant climate of fear and unease within Europe. In this sense, the concept of societal security, first created by the scholars of the Copenhagen School to function as an analytical tool, may not be useful as such⁹⁴; however, its artificial content demonstrates that concepts such as security, risks, dangers and threats are, regardless of their materiality, results of the political mobilization of politicians, security agencies, the media, amongst other relevant actors.

To be sure, the reflection presented so far does not have the objective of questioning and/or evaluating the truth behind security claims, but rather to show how, independently of their concreteness, risks and dangers are politically and socially constructed, especially – but not only – by powerful actors, who often possess particular interests in the maintenance of a politics of fear and unease. Yet, the global transformations mentioned before do affect the present and future possibilities of humans all around the globe. Moreover, due to their unpredictable and overwhelming character, they help to disseminate the feeling of insecurity and suspicion in societies. Politicians and security agents, amongst other actors, in responding to potential dangers, are the main actors responsible for determining what is a threat or not, and unfortunately, these decisions are not always motivated by public concerns, but rather by other interests – consciously or not. In this context, the current focus on the notion of societal

⁹¹Didier Bigo. *Security and Immigration*, 2002.

⁹²Michael C. Williams, *Words, Images, Enemies: Securitization and International Politics*. *International Studies Quarterly*, v.47, 2003, p.511-531. Available at: << <http://www.jstor.org/pss/3693634> >>.

⁹³Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

⁹⁴Bigo contends that this category is useless for analysts, and claims that Weaver and others share the illusion of the field they analyze, in that they accept security as a condition containing peculiar traits, and not as a political construction. See more in: Didier Bigo. *Security and Immigration*, 2002.

security is not surprising: the rise of fears and anxieties in Europe, the deterioration of standards of living, and the recurrence of international financial and environmental crises help to explain why populations feel and believe that their identities and ways of life are somehow endangered. The image of a threat not only conveys the idea that appropriate action is being taken to counteract risk, but also provides citizens with a framework in which they can reassure themselves. Therefore, to sum up, in the world risk society, security can no longer be understood as a value to which human beings aspire, nor can dangers and risks be immediately connected to concrete threats; these realities are social and political constructions, as it is going to be further explained in the subsequent section.

2.2 Securitization Theory: Copenhagen School and Beyond

The main objective of this section is to introduce the theoretical mechanisms through which a narrative of (in)security is socially and politically established. In light of this goal, the theory of securitization is presented for it represents the first attempt in the field of security studies to recognize the socially constructed character of security threats. Since the theory received inputs from various sources, the beginning of the section is devoted to presenting the early work of the first proponents of the idea of securitization, the Copenhagen School⁹⁵, and thereafter, the main criticisms and reformulations of the theory are exposed.

2.2.1 The Copenhagen School: the concept of securitization and the importance of language

In the academic world, the definitional challenges imposed by the post-Cold War international environment led to a re-conceptualization of the security field, firstly proposed by the Copenhagen School of security studies. This intellectual refreshment was based on a distancing from the previously dominant idea of state security, and on the definition of a new center of analysis: the notion of survival. In other words, even though national sovereignty was still considered important, the emergence of a new

⁹⁵Nowadays, scholars working within the framework of securitization are divided in three main schools, namely: Aberystwyth, Paris, and Copenhagen. To know more about these schools and their particular contentions, see: Ole Weaver. Aberystwyth, Paris, Copenhagen: New 'Schools' in Security Theory and their Origins between Core and Periphery. Paper presented at the annual meeting of the International Studies Association, Montreal, March 17-20, 2004. Available at: <<<http://bespo.org/upload/93a145a3a12b1b8aa2e33c1ebd320d91.pdf>>>.

security agenda in Europe had clarified that security was not intrinsically about the state and its apparatus, and that this narrow focus was no longer appropriate to tackle challenges imposed by the new world order.⁹⁶ In order to overcome these limitations, the proponents of the Copenhagen school recalled those working in the field that security concerned primarily survival, that is to say, it is fundamentally about the pursuit of freedom from threats.⁹⁷ Insofar as survival underlies the quest for security, it is possible to identify many potential existential threats, certainly more numerous than the predominance of military and political concerns had led analysts to believe. Also, based on this view, different types of referent objects⁹⁸, in the domestic and international spheres, may be view as existentially threatened, including states, societies, political systems, and even the environment, as it was briefly mentioned in the previous section. Hence, this re-conceptualization of the field indicated that the security vocabulary could be – and was – legitimately used to discuss matters that went far beyond the limiting idea of safeguarding state sovereignty. It was during these early stages of theoretical development that securitization scholars came up with the aforesaid notion of societal security. According to them, the society, too, could be approached as a referent object from a security viewpoint: whenever the maintenance of collective identities – that is, the ability to live as a 'we' – is seen as existentially threatened, the idea of societal security could be legitimately used to refer to and to describe the problem.⁹⁹¹⁰⁰

Despite the multiplication of sources of dangers, the proponents of the Copenhagen School observed that oftentimes the rhetoric of security was employed without the actual existence of a menace. Immigrants, for one, have been frequently associated to a number of social troubles in Western Europe, such as criminality, terrorism, and economic stringency, especially after 9/11.¹⁰¹ It is, however, hard to prove empirically that the presence of foreigners is factually related to these problems. Even so, regardless of the veracity of these security claims, under the right circumstances, the mere utterance of a connection between migrants and criminality, for instance, may prove to be sufficient for governments to enact the adoption of emergency

⁹⁶Barry Buzan, *Societal Security, State Security*, 1993. And Ole Wæver, *Societal Security*, 1993.

⁹⁷Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

⁹⁸The notion of referent object is used by the proponents of the securitization theory to refer to the objects that are existentially threatened. For further details see: Barry Buzan, Ole Weaver and Jaap de Wilde, *Security*, 1998.

⁹⁹Ole Wæver, *Societal Security*, 1993.

¹⁰⁰As mentioned in the previous section, later on, this notion was criticized for it reifies the questionable idea of national identity. However, it is interesting to stress its formulation because it illustrates the constructed character of the concepts of security and threat.

¹⁰¹Jef Huysmans and Alessandra Buonfino. Politics of exception and unease: Immigration, asylum and terrorism in parliamentary debates in the UK. *Political Studies*, v.56, n.4, 2008, p. 766–788. Available at: <<<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9248.2008.00721.x/full>>>.

measures to counteract the putative threats.¹⁰² Based on this detachment between objective reality and (inter)subjective constructions about the world, Buzan, Weaver and de Wilde¹⁰³ argued that the meaning of security could not be directly derived from what would be analytically, philosophically, or even consciously defined as such; rather, security is a self-referential practice. Put differently, a security practice exists not because there is an underlying concrete reality justifying security claims, but because the practice of these claims turns a certain element or aspect of the reality into a threat that must be neutralized through extraordinary means. Whenever a rhetoric of survival, urgency, and existential threat is used to approach a matter, and thereby justifies the adoption of urgent measures that go beyond what is defined as normal politics in a country, this event constitutes a securitizing move. In case this move is supported by a relevant audience, the securitization of an issue is achieved. In sum, securitization is defined as:

[a speech act] through which an intersubjective understanding is constructed within a political community to treat something as an existential threat to a valued referent object, and to enable a call for urgent and exceptional measures to deal with the threat.¹⁰⁴

The difference between a securitizing move and securitization emphasizes the importance of the construction of an intersubjective understanding in the establishment of a security drama – although the acceptance of the discursive move by the audience may be tacit. As stressed previously, in order to be supported by a political community, the content of the speech act advocating the existence of a threat does not need to find correspondence in reality. However, an unreasonable claim is unlikely to be accepted as legitimate. This fact indicates that there must be a set of facilitating conditions for a successful security speech act. In fact, Buzan, Weaver and de Wilde¹⁰⁵ define a few circumstances under which the success rate of security utterances is augmented. More specifically, they identify two categories of facilitating conditions: a linguistic-grammatical one, and an external, contextual and social condition. Whereas the latter category refers to the position held by the enunciator of a securitizing move – and thus, to the social capital and authority he/she possesses –, and to the historical conditions associated with the threat, the former indicates that certain linguistic rules must be

¹⁰²Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

¹⁰³Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

¹⁰⁴Ole Weaver, *Societal Security*, 2007, p.323. Ole Weaver, *Societal Security*. In: H.G. Brauch et al (eds.), *Globalisation and Environmental Challenges: Reconceptualising Security in the 21st century*. Berlin: Springer, 2007, 1147 p.

¹⁰⁵Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

respected for the act to be efficient, in particular the adoption of a grammar of security for the establishment of the drama.

In this respect, Huysmans¹⁰⁶ contends that language has an integrative capacity that allows several isolated discourses – such as migration, religious fundamentalism, drugs and terrorism – to be related and combined into a whole, unique security narrative. The adequate formulation of this narrative requires a specific organization of the securitizing actor's enunciations, so that they are understood as security utterances.¹⁰⁷ The reliance on the use of language for the creation of a security drama indicates that this linguistic instrument not only represents the world and supports communication between individuals, but also assumes a performative role through which meaning is constructed. In this sense, the vocalization of security concerns is not only a speech, it is a speech act that possesses constructive qualities.¹⁰⁸ Even though the utterance itself is the act, once a speech act successfully generates the collective understanding of a topic as a security concern, this move is then expected to influence or to significantly shape concrete actions. In other words, the securitization of an issue is a political act, and as such, has real world consequences that will lead actors to operate in new, different ways. Therefore, the discursive articulation of a security concern is said to structure social practices that follow, particularly policies.¹⁰⁹

2.2.2 Theoretical amendments and (some) reformulations: the role of practices and other concerns

Although the concept of securitization represented a much needed and praised innovation in the field of security studies, it has also proven to be highly controversial: it raises dilemmas ranging from the normative implications of the theory to the appropriateness of its terminology.¹¹⁰ In fact, a number of scholars have disclosed gaps in its early theoretical formulation, and in trying to solve these issues, have contributed to improve the explanatory power of its framework.¹¹¹ It should be noticed, however,

¹⁰⁶Jef Huysmans, *Language and the Mobilization of Security Expectations: the Normative Dilemma of Speaking and Writing Security*. ECPR Joint Sessions, workshop Redefining Security, Mannheim, 26-31 March 1999. Available at: <<
<http://www.essex.ac.uk/ecpr/events/jointsessions/paperarchive/mannheim/w18/huysmans.pdf>>>.

¹⁰⁷Jef Huysmans, *Language and the Mobilization*, 1999.

¹⁰⁸Jef Huysmans, *Language and the Mobilization*, 1999.

¹⁰⁹Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

¹¹⁰Holger Stritzel, *Towards a Theory of Securitization: Copenhagen and Beyond*. *European Journal of International Relations*, v.13, n.3, 2007, p. 357–383. Available at: <<
<http://ejt.sagepub.com/cgi/content/abstract/13/3/357>>>.

¹¹¹For an overview of other securitization schools, see: Ole Weaver. *Aberystwyth, Paris, Copenhagen*, 2004.

that the objective of this subsection is not to present an exhaustive account of the contributions that criticize and amend the Copenhagen School's early version of securitization. Rather, the goal here is to review exclusively the developments that are considered important for the analysis presented in the following chapters of this work.

Several elements of the original framework of the securitization theory are deemed problematic by critics in the field of security studies, even though there seems to be a widespread agreement over the theory's main contention, that is: security and threats are social constructions, not factual realities. While the answer to *what* is securitization seems to be well accepted, the responses to *how* and *by whom* such processes come to be established have received much less support. As a result of these controversies, a lot of work was invested in revising both the means through which a process of securitization sets in, and the actors responsible for such an articulation. According to McDonald¹¹², these problems stem from the fact that the process of securitization, as defined by the Copenhagen School, is too narrowly conceived: while in its original formulation, political leaders and speech acts are always privileged in explaining how a security concern comes into being, in the real world other actors and means are capable of establishing and maintaining a security narrative.¹¹³

The ways to construct a security threat have probably been the theory's main site of contention, with many scholars criticizing the Copenhagen School's excessive focus on discourse in detriment to other types of practices which may also lead to security formations. Didier Bigo¹¹⁴ is one of these critics: relying on Bourdieu's and Foucault's works, this author claims that by concentrating exclusively on speech acts, the Copenhagen School ended up overlooking a number of heterogeneous practices that might contribute to incite processes of securitization. Although acknowledging the importance of politicians' populist rhetoric, the author stresses that new technologies of surveillance and control, as well as institutional practices of security professionals are themselves independently responsible for creating and advancing nexuses between security and other “risky” phenomena, such as immigration – Bigo's case study.¹¹⁵ If bureaucratic practices and technological artifacts may indeed become means to articulate and advance a security construction, this means that the 'empirical referents of

¹¹²Matt McDonald. Securitization and the Construction of Security. *European Journal of International Relations*, v.14, n.4, 2008, p.563–587. Available at: <<<http://ejt.sagepub.com/content/14/4/563.full.pdf+html>>>.

¹¹³Matt McDonald. Securitization and the Construction of Security, 2008.

¹¹⁴Didier Bigo. *Security and Immigration*, 2002.

¹¹⁵Didier Bigo. *Security and Immigration*, 2002.

policies'¹¹⁶ – i.e. policy tools and instruments – also have the potential of conveying the idea that certain processes or entities are dangerous, regardless of whether the vocalization of such claims took place or not. In this sense, securitization is a much wider process than it was first imagined by its Danish proponents; a securitizing move may take place “above and beneath the discursive ‘level’”¹¹⁷, and therefore, the audience's acceptance of such moves is not always required. Balzacq's¹¹⁸ study, for example, demonstrates how some of the European Union's technical devices – e.g. the Schengen Information System (SIS), the Eurodac and the Visa Information System – are more than objective technological responses to specific public needs; all of them became, to a larger or lesser extent, concrete embodiments of securitized representations of particular entities. Hence, they too are capable of conveying the idea that certain people/processes/objects threaten European societies.

In a similar line of argumentation, Williams¹¹⁹ contends that the theoretical body developed by the Copenhagen School remains underdeveloped in that securitization cannot be reduced to a linguistic rhetoric, especially in a world marked by the preponderance of alternative forms of political communication, such as televisual ones. Although his work focuses exclusively on the role of images, Williams¹²⁰ suggests that securitization, as a performative act, may rely on a number of contextual, institutional and symbolic resources, not only on language. Interestingly, this multimodal view of social constructions is supported by some critical discourse analysts, who believe that language is but one aspect responsible for structuring and representing social reality.¹²¹

The debate on whether discourses should be or not understood as the sole source of securitizing moves denotes the existence of two “centres of gravity of securitization theory”: an internalist centre and an externalist one.¹²² The former bears more direct correspondence with the early conceptualizations of securitization proposed by the Copenhagen School, which tend towards a postmodern/post-structural position. According to this perspective, analytical priority should be given to the speech act event

¹¹⁶Thierry Balzacq. The Policy Tools of Securitization, 2008, p.76. In: Thierry Balzacq. The Policy Tools of Securitization: Information Exchange, EU Foreign and Interior Policies. *Journal of Common Market Studies*, v.46, n.1, 2008, p.75-100. Available at: <<<http://onlinelibrary.wiley.com/doi/10.1111/j.1468-5965.2007.00768.x/abstract>>>.

¹¹⁷Thierry Balzacq. The Policy Tools of Securitization, 2008, p.76.

¹¹⁸Thierry Balzacq. The Policy Tools of Securitization, 2008.

¹¹⁹Michael C. Williams, Words, Images, Enemies: Securitization and International Politics. *International Studies Quarterly*, n.47, 2003, p.511-531. Available at: <<<http://www.jstor.org/pss/3693634>>>.

¹²⁰Michael C. Williams, Words, Images, Enemies, 2003.

¹²¹In this case, the text is referring in particular to the work of Norman Fairclough, who generalizes the statement about the potentially multimodal representation of social constructions. See more in: Norman Fairclough. *Critical Discourse Analysis*, 1995.

¹²²Holger Stritzel, *Towards a Theory of Securitization*, 2007.

itself in that utterances are considered powerful performative actions capable of constituting new social meanings, as well as of changing patterns of social relations. In light of the inherent power of speech acts to bring about change, the social context in which actions take place is deemed unimportant.¹²³ Conversely, the externalist position, drawing on social constructivist insights, attributes central role to the social setting in which a successful security narrative is established. Speech acts are embedded in specific socio-political contexts, and even though these contexts are certainly influenced by linguistic actions, utterances cannot be understood separately from the larger context in which they emerge.¹²⁴ In other words, discursive practices are socially embedded practices; that is, they are influenced by dimensions of power, by social structures, by organizational practices, among others. As it is shown ahead, this is the perspective privileged in the present contribution.

The discussion presented thus far impinges directly upon the debate over which actors should be considered securitizing actors in that the clarification that securitization is not limited to discourse practices implies that other agents may become messengers of security constructions. In fact, Bigo¹²⁵, by focusing on bureaucratic practices, looks for those responsible for the formulation of security problems within and beyond the political sphere. According to him, a number of actors working in different power positions possess the symbolic power to determine what is and what is not a threat or a risk to society. Hence, in addition to politicians, he highlights the role of security professionals in the process of securitization. Since these actors are thought to be endowed with privileged institutional knowledge about the management of dangers, they can legitimately make security claims without having to prove their contentions.¹²⁶ Another powerful actor in this regard is the media¹²⁷, as Williams¹²⁸ preoccupation with the role of televisual communication in securitization processes demonstrates.

However significant the contributions of powerful actors may be, it is also important to notice that at least in principle any actor could be responsible for turning an issue into a security threat for securitization is a *social* process. In this respect, Doty¹²⁹ remarks that, notwithstanding the centrality of powerful political participants in formulating security claims, the productive capacity of language cannot be completely

¹²³ Holger Stritzel, *Towards a Theory of Securitization*, 2007.

¹²⁴ Holger Stritzel, *Towards a Theory of Securitization*, 2007.

¹²⁵ Didier Bigo. *Security and Immigration*, 2002. and also

Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

¹²⁶ Didier Bigo. *Security and Immigration*, 2002.

¹²⁷ See, for instance: Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

¹²⁸ Michael C. Williams, *Words, Images, Enemies*, 2003.

¹²⁹ Roxanne Lynn Doty. *Immigration and the Politics of Security*, 1998.

controlled by such actors; thus, theorists must be opened to the possibility that less powerful, subaltern groups may actively take part of the construction of security concerns or alternatively – and more likely –, they may take positions against the securitization of certain topics, as observed in the case of immigration.¹³⁰ The reason why these voices should be heard in the academic sphere is two-folded: first, a normative problem emerges if scholars decide to neglect these articulations, since they would be effectively contributing to the marginalization of the less powerful; secondly, these groups often attempt to contest dominant security constructions, and the continued preponderance of mainstream representations means that in an unspecified manner, securitizing actors manage to silence these voices.¹³¹ Therefore, it seems that it is not possible to fully understand how a security narrative is formed, unless this process of negotiation and/or subjugation is clarified.¹³² Taking into consideration the multitude of actors potentially involved in the construction of a security narrative, one may assert that securitization, besides being a social process, is also a political construction: security professionals, politicians, the media, politically and socially engaged sections of the population, amongst other actors, struggle to establish what Bigo¹³³ calls a “hierarchy of dangers”. Even though amateurs, such as associations, NGOs and churches can intervene in the security game, professionals and politicians have the advantage of exercising authority and are thus, more likely to be heard.¹³⁴

As a political game, securitization reflects the interest of securitizing actors in advancing their own agenda – as it was explained in the previous section. That is to say, politicians identify threats to their states and constantly feed a politics of fear and unease not because this approach is more likely to mitigate the multifarious risks to which societies are certainly exposed, but because these moves reaffirm the sovereign character of the state and, more importantly, politicians' own positions of authority. Likewise, bureaucracies and other actors often base their securitizing moves on their self-interests, as illustrated by security professionals preoccupation in maintaining their budgets. Hence, power, in addition to determining those who are more likely to be heard when talking about security, is reified through securitization. To be fair, Buzan, Weaver and de Wilde¹³⁵ are not completely blind to the importance of this category: the acknowledgment of a set of facilitating conditions for the establishment of a successful

¹³⁰Roxanne Lynn Doty. *Immigration and the Politics of Security*, 1998.

¹³¹Matt McDonald. *Securitization and the Construction of Security*, 2008.

¹³²Matt McDonald. *Securitization and the Construction of Security*, 2008.

¹³³Didier Bigo. *Security and Immigration*, 2002.

¹³⁴Didier Bigo. *Security and Immigration*, 2002.

¹³⁵Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

speech act clearly expresses their awareness of the importance of power, as well as of additional contextual factors, such as historical and institutional factors. However, due to their excessive focus on discourse, these important elements of the theory remained under-theorized.¹³⁶

The importance of power in explaining the articulation of security narratives further emphasizes that “contextual” factors should assume a bigger role in the theoretical framework of securitization.¹³⁷ In fact, without this amendment, the theory is ill-equipped to fully address complex processes taking place within a polity. Boswell¹³⁸ demonstrates empirically this theoretical inadequacy by showing that a straightforward relation between securitizing discourses and policy practices cannot be observed in Europe: where governments remained unwilling to discursively construct a security narrative, security professionals did not hesitate to prompt processes of securitization through practices and policies¹³⁹; similarly, where security rhetorics were unequivocally included in official political discourses, the resulting policies were often not congruent with the views conveyed.¹⁴⁰ According to the author, such notorious differences between praxis and discourses may be attributed to the different operational dynamics that underlie the political and administrative levels of a polity, as well as to the various sets of interests that inform politics and policy-making.¹⁴¹ These crucial factors are, however, excluded from the Copenhagen School's formulation.

These critiques and revisions concerning the form and context of securitization have yet another theoretical implication: if security threats may be embedded in everyday bureaucratic and institutional practices, as well as in technical devices, and if there is a continuous political struggle over the definition of dangers, this means that (in)security is not always an exceptional condition verbally expressed at a given space and time, as first formulated by the Copenhagen School.¹⁴² Rather, security articulations of the type described along this section must be understood as social constructions that became institutionalized: they are reiterated in political speeches and in the media, they

¹³⁶Matt McDonald. *Securitization and the Construction of Security*, 2008.

¹³⁷Matt McDonald. *Securitization and the Construction of Security*, 2008.

¹³⁸Christina Boswell, *Migration Control in Europe after 9/11*, 2006.

¹³⁹Christina Boswell, *Migration Control in Europe after 9/11*, 2006.

¹⁴⁰Christina Boswell, *The Securitisation of Migration: a Risky Strategy for European States*. Danish Institute for International Relations Brief, 2007. p.1-6. Available at: <<http://www.diis.dk/sw36122.asp>>.

¹⁴¹Christina Boswell, *Migration Control in Europe after 9/11*, 2006. and Christina Boswell, *The Securitisation of Migration*, 2007.

¹⁴²Dominique Van Dijck. *Is the EU Policy on Illegal Migration Securitised? Yes of Course! A study into the dynamics of institutionalised securitization*. Paper presented at the 3rd Pan-European Conference on EU Politics, Istanbul, 21-23 September 2006. Available at: <<http://www.jhubc.it/ecpr-istanbul/virtualpaperroom/054.pdf>>.

are ingrained in routine bureaucratic practices and in policy instruments, and their exceptional character has given way to normal politics.¹⁴³ To be sure, this normalization does not mean that institutionalized threats are not considered dangerous; what it does mean is that the representation of certain entities or events as menaces is incorporated into quotidian practices, and are more likely to be perceived as managerial problems, whose risks must be calculated and controlled.¹⁴⁴ In this regard, the components of the Copenhagen School themselves differentiate between *ad hoc* and institutionalized securitization, the former consisting of the initial stages of the process, and the latter referring to a point when the portrayal of an issue as threatening becomes a natural, commonsensical political discourse.¹⁴⁵ Nevertheless, this division replicates problems already mentioned in this section: the relevance given to discursive practices neglects other forms of securitization and downplays the importance of the social, political and institutional context in which a securitization move occurs.

2.3 Migration and security: a “dangerous” connection

For the proponents of the theory of securitization, “security is what agents make of it”.¹⁴⁶ Apparently, over the last two decades, European agents have been keen to make of security a condition contradictory to immigration flows. As mentioned previously, foreign groups in Europe are associated to a number of social and economic problems, and this connection contributes to enhance the climate of insecurity already predominant in the continent. In times of economic crisis and political disturbance, this negative image of the immigrant is said to become peculiarly pronounced.¹⁴⁷ Yet, it should be noticed that, presently the linkage between insecurity and immigrants is all but exceptional: it can be easily observed in newspapers and magazines, in official political discourses, in the everyday contentions of extremist political parties, in the actions of xenophobic groups, among other manifestations.¹⁴⁸ As a result of the success obtained by this securitized picture of foreigners, migration has been legitimately included in the European security agenda, both domestically and regionally. This section aims at introducing how and why the nexus between migration and security was formed, how it became institutionalized, and how it affects the lives of immigrants and

¹⁴³Didier Bigo. *Security and Immigration*, 2002.

¹⁴⁴Dominique Van Dijck. *Is the EU Policy on Illegal Migration Securitised*, 2006.

¹⁴⁵Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

¹⁴⁶Jef Huysmans, *Language and the Mobilization*, 1999, p.4.

¹⁴⁷Martin O. Heisler and Zig Layton-Henry, *Migration and the Links*, 1993.

¹⁴⁸Jef Huysmans, *Migrants as a Security Problem*, 1995.

of European citizens. Based on scholarly literature, and in accordance to the view of securitization presented above, the discussion demonstrates that this nexus is a social and political construction that serves specific interests of actors working within European polities.

The previous sections of this chapter argued that since the last decade of the twentieth century, human societies, in particular Western ones, have been experiencing a novel type of insecurity, one that is neither directly related to political and economic troubles nor to military threats, but rather to profound transformations that affect several spheres of social life, such as globalization and continued modernization. The migratory phenomenon, albeit dating back to the very beginning of human history on Earth, is certainly influenced by these changes.¹⁴⁹ In fact, advances in transportation and communications technologies and the open character of what is now a truly global economy are some of the factors that help to explain the accelerated pace of international migration.¹⁵⁰ As a result of these new possibilities, European states are now hosting a seemingly ever-increasing amount of foreigners.¹⁵¹ However, more than being influenced by these contemporary transformations, cross-border movements of people are seen as a part of the changes responsible for destabilizing the self-assurance of modern societies.¹⁵²¹⁵³ Current migration flows, as expressions of transnationalism, are said to challenge the very foundations of nation-states, notably the principles of bounded territoriality and absolute sovereignty.

Paradoxically, it is the very existence of sovereign territorial polities that creates the conditions for the existence of international migration – for without states there would be no borders to be crossed. Hence, the state is implicated in the definitional creation of migration.¹⁵⁴ More than that, states have also enabled movements of people in direct ways throughout history: first, the creation of the principle of territoriality freed individuals from ties of personal bondage, thereby allowing them to become mobile; second, the formation and the sustainability of the interstate system has always

¹⁴⁹ Barry Buzan, *Societal Security, State Security and Internationalization*, 1993.

¹⁵⁰ James F. Hollifield. *The Emerging Migration State*, 2004.

¹⁵¹ Despite this rise, it should be stressed that the number of individuals who leave their homes in developing countries in the direction of advanced industrialized economies represent just over a third of the migrant population of the world. In any case, during the past two decades, the perception that the number of foreigners in the territories of Western countries is growing at an exponential rate did increase.

¹⁵² Barry Buzan, *Societal Security, State Security and Internationalization*, 1993. And: Martin O. Heisler and Zig Layton-Henry, *Migration and the Links*, 1993.

¹⁵³ In fact, according to Buonfino, “immigration has become one of the most politicized expressions of globalization” (Buonfino, p.1) In: Alessandra Buonfino. *Securitizing Migration. Open Democracy: free thinking for the world*, February, 12, 2004. Available at: <<http://www.opendemocracy.net/people-migrationeurope/article_1734.jsp>>.

¹⁵⁴ Christian Joppke. *Immigration and the Nation-State*, 2003.

required communication and boundary exchanges between its components; third, states have actively instigated trans-border movements according to their needs, as illustrated by colonizing states and, more recently, by guest worker schemes; and, fourth, most states grant individuals the right to exit their territories. Therefore, as Joppke¹⁵⁵ argues, the relationship between migration and states is not exclusively negative; instead, it is ambivalent: “it is one of mutual conditioning and exclusion at the same time”.¹⁵⁶

This ambivalence may, in fact, be observed in the contradictory way states deal with international migration: on the one hand, individuals are given the right to exit the territory of their countries of origin; on the other, most states put in place severe restrictions to the entrance of foreign citizens.¹⁵⁷ What's even more surprising in this respect is that, while maintaining strong border controls, most advanced industrial states value the ingress of certain categories of aliens, feel obliged to accept others, and often chose to overlook the presence of unwanted ones. Together, this mixture of freedom, constraint, and necessity generate a paradoxical situation for states, one in which they must try to reconcile the imperatives of closure and openness.¹⁵⁸ But why hold on to borders so strictly? As mentioned, one of the justifications for this restrictive approach is that, from the perspective of a national state, the movement of people across borders represents not only a violation of sovereignty and authority, but also a challenge to the alleged unity of the national community. However, this somewhat theoretical explanation is enduring, and therefore, it does not account for the increasingly restrictive character of immigration policies in Europe. Instead, the fact that migration slowly developed into a security concern seems to be more important here.

After the fall of the Soviet Union, the aforesaid contradiction between entry and exit became even more pronounced in that most European countries increased their entry barriers at a time when the freedom to move was being enhanced by technological and political transformations. The pervading changes spurred by the acceleration of globalization combined with the emergence of societies unsettled by fear, uncertainty and anxiety help to explain this paradoxical development in that, together, they made it easier for immigrants to become scapegoats for any type of societal problem.¹⁵⁹ With the number of newcomers moving upward, and due to their different cultural baggage and lower socioeconomic status, it was not too difficult to associate distressful

¹⁵⁵Christian Joppke. *Immigration and the Nation-State*, 2003.

¹⁵⁶Christian Joppke. *Immigration and the Nation-State*, 2003, p.2.

¹⁵⁷Christian Joppke. *Immigration and the Nation-State*, 2003.

¹⁵⁸Christian Joppke. *Immigration and the Nation-State*, 2003.

¹⁵⁹Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005. And: Didier Bigo. *Security and Immigration*, 2002.

occurrences to the apparent rise of migration. In such a critical context, the inescapable and burdensome task of managing the social, economic and political presence of outsiders in a country is easily subverted into popular, yet convincingly misleading connections, such as: the notions that immigrants heighten economic insecurities; that European borders are too porous, and thereby, allow waves of foreigners to invade the continent; that immigrants are prejudicial to social cohesion and to the public order, etc.¹⁶⁰ Thus, the widespread feeling of unease and the transformations wrought by the process of globalization have functioned as a fertile soil to the construction of the image of the immigrant as a threat to the continent's security.

However, the population's susceptibility to the securitized image of migration, alone, does not explain its rise, much less its contemporary preeminence. As it should be clear by now, the relationship between migration and security is not natural, and it certainly does not stem from concrete societal problems; on the contrary, it is socially and politically established, firstly by securitizing actors. According to Bigo¹⁶¹, national-level politicians and security professionals at both the domestic and supranational spheres are the main actors responsible for articulating and disseminating the migration-security nexus in Europe. The political rhetoric used by the first group to formulate a security narrative is widely recognized by those studying the issue, since the Copenhagen School's early version of the theory privileged the discursive power of politicians in securitization processes. Indeed, the vision of Buzan, Weaver and de Wilde¹⁶² does not seem to be at all inaccurate when the case under consideration is the political presentation of immigration in Europe: many professional politicians have been engaged in discursively advancing the view of foreigners as either a source, or an aggravating factor of socioeconomic troubles.¹⁶³ The immediate motivation underlying such formulations is electoral since the topic is very useful in mobilizing voters in times of political disputes. As Tsoukala¹⁶⁴ indicates, the issue's profitability in these situations is derived from the fact that it occupies the political agenda in a more or less perennial basis, and from the fact that, potentially, migration can be connected to many other topics – in this way, it becomes easier to divert the attention of the people from more serious concerns. Moreover, the objective to curtail immigration is more or less a straightforward goal, one which does not require the politician to propose particularly

¹⁶⁰ Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

¹⁶¹ Didier Bigo. *Security and Immigration*, 2002.

¹⁶² Barry Buzan, Ole Weaver and Jaap de Wilde, *Security: a New Framework for Analysis*, 1998.

¹⁶³ Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

¹⁶⁴ Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

innovative policies to please voters; in fact, in this regard, Tsoukala¹⁶⁵ argues that citizens who are concerned about immigration are usually quieted down by the mere adoption of symbolic measures.

Notwithstanding the importance of the electoral game in explaining politicians' willingness to portray migrants as menaces, another dynamic is also significant in accounting for this move: with the rise of globalization and with states' partial loss of control over certain policy fields, immigration remains as one of the few realms in which states are still able to dictate their preferred courses of action.¹⁶⁶ Although few states are willing – or capable, for that matter – to seal their borders to inward migration, the management of cross-border movements and of residence statuses allows governments and bureaucratic apparatuses to consolidate the nation-state as a frame of mind.¹⁶⁷ In other words, even though these governing entities are no longer in a position to cope with the risks and threats of an unpredictable world, the attempt to master the “migratory threat” helps states to reify their borders, authority, sovereignty, as well as the homogeneity of their people. This process, by its turn, allows the modern polity to reaffirm itself as the only political order possible in the world. Clearly, politicians are beneficiaries of this move for their power is also restated.

The second group of actors responsible for the securitization of migration in Europe is formed by the public security agencies working domestically and transnationally.¹⁶⁸ In spite of being in competition with one another, these agencies share the interest in preserving their functions and budget lines in a world that is now devoid of conventional military threats. This common concern is paramount in understanding why they are engaged in taking the politicization of immigration to the security realm. However, in this case, the process of social construction of the “migratory threat” is propelled through other means; that is to say, although these agents' position as professionals invested with specialized know-how permits the direct evocation of migration as a threat, the discursive aspects of securitization give way to the effects of institutional practices and technologies, themselves carriers of securitized understandings of the phenomenon – as explained previously.¹⁶⁹ Thus, more than managing risks, these professionals are in charge of defining what entities/phenomena are and what are not threats to national and regional security.

¹⁶⁵ Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

¹⁶⁶ Christian Joppke. *Immigration and the Nation-State*, 2003, p.2.

¹⁶⁷ Didier Bigo. *Security and Immigration*, 2002.

¹⁶⁸ Didier Bigo. *Security and Immigration*, 2002. And: Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

¹⁶⁹ Didier Bigo. *Security and Immigration*, 2002.

The merging of internal and external security promoted by the emergence of security threats that are not confined to territorial borders – such as terrorism – gives these professionals reasonable justifications to adopt extreme forms of “hyper-security” or “hyper-surveillance”, which help to perpetuate the climate of insecurity, and allow these agencies to profile certain groups and individuals – in particular immigrants – as suspects of criminal activities *a priori*.¹⁷⁰ Thus, security agencies assist the process of securitization of the immigrant population through a variety of means, which not only convey the negative image of the foreigner, but also help to disseminate suspicion.¹⁷¹ In doing so, these agencies reinforce their own roles as managers of the unease. In addition to these agencies and politicians, the media and the scientific community also play a role in establishing a connection between migration and security.¹⁷² In fact, just by the mere identification of the topic, analysts are engaged in the normative dilemma of inadvertently disseminating this problematic view of immigration – unless, of course, they set out to criticize and deconstruct it.¹⁷³

On the effects of the securitizing strategies of these actors, we have that migration is legitimately constructed as a security threat, and consequently, suffers a fundamental semantic change, which is, by its turn, expressed in the inclusion of the issue in the European security agenda, as well as concretely mirrored in the adoption of restrictive policies aimed at counteracting the “migratory threat” and at managing the risks related to it.¹⁷⁴ To begin with, the meaning of the phenomenon suffers fundamental semantic changes in that its multifarious dimensions are suppressed and flattened to a question of security¹⁷⁵; thereby, migration becomes part of a security drama, and accordingly, starts to be approached as a danger from which societies wish to be freed. Furthermore, in this process, the migratory phenomenon is connected to other security threats and, as a result, it is effectively incorporated into what Huysmans¹⁷⁶ calls a “security continuum”: once political and security agents successfully frame migration as a concern related to societal problems, and to traditional security matters, such as terrorism, drug-trafficking and money-laundering, a logical discursive and institutional nexus between migration and security is created. Consequently, the security

¹⁷⁰Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

¹⁷¹Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

¹⁷²Concerning the role of the media, see for instance: Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005. With regard to the role played by academics, see: Jef Huysmans, *Language and the Mobilization*, 1999.

¹⁷³Jef Huysmans, *Language and the Mobilization*, 1999.

¹⁷⁴Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁷⁵Jef Huysmans and Vicki Squire. *Migration and Security*, 2009.

¹⁷⁶Jef Huysmans, *The European Union and the Securitization of Migration*, 2000.

connotations of threats like terrorism and transnational criminal networks are transferred to the international movement of people, with the obvious consequence that national and regional immigration regulatory frameworks reflect and help to propagate the understanding of the topic as a legitimate area of concern of security professionals.¹⁷⁷

This connection with a large array of problems and menaces means that the threatening quality of immigrant communities may be attributed to a large number of factors. Yet, features shared by these groups, such as cultural differences, religiousness and even physical peculiarities, are prominently publicized for they materialize the division between immigrants and locals, which is then exacerbated, and made problematic by securitization.¹⁷⁸ What is being stressed here is that, in general, the referent object of the migratory menace is the domestic society, or rather its identity and integrity. For instance, when it comes to the European Union (EU), Huysmans¹⁷⁹ identifies three essential elements of Member States that are allegedly threatened by migration flows, namely the public order, cultural identity, and labor market stability – all of which make reference to the society as such. In this context, the above mentioned notion of “societal security” seems to be an appropriate conception to explain why immigration is so feared in Europe: the inflows of people challenge the receiving society's ability to live as a 'we' by decreasing social cohesion, by diminishing economic prosperity of locals, by bringing new cultures and religions, etc.

However, if critically inspected, this notion of European societal security does not hold: the idea that the EU as a whole shares a set of common, defining characteristics which are endangered by third-country nationals generates a puzzling understanding of the EU as some sort of culturally founded community, whilst most would agree that this is, to say the least, a disputed notion. The same contention is valid for domestic societies, although in this case the questionable character of a unified society is made less obvious by the idea of national community. It is interesting to highlight these controversies here because they shed light into a problematic element of the concept of societal security, namely the usage of a fixed conception of society.¹⁸⁰ According to McSweeney¹⁸¹, Weaver's concept of societal security reifies and objectifies the notions of society and of identity in that it assumes these elements' unproblematic and given existence, and thereby excludes their intrinsically dynamic character. In his

¹⁷⁷ Jef Huysmans, *The European Union and the Securitization of Migration*, 2000.

¹⁷⁸ Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁷⁹ Jef Huysmans, *The European Union and the Securitization of Migration*, 2000.

¹⁸⁰ Bill McSweeney, *Identity and Security: Buzan and the Copenhagen School*. *Review of International Studies*, v.22, n.1, 1996, p. 81-93. Available at: << <http://www.jstor.org/pss/20097432> >>.

¹⁸¹ Bill McSweeney, *Identity and Security*, 1996.

words, “identity is not a fact of society; it is a process of negotiation among people and interest groups”.¹⁸² In addition, as Weaver¹⁸³ himself recognizes, people possess multiple identities, and these may be located at different levels. Therefore, “the sources of societal identity are in theory almost infinitely open”.¹⁸⁴

Despite the plausibility of McSweeney's critique, Williams¹⁸⁵ presents not only a convincing counterargument in favour of Weaver's definition, but also a good description of the developments set in motion by the process of securitization. According to him, the indisputable limits of a society and of its identity are fixed as a consequence of the securitization process itself. The establishment of an issue as a threat to a given identity implies that the audience's identity must be given precise limits – i.e. its negotiability must be suppressed –, otherwise it is neither possible to grasp the relationship between 'us' and 'them' nor to oppose dangers effectively.¹⁸⁶ In this sense, there is a mutually constitutive relationship between securitization and the production of identities.¹⁸⁷ Therefore, when a speaker (or other securitizing means) claims that an identity is existentially threatened, the boundaries of a society are immediately fixed, and this move defines not only who is part of the society, but also those who are to be left outside. In other words, the creation of spheres of internal harmony implies the existence of a disharmonious outside.¹⁸⁸ Or, as Williams¹⁸⁹ puts it, a security utterance invokes a Schmittian logic of friends and enemies, which sets in motion a politics of exclusion between the self and the other. From this viewpoint, the securitizing move against foreigners in Europe locates trust either in national or European societies, and by implication, situate fear in immigrants' communities. This separation leads to the creation of internal and external relational spheres, which are respectively composed by 'us' and 'them'. 'They' are identified as the carriers of death.¹⁹⁰

In the face of challenges to their survival, societies take extraordinary measures to minimize vulnerabilities and to control the threatening entity or process. Along time, the exceptional character of these measures may give way to normality, that is, in case the securitized image of the entity becomes institutionalized. In any way, the result of both processes is an instrumentalization of the struggle for survival, characterized by the

¹⁸²Bill McSweeney, *Identity and Security*, 1996, p.85.

¹⁸³Ole Waever, *Societal Security*, 1993.

¹⁸⁴Ole Weaver, *Societal Security*, 1993, p.39.

¹⁸⁵Michael C. Williams, *Words, Images, Enemies*, 2003.

¹⁸⁶Michael C. Williams, *Words, Images, Enemies*, 2003.

¹⁸⁷Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁸⁸Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁸⁹Michael C. Williams, *Words, Images, Enemies*, 2003.

¹⁹⁰Jef Huysmans, *Migrants as a Security Problem*, 1995.

referent object's will of controlling and simultaneously distancing itself from the threat.¹⁹¹ In practice, these actions are materialized in stronger border controls, tougher visa requirements, the creation of separate immigrant neighbourhoods, among others. Huysmans¹⁹² argues that the dialectic of trust and fear created by the securitization of immigrants is equivalent to a dialectic of inclusion and exclusion. The exclusion of the other is said to annihilate the migrant in two ways: first, by defining him/her as a non-native, a “non-I”; and secondly, by making him/her worthless for he/she is unable to share the host society's identity. Doty¹⁹³ adds to this view by arguing that when securitization takes the form of identity politics – i.e. one that involves the reassertion of the host society's identity –, as in the case of immigration, policies designed to assimilate the “other” represent an alternative attempt to control the threat, albeit incorporating a logic that is different from the exclusionary one highlighted by Huysmans¹⁹⁴. The reasoning behind a politics of assimilation is both inclusionary and exclusionary, as the migrant is seen as an imperfect version of the native that must become harmless and worthy before being accepted in the society.¹⁹⁵ What's more, in principle, in a securitized context, the migrant ceases to be a particular individual, and becomes part of one single category, the “migrant”, which subsumes all foreigners, and thus, erases differences of all sorts between them. According to Huysmans¹⁹⁶, this unification is much like a Pandora's box. This metaphor is chosen to elucidate the fact that, if critically inspected, the limiting category reveals its highly fragmented composition. As a result of these processes, these individuals are set apart from the members of receiving society.¹⁹⁷

Although the plasticity of the term “immigrant” allows for it to be used as a general sign of danger that lumps together all foreigners, as Huysmans¹⁹⁸ and Bigo¹⁹⁹ argue, immigration and immigrant policies do not simply reflect the generalizing effect of this category, as the existence of different legal categories of immigrants demonstrates. In light of this qualification, it should be clarified what exactly the symbolic power of the term “immigrant” is said to cause: first, it turns immigration into a legitimate topic of concern of security professionals; and second, it disseminates the

¹⁹¹Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁹²Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁹³Roxanne Lynn Doty, *Immigration and the Politics of Security*, 1998.

¹⁹⁴Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁹⁵Roxanne Lynn Doty, *Immigration and the Politics of Security*, 1998.

¹⁹⁶Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁹⁷Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁹⁸Jef Huysmans, *Migrants as a Security Problem*, 1995.

¹⁹⁹Didier Bigo, *Security and Immigration*, 2002.

understanding that a security reasoning should be included in the fashioning of policies concerning migration, and that, due to the urgent character of security matters, this logic should take precedence over other interests and considerations concerning the migratory phenomenon. Thereby, a security narrative does more than creating a logical connection between migration and terrorism; it imposes itself as the main mediator of belonging, membership, integration and other immigrant-related matters in host states.²⁰⁰ Hence, even though security is only one factor that impacts on, and shapes movements of people across borders, it has become the dominant frame to approach and to govern the migratory phenomenon in Europe.

The migration-security nexus works by flattening human mobility to a question of security; however, the phenomenon is multidimensional for it includes considerations, concerns and interests from diversified fields, as demonstrated by states ambivalent treatment of migration. Joppke's²⁰¹ observation that there is a gap between the restrictionist rhetoric of politicians and the expansionist reality of immigration is a good illustration of the multifarious interests and concerns that inform migration policy. In fact, the author contends that migration policies are the result of a political game. Yet, as aforesaid, the securitization of migration changes the understanding of the migratory phenomenon and imposes on it a logic of urgency, suspicion, control, and exclusion that seems to be taking precedence over other concerns.²⁰² The fact that the management and control of immigration in Europe are increasingly resorting to measures that breach immigrants' rights, as well as the liberal and democratic character of these societies is a symptom of the dominance assumed by the security discourse. This tendency to privilege security over freedom and rights is observed not only throughout the continent, but also at the supranational level. Cholewinski²⁰³, for one, demonstrates that that, although the European Commission adopted an approach that combined the control of irregular immigration and the protection of human rights in the early 1990s, the latter component of the strategy slowly faded away as a security oriented agenda emerged.

Gorski, Fernández and Manavella²⁰⁴ also demonstrate how the rule of law and immigrant's rights have been diminished by the focus on risks and dangers. According to them, the transformation of European states into what they call "migrants' expulsion machines" paved the way for the emergence of administrative punishing structures, which allow irregular migration to be treated as a crime punishable with detention and

²⁰⁰ Jef Huysmans, *The European Union and the Securitization of Migration*, 2000.

²⁰¹ Christian Joppke. *Immigration and the Nation-State*, 2003.

²⁰² Jef Huysmans and Vicki Squire. *Migration and Security*, 2009.

²⁰³ Ryszard Cholewinski. *The EU acquis on irregular migration*, 2000.

²⁰⁴ Héctor Gorski, C. Fernández, and A. Manavella. *A Right-based Approach to Migration Policies*, 2009.

expulsion. In this respect, the creation of internment centers within European states and in third countries is a case to note, as the deprivation of liberty based on an administrative offense such as clandestine immigration breaches Article 5(1) of the European Convention on Human Rights.²⁰⁵ More than that, they go on to contend that immigrants are turned into semi-persons in these facilities, as these centers serve not only as internal borders to states, as well as places where foreigners are immobilized, disciplined, and intimidated before being sent back to their countries of origin.

Claudia Aradau²⁰⁶ also highlights the power of the security logic to transform human beings endowed with fundamental rights into threats to the security of a society. More specifically, she demonstrates how the feeling of pity elicited by the trajectories of victims of human-trafficking is subverted into a securitarian discourse that locates threatening qualities within trafficked women themselves. Since individuals who suffered psychological traumas are profiled by contemporary “risk societies” as groups “at risk” of becoming dangerous actors, these women, too, are approached as dangerous, and are treated accordingly. That is to say, they receive therapies aimed at helping them to overcome the trauma, as well as at limiting the possibilities that they engage in risky behaviors in the future.²⁰⁷ Interestingly enough, one of these dangerous behaviors is irregular immigration. Thus, by focusing on a topic that inevitably involves security as well as humanitarian considerations, this study shows how the securitizing discourse is capable not only of dominating, but also of appropriating other discourses, in this case the humanitarian one.

Together, these articles illustrate that over the past two decades the securitized understanding of human mobility became the hegemonic political discourse on migration in the European continent²⁰⁸, and that this image reproduces itself through discursive and institutional practices of politicians, security agencies, the media, and even of the public opinion, as well as through policy instruments. As Buonfino²⁰⁹ argues, these studies also indicate that there are countless, antagonistic discourse types on immigration, all of which are somehow silenced by the security frame. Cross-border movements are composed of, and informed by many other dimensions, problems, and interests. Indeed, immigrants are commonly approached by different political actors as

²⁰⁵ Héctor Gorski, C. Fernández, and A. Manavella. *A Right-based Approach to Migration Policies*, 2009.

²⁰⁶ Claudia Aradau. *The Perverse Politics of Four-Letter Words*, 2004.

²⁰⁷ Claudia Aradau. *The Perverse Politics of Four-Letter Words*, 2004.

²⁰⁸ Alessandra Buonfino. *Between Unity and Plurality: the Politicization and Securitization of the Discourse of Immigration in Europe*. *New Political Science*, v.26, n.1, 2004, p.23-49. Available at: <<<http://www.informaworld.com/smpp/content~db=all~content=a713627343~frm=titlelink>>>.

²⁰⁹ Alessandra Buonfino. *Between Unity and Plurality*, 2004.

factors of production, as human beings, as right holders, as family members, as asylum-seekers, as victims, amongst other categories. So when it comes to handling immigration, states must deal with a paradoxical situation that may be summarized as follows: the logic of economic openness, the imperative of protecting human rights, the importance of upholding democratic values, and the obligation of guaranteeing liberty collide with the principles that traditionally define nation-states, namely sovereignty, authority, citizenship, territory, and borders.²¹⁰²¹¹

According to Buonfino²¹², these different narratives on migration reflect the existence of other political forces engaged in continuous struggles for power, such as employer's associations, leftist political parties, NGOs, international organizations, churches, parts of the Judiciary, among others. In fact, Fairclough²¹³ notes that hegemonies are based on a contradictory and unstable equilibrium, and thus, the fact that a conception of the world is at a certain moment predominant does not imply that ideological struggles over a given representation are not taking place, nor that dominating discourses cannot respond creatively to these challenges. In this particular struggle, however, the dominance of a security perspective over the discourses on freedom and rights is particularly surprising because human rights and liberal principles help to define the very essence of European polities. Thus, in theory, even if migration is captured by a security logic, these basic values should not be ignored or disrespected. Withal, as demonstrated above, although the dominance of a securitized view of immigration is not unrestricted, it has negative implications for the rights and civil liberties of third country nationals, and thereby it generates a puzzling situation in which liberal countries resort to illiberal measures to assure the security of their populations.²¹⁴ This indicates that, in securitizing migration, politicians, security agencies, among others, do more than simply advance a particular view on the matter; their discourses and practices also manage to silence other voices informing the debate on immigration. Alternative understandings, be them economic, humanitarian, or political, must become secondary if the security reasoning is to take over. But if

²¹⁰Gallya Lahav. Migration and Security: the Role of Non-state Actors and Civil Liberties in Liberal Democracies. Second Coordination Meeting in International Migration, New York, 15-16 October, 2003. Available at: <<
http://www.un.org/esa/population/meetings/secoord2003/ITT_COOR2_CH16_Lahav.pdf>>.

²¹¹It is interesting to notice that other dilemmas elicited by scholars studying migration – such as Hollifield's "liberal paradox" – allude to the same multidimensional and contradictory situation that leads states to accept immigration and to grant rights to outsiders, while trying to keep their borders under control and, preferably, closed.

²¹²Alessandra Buonfino. *Between Unity and Plurality*, 2004.

²¹³Norman Fairclough. *Language and Ideology* (Chapter 3).

²¹⁴Didier Bigo et al. *The Changing Landscape of European Liberty and Security*, 2007.

liberalism and human rights are constitutive parts of European states, what explains the increasing dominance of the security discourse type in immigration regulatory frameworks? More specifically, how are liberal values and human rights relegated to the background in this debate? Since language is a social process that simultaneously conditions and is conditioned by the non-linguistic parts of a society, and consequently, a place where relations of power are produced, exercised, enacted and changed²¹⁵, it is a privileged site to investigate such inquire – even though a security articulation may also express itself through other means. In light of these considerations, the next section explores in more details this view of language as a social practice and its relations to power struggles in different social settings.

2.4 Language as a social practice: ideology and power

The last section of the present chapter has the objective of briefly introducing the concepts of language, discourse, power, ideology and hegemony, according to the social theory of language developed by the discourse analyst Norman Fairclough²¹⁶. Whereas most modern perspectives to language studies set out to devise techniques to describe languages outside of their contexts, Fairclough²¹⁷ develops an approach to critically study actual language practice and its relationships to the social and historical context in which it is imbricated. The usage of the word “critically” here is not casual; the term is chosen by the author to describe his approach for it conveys the idea of an analytical engagement that goes beyond the mere description of social reality. It implies that the researcher should seek to depict the existing sociolinguistic order as a historical configuration, one that conceals its transitory and politically established character by presenting itself as natural. This is important because, for Fairclough²¹⁸, language plays a crucial role in the production, sustenance and modification of social relations of power. In other words, language is invested with power, as well as with ideological representations. In as much as linguistic elements bear traces of political contests, language cannot be considered simply a neutral system used by human beings to describe the outside world and to interact with each other. More than that, language

²¹⁵Norman Fairclough. *Language and Power*, 2001.

²¹⁶Norman Fairclough. *Critical Discourse Analysis*,1995. And: Norman Fairclough. *Language and Power*, 2001.

²¹⁷Norman Fairclough. *Critical Discourse Analysis*,1995. And: Norman Fairclough. *Language and Power*, 2001.

²¹⁸Norman Fairclough. *Critical Discourse Analysis*,1995. And: Norman Fairclough. *Language and Power*, 2001.

must be seen as actively involved in the workings of society and, in this sense, it should be considered a social practice determined by societal structures. This relationship is not unidirectional, but dialectic: when using language, people also impact upon the world – and they may even do so creatively. Therefore, language does not merely reflect social reality, it is a constitutive part of it. As a matter of fact, most contemporary social phenomena are at least partly linguistic in that they involve some interaction of this sort. Politics, for one, always consists of disputes taking place *in* and *over* language.

While language is considered a part of social reality, texts (written or spoken) are understood as the final products of language use. Discourses, in turn, refer to the whole social interaction in which language is deployed. Discourses, as the practical use of language, involve processes of production and of interpretation of texts. Such processes leave traces and cues in texts in various forms, such as features of the vocabulary, metaphors, grammatical structures, among many others. Processes of production and interpretation of meaning involve the interplay of these formal traits with the cognitive resources of producers, readers or listeners. These “members' resources” (MR) consist, for example, in people's background knowledge, values, and representations of the world. Although being kept in the mind of participants, these resources are socially generated, and consequently, it is reasonable to contend that texts necessarily reflect the prevalent social conditions of the moment in which they are produced and interpreted. Here, the expression “social conditions” refers to more than the immediate context in which discourses take place; rather, discourses are said to be related to three different levels of society, namely: the more tangible situational level, the level of the social institution – the family, an educational facility, a hospital, etc. – in which the discourse is happening, and at last, the level of the society as a whole. Hence, when making an analysis, it is not enough to limit one's observations to the content and formal characteristics of the text; if language is a social process, this means that the more remote levels of social interaction should also be taken into consideration.

The theory developed by Fairclough²¹⁹ is in tune with Buonfino's²²⁰ contention that different discourse types reflect the political forces of a society. According to the former author, no matter how localized certain texts are, they will always be, to some extent, products of a wider social context, as well as of the struggles for power happening in it. Mainstream language and established orders of discourse²²¹ – each with

²¹⁹Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

²²⁰Alessandra Buonfino. *Between Unity and Plurality*, 2004.

²²¹The expression “order of discourse” is borrowed from the works of Michel Foucault, and refers to the

its own structures, expressions, vocabulary, etc. – are involved in the maintenance of social relations of power. Existing conventions over meanings and discourse practices – such as turn-talking or the usage of appropriate language in given contexts – are the results of power relations and struggles. Therefore, such discourses are sites where power is exercised, as well as (hidden) effects of the dominant power relations in a society. This means that, although human beings take for granted the assumptions, meanings and conventions of language, the linguistic realm is actually pervaded with ideological contents. The word ideology, in this context, is used to refer to “particular representations and constructions of the world [that] *are* instrumental (partly in discourse) and important in reproducing domination [...]”.²²² Thus, when people use implicit frames to make sense of a discourse – for example, when individuals use traditional representations of women in order to understand a nineteenth century novel –, they are resorting to a given conception of the world, to an underlying philosophy that, albeit commonsensical, is also of a certain ideological order. The problem with ideological commonsense is that, as a result of power struggles, it often contributes to sustain unequal relations of power in society (to variable degrees, obviously). In general, it does so by preventing alternative ideas to gain stage, in particular those that could lead individuals to question the established social reality. It should be highlighted that language is a privileged means to convey ideological representations for two reasons: first, no other communication means requires such a high level of reliance on commonsensical premisses as language does; secondly, modern society is living an epoch in which power can no longer be exercised through coercive means, but only through the fabrication of consent and acquiescence; in this context, the ideological workings of language are the best means to disseminate apparently neutral ideas and conventions that are actually capable of perpetuating and legitimizing the existing juncture.

The concept of ideology is closely related to the one of hegemony: “Hegemony is leadership as well as domination across the economic, political, cultural and ideological domains of a society. Hegemony is the power over society as a whole [...], but it is never achieved more than partially and temporarily, as an 'unstable equilibrium’”.²²³ This definition is interesting not only for clarifying the meaning of the

set of conventions and discursive practices associated with particular domains or institutions. See more in: Norman Fairclough. *Critical Discourse Analysis*, 1995.

²²² Norman Fairclough. *Critical Discourse Analysis*, 1995, p.17.

²²³ Norman Fairclough. *Critical Discourse Analysis*, 1995, p.76.

term, but also for indicating that, regardless of how hegemonic the ideological content of language appears to be, this macro-level dominance is never absolute. Therefore, it does not preclude the emergence of alternative conceptions of the world, of discourses invested with different ideological contents. Ideological diversity is an unavoidable component of societies in that individuals occupy innumerable social positions, and thereby, have different experiences, interests, points of view, etc. Such diversity is specially pronounced nowadays as many states take the shape of capitalist democracies. The proliferation of political ideologies is symptomatic of this development. In this context, the powerful and dominant groupings endeavor to maintain their position, and for this reason, are constantly engaged in social struggles. Ideological struggle is a form of social struggle, one that takes place chiefly in language (i.e. in discourse as a site of contention). However, this conflict is also about dominance *over* language (i.e. over meanings, linguistic norms, interaction rules etc). Fairclough²²⁴ adds to this notion of struggle by arguing that hegemonic forces do not simply seek to dominate the subordinate ones; instead, the perpetuation of power oftentimes depends on the construction of alliances with, or on the integration of these other groupings to the main bloc – here, the idea of power as consent is very clear.

One last important remark about the struggle over language is that such contentions may manifest themselves as a conflict between *discourse types* invested with different ideologies. Discourse types are effects of power in a particular domain, which are materialized in discursive conventions, codes of practice, assumptions, meanings, among other features. Since they are effects of power, discourse types are ideologically particular and variable. Examples may be found in a number of realms: there are predominant discourse types in medical examinations, job interviews, and university lectures. Each of these possesses underlying premisses about who ought to control the interaction, about what sort of vocabulary should be used, about what are the meanings of expressions and words. When a struggle between diverse discourse types emerges, as it is common to see in politics, social forces fight for the dominance of a given discourse type in a domain, and therefore they endeavor to maintain or establish a particular set of ideological assumptions as commonsense. In the political world – which is of interest for the present paper –, the stake of this struggle “is more than 'mere words'; it is controlling the contours of the political world, it is legitimizing policy, and

²²⁴Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

it is sustaining power relations.”²²⁵

²²⁵Norman Fairclough. *Language and Power*, 2001, p.75.

3 Immigration to Italy: still in search of the “Bel paese”

The present chapter aims at introducing the main aspects of immigration in Italy with an eye to the dominant perception of the phenomenon, as well as to the legislative innovations devised by the Italian government to manage the movements of people across its borders – particularly the novel security provisions adopted by the fourth Berlusconi government (2008-today). Unlike most European countries, the immigration history of this Mediterranean state is relatively recent: it was only in the mid-1970s that the amount of foreigners living in the country surpassed the number of nationals established abroad.²²⁶ Despite the briefness of this past, as it was mentioned in the Introduction, the Italian case provides a paradigmatic example of a society in which immigration rapidly became a security concern. Presently, politicians at both sides of the political spectrum, the media, and a large part of the population conventionally establish connections between the growing presence of foreign-born residents and the aggravation of societal problems, including unemployment, criminality, drug trafficking, and international criminal activities.²²⁷

Although the migration-security linkage is certainly disputable, it continues to serve as a justification for the adoption of ever more restrictive immigration policies in Italy, a trend clearly exemplified by the recent formulation of an anti-immigration “security package”, whose declared aim is to fight insecurities that prevent Italian citizens from enjoying a life “free from fear”²²⁸. The set of laws and decrees contained in this “package” criminalizes certain categories of immigrants, and helps to consolidate the already stigmatized image of foreigners in the country.²²⁹ In addition, several provisions introduced by the new security legislation breach immigrants' fundamental rights, as well as EU directives.²³⁰ As a result of this package – and of previous policy reforms, such as the Bossi-Fini Law –, Italy counts with few legal channels for potential movers to access its territory, and the legal security of those already established in the

²²⁶Daniela Del Boca, Alessandra Venturini. Italian Migration. IZA Discussion Paper, n.938, 2003, p.1-45. Available at: <<<http://cosmic.rz.uni-hamburg.de/webcat/hwwa/edok04/f10044g/dp0938.pdf>>>.

²²⁷In regard to securitization of immigration flows in Italy, see, for instance: Alessandro Dal Lago. Non-persons, 2009.

²²⁸As mentioned in the introduction to this work, these words were used by Silvio Berlusconi himself on the occasion of the third Council of Ministers of the current government (Naples, 21st of May of 2008). Available at: Governo Italiano, Presidenza del Consiglio, May 21st 2008.

²²⁹Council of Europe. Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Italy, 13-15 January 2009. CommDH(2009)16 Available at: <<<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1428427>>>.

²³⁰Massimo Merlino. The Italian (In)Security Package, 2009.

country has experienced a certain degree of deterioration.²³¹ These developments indicate that a securitized view of migration is dominant and institutionalized in the Southern state. Hence, the treatment of immigration in Italy seems to provide a valuable case study for the research proposed in the present paper.

In light of these circumstances, this chapter aims at more than simply presenting the history of migration in Italy; it endeavors to disclose, based on scholarly literature, the main frames used by the Italian population to approach immigrants, as well as to demonstrate that a securitized perception of the phenomenon became dominant in the country over time. In order to expose this large array of topics orderly, the remaining of this chapter is organized as follows: the first section provides an overview of Italy's early experience with migration flows, that is, its historical experience as a country of emigration. As it is clarified below, it is important to look at this record because it affects the self-definition of the Italian state, the way current immigrants are approached, and also policy-making in the fields of nationality, citizenship and immigration.²³² Thereafter, the focus is shifted back to the central concern of the chapter, namely immigration. In order to introduce the main aspects of migration in Italy without disregarding the perceptions and reactions of the host society, the second section is divided in two parts: the first presents the main characteristics of incoming flows of people to Italy, such as data on the amount of outsiders, on the main communities of foreigners, and on their geographical distribution – in other words, it demonstrates the multiple aspects of the migratory phenomenon in the country; the second part, in turn, provides a general introduction to the evolving social, political and economic context in which immigration became more than an ordinary concern for political classes and electorates. Moreover, this second part tries to relate these contextual changes to the progressive articulation of a security narrative that includes immigration as a security threat. Thereafter, the third section describes the evolution of immigration policy in Italy from the mid-1980s to 2002. The regulatory framework is presented at last because it is important to understand how Italy became a country of immigration and the main reactions of the host society to this transition in order to make complete sense of the policy evolution. The fourth and final section introduces the most recent changes to

²³¹ Marco Ferrero, *Straniero e Diritti Umani nell'ordinamento Internazionale*. In: Caritas Italiana. *Almanacco Immigrazione 2009: Fatti e Notizie sull'Immigrazione*, 2009. Available at: <<http://www.caritasitaliana.it/materiali/Area_Riservata/immigrazione/ALMANACCO_IMMIGRAZIONE2009.pdf>>.

²³² Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy. In: Rainer Baubock et al. *Acquisition and Loss of Nationality Policies and Trends in 15 European States. Volume 2: Country Analyses*. IMISCOE Research. Amsterdam: Amsterdam University Press, 2006, 588p.

immigration policy, the ones resulting from the so-called “security package”.

3.1 The “Greater Italy”: from emigration to immigration

The present section aims at introducing Italy's early experience with migration flows, that is, the country's past as a source of foreign labor to transatlantic and neighboring nations. The importance of looking back on Italian emigration flows lies in the fact that this historical image still informs the self-representation of the state, as well as the formulation of policies in the fields of immigration and nationality.²³³ Hence, the lives of foreigners in Italy are somehow affected by this early history.

Even though the contemporary intensification of cross-border movements of people tends to be attributed to the deepening of globalization, human mobility has been a prevalent phenomenon during different epochs. In fact, it was at the turn of the twentieth century, in a much less interconnected and technologically advanced world, that the movement of individuals across national borders reached its peak. In this earlier era of modern migration, those adventuring themselves in long transatlantic journeys came from the poorest parts of a number of European states, such as Italy, Poland and Russia.²³⁴ By 1900, nearly one million individuals were leaving the old continent every year in search of a better life elsewhere, notably in the New World. Italians, in particular, should be well aware of their past as emigrants for they were “the source of the largest international migration in recorded world history”.²³⁵ Based on this account, it seems appropriate to state that the late nineteenth and early twentieth centuries share a commonality with present times, that is: both may be described as “immigrant eras”²³⁶. Despite this similarity, there is also a crucial discrepancy between these periods: whereas the first was marked by a liberal stance towards human mobility, in present times most receiving states adopt restrictive immigration policies in order to avoid the entrance of unwanted aliens – as mentioned in the previous chapter. Interestingly, they do so even when their economies are dependent on the additional manpower immigrants supply.²³⁷

²³³Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy, 2006.

²³⁴United Nations Development Program. Human Development Report, 2009.

²³⁵Mark I. Choate. Sending States' Transnational Interventions in Politics, Culture, and Economics: The Historical Example of Italy. IMR, v.41, n.3, 2007, p.728-768. Available at: <<<http://onlinelibrary.wiley.com/doi/10.1111/j.1747-7379.2007.00092.x/full>>>.

²³⁶Nancy Foner. The Social Construction of Race in Two Immigrant Eras. In: Nancy Foner. In a new land: a comparative view of migration. New York: New York University Press, 2005. 327p.

²³⁷United Nations Development Program. Human Development Report, 2009. And: Christian Joppke. Immigration and the Nation-State, 2003.

This ambivalent treatment of foreigners is consonant with the current situation in Italy: as it was briefly cited above, over the past two decades, the country's policy evolution in the field of immigration has been marked by an attempt to put a stop to the inflow of people, more than by an endeavor to properly manage the entrance of these individuals.²³⁸ This restrictionist bias might come as a surprise for two main reasons. First, the regulatory framework has been developed in spite of Italy's pressing economic and demographic situations, which demand the contribution of newcomers – as it is going to be further explained in the subsequent section. Second, the state has a long emigration history, having supplied the labor markets of both distant locations and neighboring countries for more than a century.²³⁹ As remarked before, it was only in mid-1970s that Italy's balance between emigration and immigration turned positive.²⁴⁰ This record indicates that the country's history as a sending state should still be a fresh memory in the minds of Italian citizens and government. From this standpoint, it is reasonable to suppose that the so-called “Great Emigration” serves to sensitize Italians to the stories and difficulties of newcomers, as well as to inform the formulation of a fair set of policies to regulate inflows of nationals from other states.²⁴¹ This argument was indeed used by the President of the Italian Republic between 1999 and 2006, Carlo Azeglio Ciampi: in 2002, when the country was dealing with yet another arrival of hundreds of *clandestini* to its water borders, the then head of the state called on Italians to take a more sympathetic stand towards the foreigners in light of their own history as migrants to foreign countries and to the industrialized Italian Northwest.²⁴²²⁴³

Although the length of the country's past as an emigration state could in principle serve as an argument favoring immigration and the acceptance of newcomers, this understanding does not accurately reflect how the historical record is interpreted by the majority. Instead of using the past to highlight similarities between the two aforesaid immigration eras, Italians choose to focus on the alleged differences between old and new flows, particularly on the misconceived idea that whereas “pull factors” explain the classical migrations of the nineteenth/twentieth centuries, “push factors” are responsible

²³⁸ Alessandro Dal Lago. *Non-persons*, 2005.

²³⁹ Daniela Del Boca, Alessandra Venturini. *Italian Migration*, 2003.

²⁴⁰ Daniela Del Boca, Alessandra Venturini. *Italian Migration*, 2003.

²⁴¹ Indeed, as it is going to be shown in the analytical chapter, several politicians of the center-left coalition rely on Italy's past as an emigration country in order to defend pro-immigrant policies.

²⁴² Andrew Geddes. *Southern Europe: Immigration Policies in Newer Immigration Countries*. In: Andrew Geddes. *The Politics of Migration and Immigration in Europe*. London: Sage, 2003, 220 p.

²⁴³ Following the Italian economic miracle (1958-1963), thousands of Italians left their homes in the South and in the mountain areas to look for jobs and a better life in the industrialized North, notably in metropolitan cities, like Milan and Turin. See more in: Paul Ginsborg. *Storia d'Italia dal Dopoguerra a Oggi: Società e Politica 1943-1988*. Torino: Einaudi, 1991.

for the current flows.²⁴⁴ According to this view, back in the beginning of the last century, Italians moved abroad not because certain regions of Italy were extremely underdeveloped, but to supply labor to societies that factually demanded their input. As a result of this interpretation, the past mobility of emigrants is understood in a positive light: Italian expatriates were helping newly formed states to construct themselves.²⁴⁵ Adding to this positive view is the idea that the integration of Italian movers into the host societies has been an unproblematic process. Conversely, current immigrants are seen as the lower social strata of poor and unstable societies, as miserable individuals who are pushed out of their countries by war, famine, poverty, among other distressful factors. Hence, the entry of foreigners in Italy is seen as a phenomenon relatively independent from pull factors in the host country. According to this “vision of pauperism”²⁴⁶, this character of contemporary immigration flows helps to explain the alleged propensity of outsiders to fall into criminality and the difficulties they face in becoming socially integrated to the Italian society.

Even though these differences between “the Great Emigration” and contemporary immigrations to Italy are widely accepted, they convey a mistaken image of both episodes; that is to say, neither the traditional emigration of Italians was so unproblematic as depicted, nor are current influxes so unstable and complicated as described. Since the main characteristics of immigration flows to Italy are presented in the subsequent section, it is enough to mention here that the Southern European state is a part of several migration systems that are complex and quite different among each other; thus, no unique picture is capable of providing a proper description of them.²⁴⁷ Despite this, it is noteworthy that the diverse communities of foreigners in the country show signs of economic and social success, an observation that contradicts the aforesaid view that new migrations are related to marginality, criminality and disorder.²⁴⁸ In short, the perception of current immigrants presented previously is simplistic and inaccurate. As for the image of the old Italian emigration, given that the present section focuses on the early history of migration flows from and to Italy, it is appropriate to do more than simply clarify why this understanding should be discredited. Therefore, the remaining of this section provides a general description of Italy as a country of emigration, of the

²⁴⁴ Asher Colombo and Giuseppe Sciortino. Italian immigration: the origins, nature and evolution of Italy's migratory systems. *Journal of Modern Italian Studies*, v.9, n.1, 2004, p. 49–70. Available at: <<<http://www2.scedu.unibo.it/colombo/ricerca/articoli/col%20sci.pdf>>>.

²⁴⁵ Asher Colombo and Giuseppe Sciortino. Italian immigration, 2004.

²⁴⁶ Asher Colombo and Giuseppe Sciortino. Italian immigration, 2004.

²⁴⁷ Asher Colombo and Giuseppe Sciortino. Italian immigration, 2004.

²⁴⁸ Caritas. Dossier Statistico, 2010.

strategies devised by the government to cope with this phenomenon, and of the ways in which this historical episode has informed the development of policies.

To start with, the idealized view of Italian emigrants must be demystified: the liberalism of late nineteenth and early twentieth centuries should not lead to the conclusion that there were no push forces acting within Italy, nor should it support the mistaken idea that once Italians arrived at the Americas, for example, their social integration was automatic and devoid of difficulties. In respect to the first qualification – that push factors should also be taken into consideration –, Choate²⁴⁹ contends that although Italy was a powerful and respected state in Europe in the late nineteenth century, it lagged way behind other nations of the continent in terms of economic development. During the peak of mass emigrations, the country was still trying to catch up with states like France and Germany. This observation indicates that Italians, similarly to current immigrants, left their homes not just because other states needed their labor; in the face of hunger and poverty, the incentives given to movers by South American states, and the promises of a better life in North America – to name two popular destinations at the time – were also important factors in the decision making process of these individuals.²⁵⁰ Thus, “the reasons [to emigrate] were, on the one hand, the slow and difficult development of the Italian economy and, on the other, the economic expansion which characterized other countries between the second half of the nineteenth century and World War I”.²⁵¹ In regard to the second claim – Italians ability to integrate in the recipient society –, accounts of the widespread prejudice against Mediterraneans in cities like New York shed new light into this assumption: of course Italian emigrants were eventually integrated in the host societies, but the large record of episodes of discrimination demonstrates that the commonly publicized image of these emigrants is partly idealized. Once again, much like current immigrants, Italians had to deal with some degree of stigmatization and discrimination.²⁵²

Despite similarities with contemporary migrations, the past outflow of Italian citizens did present some particular traits if compared to old and new experiences of human mobility. To begin with, “the Great emigration” was, as the name suggests, the largest emigration flow registered thus far in human history, counting with approximately 26 million movers between its inception in 1861 and the year of 1976.²⁵³

²⁴⁹Mark I. Choate. *Sending States’ Transnational*, 2007.

²⁵⁰Daniela Del Boca and Alessandra Venturini. *Italian Migration*, 2003.

²⁵¹Daniela Del Boca and Alessandra Venturini. *Italian Migration*, 2003, p.1.

²⁵²In New York, for example, they were seen as racially different from, and thus, inferior to people from Germanic and Irish origins. See more in: Nancy Foner. *The Social Construction of Race*, 2005.

²⁵³Daniela Del Boca and Alessandra Venturini. *Italian Migration*, 2003.

Another peculiarity of these flows in relation to old migratory movements lies in the innovative role played by the government of sending state: instead of simply standing by the population loss, the Southern European country became closely involved in the management of international movements of people.²⁵⁴ Thus, unlike the Irish and the Poles, Italian expatriates could rely on institutions from their homeland to guarantee the observance of their fundamental rights abroad – especially from 1901, year in which the second emigration law was approved. In this respect, it should be noticed that, back then, the Italian state was practically compelled to find a way to manage the phenomenon since millions of citizens were leaving the country every year.

Ultimately, the mass emigration served as much as a challenge as an opportunity to Italy. At first, it certainly represented a challenge in that the then recently united Kingdom of Italy was still attempting to establish itself as a modern state, and continuous population loss made the definition of “the people of Italy” a harder task.²⁵⁵ The Mediterranean country was in search of an identity, of a national community that would provide support for the freshly established polity. From the standpoint of a state that was trying to come to grips with its own identity, the emigration of millions of citizens certainly imposed a further obstacle to the formation of a genuinely Italian people. In addition to this difficulty, politicians and land owners also expressed concern with the economic effects of the outflow of labors, in particular from the rural areas of the country. Together, these troubles spurred the adoption of restrictive emigration policies in the early years of emigration. However, once the inadequacy of such policies became clear, and the political class changed its approach towards emigration, the phenomenon started to present itself as a challenge that held valuable new opportunities for the state. For instance, Italy could not only use its expatriates to promote its reputation abroad, but also rip off economic benefits from emigration.²⁵⁶

Despite their potentialities, outflows of people could only be a source of benefits in case the migratory phenomenon was grasped and properly managed. Additionally, it was important to make sure that Italian citizens remained closely tied to their homeland. In light of the mix of challenge and opportunity presented by large-scale emigration, concrete efforts were made to frame emigrants as “Italians abroad”, to stimulate their return, and to facilitate/encourage the sending of remittances to Italy. State-sponsored institutions were created in countries with Italian communities with a view to assuring the maintenance of cultural and economic ties between the expatriates and the

²⁵⁴Mark I. Choate. *Sending States' Transnational*, 2007.

²⁵⁵Mark I. Choate. *Sending States' Transnational*, 2007.

²⁵⁶Mark I. Choate. *Sending States' Transnational*, 2007.

peninsula.²⁵⁷ To this end, these institutions sought to promote solidarity amongst Italian citizens abroad, as well as loyalty to the homeland.²⁵⁸ In building this network of institutional support, Italy wanted to make sure that all its nationals – including the ones in its territory, the ones in Italian regions that were under the rule of other states²⁵⁹, and those dispersed around the world – were part of the so-called “Greater Italy”, a national community united by a common culture, language and tradition.

In more concrete terms, the emergence of the notion of a “Greater Italy” meant the development of very particular – and dubious – notions of nationality and citizenship.²⁶⁰ It should be clarified however, that although emigration had a lot to do with the formulation of these principles, Italy had already adopted *ius sanguinis* as the primordial criterion for the acquisition of nationality before the “Great Emigration”.²⁶¹ After the unification of the state in 1861, no clear definition of which individuals were to take Italian nationality was provided, and it was only in 1865, with the introduction of the New Civil Code, that a model of citizenship was finally defined. According to this model, a state was to be founded upon an ethnically defined nation; consequently, those who belonged to the Italian cultural and linguistic community were to be considered Italian nationals. In light of this ethnic principle, *ius sanguinis* provided a reasonable indicator of nationality.²⁶² Thereafter, the large-scale departure of Italian citizens augmented the number of expatriate communities, and this fact imposed a challenge to the 1865 framework on nationality, which was aggravated by the variety of citizenship laws adopted by the countries receiving Italian subjects.²⁶³

Since Italy did not recognize dual nationality, but was interested in maintaining expatriates connected to the country, a number of legal measures were progressively devised by the government to assure that emigrants did not lose contact to their homeland, even if they had been legally detached from it. In order to keep these ties alive, as well as to encourage the repatriation of emigrants and to guarantee the continuous entrance of remittances, the 1901, the 1912 and even the 1992 acts made it

²⁵⁷Mark I. Choate. *Sending States’ Transnational*, 2007.

²⁵⁸The organization of a number of ethnic activities, such as language courses and cultural festivals, and the protection of migrants’ fundamental rights were some of the means developed by those governing the Mediterranean state to achieve these objectives.

²⁵⁹The Italian state was founded in 1861 without the territories of Venice, Rome, Trieste, and Trentino-Alto Adige, which became part of the country respectively in 1866, 1870, and the last two in 1919.

²⁶⁰Marta Arena, Bruno Nascimbene and Giovanna Zincone. *Italy*, 2006.

²⁶¹Marta Arena, Bruno Nascimbene and Giovanna Zincone. *Italy*, 2006.

²⁶²It should be noticed that other factors influenced the adoption of blood as an indicator of nationality, such as the 1804 Napoleonic Code and Roman Law. See more about the historical evolution of the nationality principle in Italy in: Marta Arena, Bruno Nascimbene and Giovanna Zincone. *Italy*, 2006.

²⁶³As exemplified by the case of Brazil, which automatically naturalized immigrants that resided in its territory.

easier for expatriates and their offspring to return to the country and to regain their lost – in some cases, never obtained – citizenship.²⁶⁴ As a result, the evolution of the legal framework on nationality led to the establishment of a strong co-ethnic preference that is dominant in the country's legislation up to present days – although some liberal reforms are being sought currently.²⁶⁵ A proof of this co-ethnic bias may be found in the treatment of the problems generated by dual nationality: even though double belonging was not legally accepted until the end of the twentieth century, the Italian Parliament had tolerated its existence since 1912. The decision to accept this double status was motivated precisely by the will of maintaining ties with Italians abroad.²⁶⁶ Another, more recent example may be found in the 1992 new Nationality Act, which clearly disregarded that Italy has become a country of immigration, and introduced a program for individuals of Italian ethnicity and culture who have lost the country's nationality to reacquire it.

Arena, Nascimbene and Zincone²⁶⁷ contend that the 1992 law in particular was an outdated provision and a step backwards in relation to progresses made since the 1912 Act.²⁶⁸ In addition, they argue that this law indicates that a “discreet nationalism” still pervades the country's political sphere, albeit in concealed manner. The main problem with the legal preference given to individuals of Italian descent is that it is based on the anachronistic notion of a “Greater Italy”, which is at odds with the country's current reality – after all, it has been for more than three decades now a destination for migrants. As a consequence of these developments, people of far Italian origins get easy access citizenship, whereas long-term foreign residents, their children, and refugees have to pass by long and discretionary processes with uncertain endings. According to the aforementioned authors²⁶⁹, the outdated character of the 1992 act may be partly explained by the fact that it was the result of a delayed-action provision of the 1960s, a decade during which the country was still coping with emigration. However, the fact that the nationality reform was unanimously approved in the early 1990s demonstrates that nationalist myths related to the notion of a “Greater Italy” are still prevalent nowadays. In this respect, the “myth of productive return” and the “myth of *L'altra Italia*” (the Other Italy) are noteworthy. In regard to the first, it refers to the idea

²⁶⁴ Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy, 2006.

²⁶⁵ In regard to these liberal reforms, see: Giovanna Zincone. Immigration and Immigrant Policy in Europe, 2009.

²⁶⁶ Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy, 2006.

²⁶⁷ Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy, 2006.

²⁶⁸ The 1948 democratic constitution was considered an advanced document in that it not only opposed Fascist notions, but also against discrimination and promoted gender equality

²⁶⁹ Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy, 2006.

that emigrants would eventually return to Italy bringing along with them human and financial capital, which would help to enrich the country. The second mythical story supports the first by adding to it the erroneous idea that foreigners of Italian descent are still culturally linked to their ancestors' homeland.

Together, these tales expose the “discreet nationalism” that still informs policy-making in the field of nationality and citizenship, and that impinges directly upon the lives of foreigners in Italy.²⁷⁰ In fact, the persistence of nationalistic myths concerning Italy's history as a emigration country was evidenced by the low priority given to the revision of the law on nationality in the beginning of the 2000s: instead of working on a reform that favored long-term residents and second generations of immigrants, the legislation adopted then has reasserted the precedence given to Italian descendents living abroad. Yet, it should be noticed that other factors, such as the public opinion's backlash towards immigration and the center-left fear of electoral defeats help to explain why a nationality reform had not been eagerly pursued.²⁷¹ Currently, this situation seems to be changing as a liberal proposal of reform – the 2009 Saribbi-Granata Bill – is under discussion in the parliament. Interestingly, components of the center-right, as Gianfranco Fini, have been supportive of this pro-immigrant change of the nationality law.²⁷² This positive turn, however, seems to come at the expense of additional influxes of foreigners. In sum, this section has attempted to demonstrate that the historical course of the Italian state as a emigration country has significantly influenced its self-representation, the understanding of current immigration flows, as well as policy-making. Conversely, the subsequent sections of this chapter introduce the main features of Italy as a country of immigration, devoting special attention to the perception of the phenomenon in the country.

3.2 Immigration to Italy

The objective of the second section of this chapter is twofold: first, it aims at providing a brief, yet general account of immigration to Italy. In other words, it describes the main and multifarious characteristics of this *human* phenomenon, ranging from its inception to the current situation. In doing so, it also attempts to re-evaluate some commonly held assumptions about the migration in Italy, such as its alleged negative impacts on the

²⁷⁰ Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy, 2006.

²⁷¹ Marta Arena, Bruno Nascimbene and Giovanna Zincone. Italy, 2006.

²⁷² Giovanna Zincone. Immigration and Immigrant Policy-making in Europe, 2009.

labor market. The second part, in turn, does not look at migration as such, but at the social context in which incoming flows of immigrants were incorporated over time. The objective of this exercise is first, to provide some hints on how the changing social, political and economic context impinges upon the perception of immigrants in the host society, and second, to demonstrate the progressive politicization and eventual securitization of this matter in the country.

3.2.1 Immigrants: when, who, why, and where

This section aims at sketching a general picture of immigration flows to Italy. As the title indicates, it specifies when influxes started and intensified, the current amount of immigrants in the country, the profile of these new residents, the reasons why they left their homes and chose Italy as a destination, their contributions and burdens to the host society, and the regions where they are geographically established. However, it should be remarked that the objective here is not to provide an exhaustive account of immigration flows to Italy, but to present facts that help to make sense of the main perceptions of foreigners in the country, and of the evolution of immigration policy.

According to Sciortino and Colombo²⁷³, immigration to the “bel paese” is a much older phenomenon than most assume: although the country's migratory balance only turned positive in mid-1970s, Italy had been an immigrant destination for more than a century when traditional recipients of inflows in the European continent decided to halt the entry of outsiders, thereby diverging a part of their influxes to Italy. In the nineteenth and early twentieth centuries, for example, Hungarians, Russians, Albanians, and German Jews entered Italy as refugees. In addition to these groups, a number of workers from both the European neighborhood and distant continents, such as Yugoslavians, Argentinians and Americans, deliberately choose to settle in the Southern European state. Italy was also an attractive destination to other categories of immigrants due to its rich culture and natural beauty.²⁷⁴ Therefore, Italy has been an autonomous destination of several migratory flows for long and, although their numerical significance was not high before the mid-70s²⁷⁵, the very existence of these inflows indicates that the country has never had one unique type of immigration, but rather a plurality.²⁷⁶ This fact makes the task of this section particularly complex in that

²⁷³ Asher Colombo and Giuseppe Sciortino. *Italian Immigration*, 2004.

²⁷⁴ Asher Colombo and Giuseppe Sciortino. *Italian Immigration*, 2004.

²⁷⁵ In 1971, for example, Italy had approximately 121 thousand foreign residents, that is, 2.2 outsiders per one thousand citizens, a number negligible if compared to the current 4 million immigrants.

²⁷⁶ Asher Colombo and Giuseppe Sciortino. *Italian Immigration*, 2004.

generalizations are unavoidably reductionist, and thus, cannot be successful in accurately depicting the phenomenon. Yet, as mentioned, the goal here is not to provide an exhaustive account of migration to Italy, but to describe facts that are considered important to understand the evolution of the policy framework, the main frames used by natives and politicians to approach immigration, and the inadequacy of some representations of the phenomenon.

Even though Italy has been a part of a plurality of migratory systems, according to one of the commonly held perceptions of human mobility in the country, contemporary migration flows are composed by foreigners from the so-called Third World, who are poor, unemployed and perhaps suffering persecution – as mentioned in the previous section.²⁷⁷ These plights are said to be the main motivations of international movements of people to Italy. Hence, according to this view, people who decide to move to the Western hemisphere are escaping distressful situations in their own countries. However – so the tale goes –, Italy does not need immigrants' extra economic and social input, and since these individuals are considered neither necessary nor wanted, they are oftentimes obliged to resort to irregular means to surpass the borders of richer countries. What's more, due to the unauthorized character of their presence, most of them – so it is said – end up occupying marginal labor positions in the underground economy of the country of settlement.²⁷⁸

The occasional arrival of boats to the Italian seacoast, the frequent resort to regularizations, and the treatment of immigration as an emergency – as presently, with the African Spring – have certainly helped to reinforce this view. Moreover, this perspective is supported by other misinformed understandings, and of particular relevance here are the ones concerning the number of foreigners in the country and the economic and social impacts of their presence. In 2009, for example, when Italy was in the midst of a period of economic hardship marked by the collapse of part of the domestic productive sector, by the reduction of labor positions, and by the increase of both the unemployment and internal migration rates, immigrants faced a disproportionate economic loss precisely because they were somehow associated to the causes of the crisis.²⁷⁹ In social terms, immigration is considered no less troubling for

²⁷⁷ Asher Colombo and Giuseppe Sciortino. *Italian Immigration*, 2004.

²⁷⁸ Emilio Reyneri. *Illegal immigration and the underground economy*. National Europe Centre Paper, n. 68. Paper presented at the conference *The Challenges of Immigration and Integration in the European Union and Australia*, 18-20 February 2003, University of Sydney.

²⁷⁹ Caritas Italiana - Fondazione Migrantes. *Immigrazione: Dossier Statistico 2010. Dossier 1991-2010: per una cultura dell'altro. XX Rapporto. Scheda di Sintesi*. Rome: IDOS, 2010. Available at: <<http://www.caritasitaliana.it/materiali/Pubblicazioni/Libri_2010/dossier_immigrazione2010/scheda_sintesi.pdf>.

the receiving country: the alleged connection between criminality and cross-border movements of people, for instance, not only remained alive over the past years, but has been exacerbated – as it is going to be further explained below. From the standpoint of such negative images, it is hardly surprising that immigration is considered such a problematic and threatening phenomenon.

Despite their widespread acceptance, these images do not seem to correspond to the reality of immigration in Italy. In light of this controversy, the information presented ahead attempts to describe this multifarious human phenomenon and to demonstrate that these common perceptions are misinformed and erroneous. To begin with, it is important to clarify the magnitude and basic traits of the migratory phenomenon. Even though in 2009, Italian citizens believed that immigrants represented 23% of the resident population²⁸⁰, as of January 1st 2010, the number of foreign-born residents in Italy actually amounted to 4.235.059 units, that is to say, approximately 7,0% of the overall population.^{281 282} However, the foreign population is not evenly distributed throughout the territory: whereas 60% of all immigrants live in Northern regions, 25,3% reside in the Central area, and only 13,3% are in the *Mezzogiorno* (southern part of Italy). What's more, the immigrant population has experienced an enormous expansion over the last years: although migratory inflows to Italy started four decades ago, during the first ten years of the new millennium alone, the number of foreigners increased from 1 to more than 4 millions. Even more impressive than this augment is the fact that, between 2007 and 2009, the increment on the number of immigrants was of more than 1 million. It is also interesting to note that, in 2010, one fifth of the country's migrants (22%) were still under the age of 18, and that 573 thousand of these minors were born in Italy²⁸³ – an indication that the second generation problem is growing and that the nationality law must be revised soon.

In regard to the presence of irregular foreigners, estimates indicate a figure between 500 and 700 thousand undocumented immigrants.²⁸⁴ However, in this respect, it is wise to remember that immigrants in Italy shift between status categories very

²⁸⁰ Transatlantic Trends. Transatlantic Trends Immigration: Principali Risultati 2010. Available at: <<http://www.affarinternazionali.it/documenti/TT-immigr10_IT.pdf>>.

²⁸¹ Istituto Nazionale di Statistica (Istat). Popolazione: La popolazione straniera residente in Italia al 1° gennaio 2010, 2010. Available at: <<http://www.istat.it/salastampa/comunicati/non_calendario/20101012_00/testointegrale20101012.pdf>>.

²⁸² The Statistical Dossier annually published by Caritas contends that if all the foreign residents are taken into consideration (including those not yet registered in the *anagrafe*), the number amounts to 4.919.000 immigrants. See more at: Caritas Italiana - Fondazione Migrantes. Immigrazione, 2010.

²⁸³ Istituto Nazionale di Statistica (Istat). Popolazione, 2010.

²⁸⁴ Caritas Italiana - Fondazione Migrantes. Immigrazione, 2010.

easily due to frequent amnesties, and to the precarious and short term character of many permits – a fact that has been worsened by recent policy changes.²⁸⁵ Furthermore, although Italy has been often appointed as the soft underbelly of the Schengen zone, the image of thousands of poor and destitute risking their lives in the Mediterranean sea in an attempt to enter Europe does not correspond to the reality of most irregular immigrants currently living in the country. As Pastori, Monzini and Sciortino²⁸⁶ argue, “the largest irregular migratory systems operating in Europe take place through the abuse of visa conditions rather than through clandestine entry”²⁸⁷. In fact, most irregular workers in Europe are from countries that enjoy relatively open visa regimes. This means that the taken-for-granted connection between irregular migration systems and international criminal activities is not accurate; that is to say, not only smugglers are responsible for a small percentage of the clandestine population in Italy – and in Europe, for that matter –, but also smuggling operators are less structured and organized than generally assumed.²⁸⁸ In spite of these qualifications, irregular influxes have monopolized the public opinion and political decisions on immigration²⁸⁹, as it is going to be further explained below.

Concerning the provenience of immigrants, it is surprising to find out – at least from the viewpoint of the perceptions described above – that almost half of all aliens currently living in Italy come from the neighboring Eastern European region.²⁹⁰ Romania is a case to note: nationals from this new EU member state occupy the first position in the rank of main nationalities, accounting for more than 1 million and 73 thousand of foreign-born residents in the country.²⁹¹ Not surprisingly, Albanians and Moroccans come right after Romanians, albeit their communities are half as big as the one of the first group. Asians, too, are an important group in the peninsula: there are almost 200 thousand citizens from the Popular Republic of China in Italy, and a

²⁸⁵ Liza Schuster. The Continuing Mobility of Migrants in Italy: Shifting between Places and Statuses. *Journal of Ethnic and Migration Studies*, v.31, n.4, 2005, p.757-774. Available at: <<<http://www.ingentaconnect.com/content/routledg/cjms/2005/00000031/00000004/art00008>>>.

²⁸⁶ Ferruccio Pastori, Paola Monzini and Giuseppe Sciortino. Schengen's Soft Undebelly: Irregular Migration and Human Smuggling across Land and Sea Borders to Italy. *International Migration, Journal Compilation*, v.44, n.4, 2006, p.95-119. Available at: <<<http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2435.2006.00381.x/abstract>>>.

²⁸⁷ Ferruccio Pastori, Paola Monzini and Giuseppe Sciortino. Schengen's Soft Undebelly, 2006, p.96.

²⁸⁸ Ferruccio Pastori, Paola Monzini and Giuseppe Sciortino. Schengen's Soft Undebelly, 2006.

²⁸⁹ Caritas Italiana - Fondazione Migrantes. Immigrazione: Dossier Statistico 2009. Immigrazione: conoscenza e solidarietà. XIX Rapporto. Scheda di Sintesi. Rome: IDOS, 2009. Available at: <<http://www.caritasitaliana.it/materiali/Pubblicazioni/libri_2009/dossier_immigrazione2009/scheda.pdf>>.

²⁹⁰ Istituto Nazionale di Statistica (Istat). Popolazione, 2010.

²⁹¹ Istituto Nazionale di Statistica (Istat). Popolazione, 2010.

growing number of nationals from other Asian states, such as India and Pakistan.²⁹² When it comes to the annual growth of the number of foreigners, the eastern part of the old continent is again over-represented: more than 50% of newly arrived immigrants comes from this region.²⁹³ These figures indicate that although some immigrants may have left their countries of origin to escape persecution and extreme poverty, these motivations do not explain the mobility of the majority of those residing in Italy. Rather, the Italian situation seems to be in tune with the trend described in the 2009 Human Development Report, that is: “development and migration go hand in hand”.²⁹⁴

Additional factors – other than the numerical preponderance of Eastern Europeans in the country – support the view that Italy has not become a destination for the poorest individuals from the most underdeveloped and unstable parts of the world, such as: the main characteristics of immigrant groups, their reasons to emigrate, and Italy's power of attraction of movers. Concerning the profile of outsiders and their main motivations to leave their home countries, Reyneri²⁹⁵ contends that Italians must abandon the assumption that immigrants are escaping poverty or war not because none of the movers fit this stereotype, but because the largest part of Italy's foreign-born residents actually come from the urban areas of states with an intermediate level of development. Plus, most of them are young adults from families that rarely occupy the lowest social strata of their societies of origin. According to the author: “most new migrants are simply escaping the downfall of their growing expectations caused by the globalization of the Western everyday life models”.²⁹⁶ The latter statement indicates that mobility is connected to both economic and cultural expectations: whereas it is probably accurate to state that the majority of immigrants want to make money, there is also a less known dimension to emigration, one connected to these individuals' will of being free from family restrictions and traditional values, of adopting a consumerist or fun-oriented lifestyle, or of improving their quality of life and that of their families.²⁹⁷

With regard to Italy's attractiveness as a destination, this power may be partly ascribed to the objective opportunities that the country's labor market for example, offers, as well as to the image that the country holds abroad. As a matter of fact, Italy's image, diffused through migration chains, makes the country particularly attractive to potential newcomers. First, due to the repeated legalization schemes, Italy is seen as a

²⁹²Istituto Nazionale di Statistica (Istat). Popolazione, 2010.

²⁹³Istituto Nazionale di Statistica (Istat). Popolazione, 2010.

²⁹⁴United Nations Development Programme. Overcoming barriers, 2009, p.2.

²⁹⁵Emilio Reyneri. Illegal immigration and the underground economy, 2003.

²⁹⁶Emilio Reyneri. Illegal immigration and the underground economy, 2003, p.6.

²⁹⁷Emilio Reyneri. Illegal immigration and the underground economy, 2003.

place where it is possible for those crossing national borders irregularly to regularize their legal situation eventually. Second, due to the country's large informal sector, finding work in the gray economy is deemed to be a relatively easy task.²⁹⁸²⁹⁹ Even though it is undeniable that the underground economy has a strong pull effect on migration³⁰⁰, the formal domestic labor market of this European state has forces of its own, which also help to pull immigrants in the direction of the peninsula. Unlike other European immigration countries, Italy has never had an active program to recruit workers – partly because large inflows to the country started so late. Even so, according to Colombo and Sciortino³⁰¹, the internal demand for foreign labor made up for the absence of such programs.³⁰² Although the need for foreign manpower is fragmented, a number of economic sectors, such as agriculture and small industrial business, continuously pressure the government to increase legal migration channels. In fact, this demand is so significant that it gave birth to one of the strongest pro-immigration lobbies in the country, that of the employer's associations.³⁰³ As a result of these developments, foreign workers represent approximately one tenth of the labor force of Italy – or 2 million workers –, and in 2008, were responsible for 11,1% of its GNP.³⁰⁴

This objective need for workers is also explained by the reluctance of native Italians to accept low skilled jobs, as well as by the unbalanced demographic situation of the country. In regard to the first, it is important to mention that immigrant labor in Italy has mostly a complementary function.³⁰⁵ According to a study released in 2009 by Banca d'Italia³⁰⁶, immigrants are over-represented in low-skilled occupations – 16% –, and under-represented in sectors that require a high level of professional skills – less

²⁹⁸Emilio Reyneri. *Illegal immigration and the underground economy*, 2003.

²⁹⁹Amongst OECD countries, Italy has ones of the largest informal sectors, which in the late 1990s represented nearly 30% of its GNP and employed approximately 25% of the country's labor force. Conversely, the formal sector is one of the most regulated in Europe – in terms of hiring practices and job security – and the costs related to this level of regulation help to explain the dual structure of the economy, as well as the growing importance of migrant labor. See more in: Carl-Ulrick Schierup, Peo Hansen and Stephen Castles. *Economic Miracle and Political Limbo: Italy and its 'Extracommunitarians'*. In: Carl-Ulrik Schierup, Peo Hansen and Stephen Castles. *Migration, citizenship, and the European welfare state: a European dilemma*. Oxford: Oxford University Press, 2006. 328p.

³⁰⁰Emilio Reyneri. *Illegal immigration and the underground economy*, 2003.

³⁰¹Asher Colombo and Giuseppe Sciortino. *Italian Immigration*, 2004.

³⁰²Asher Colombo and Giuseppe Sciortino. *Italian Immigration*, 2004.

³⁰³On the role played by the employer's association lobby in Italy, see: Giovanna Zincone. *Immigration and Immigrant Policy-making in Europe*, 2009.

³⁰⁴Caritas Italiana - Fondazione Migrantes. *Immigrazione*, 2010.

³⁰⁵That is to say, foreigners occupy low labor positions in sectors that have been suffering from low supply.

³⁰⁶Banca d'Italia. *L'immigrazione*. In: Banca d'Italia. *Relazione Annuale sul 2008: Presentata all'Assemblea Ordinaria dei Partecipanti. Centoquindicesimo esercizio*. Roma, 2008. Available in: <<http://www.bancaditalia.it/pubblicazioni/relann/rel08/rel08it/economia_italiana/rel08_11_immigrazione.pdf>>.

than 1%. This placement of migrant labor explains why a society that has been facing high unemployment rates still needs manpower from abroad.³⁰⁷ This information also helps to discredit the economic and welfare-related accusations against aliens that often emerge in societies hosting a large number of immigrants. Whereas this data proves that migrants are not taking the jobs of native workers, this labor segmentation also indicates that the Italian economic sector and job market are pervaded by a certain degree of ethnic, national and gender discrimination.³⁰⁸ In fact, the so-called “immigrant jobs” have suffered a progressive degradation not only in terms of wages and union protection³⁰⁹, but also in terms of working conditions, including working hours, physical effort and risk of accidents.³¹⁰ Consequently, foreign workers are extremely vulnerable. Another mistaken, yet widespread notion about labor migration is that the competition of foreign workers will decrease the average remuneration of natives. However, the contrary has been observed in Italy, that is: the growing number of aliens has had a modest, yet positive effect on the wages of national citizens.³¹¹

Immigrants are not dependent on the welfare system either. On the contrary, this group's fiscal contribution is much higher than the state expenditure on them.³¹² More than that, according to Sciortino³¹³, migration may be seen as a phenomenon that supports the continuous functioning of welfare regimes in Europe. Italy, in particular, with its conservative welfare system³¹⁴, needs a large pool of household services that cannot possibly be supplied without immigrant labor. This is because the increasingly participation of women in the labor market, coupled with population aging have made it difficult for family members to produce these services themselves. In this context, migration serves as an alternative to both the self-production of these services and to their public provision. Obviously, this analysis encompasses only one economic sector,

³⁰⁷ Caritas. Dossier Statistico, 2010.

³⁰⁸ Carl-Ulrick Schierup, Peo Hansen and Stephen Castles. *Economic Miracle*, 2006.

³⁰⁹ Carl-Ulrick Schierup, Peo Hansen and Stephen Castles. *Economic Miracle*, 2006.

³¹⁰ Emilio Reyneri. *Illegal immigration and the underground economy*, 2003.

³¹¹ Banca d'Italia. *L'immigrazione*, 2009.

³¹² Caritas Italiana - Fondazione Migrantes - Caritas diocesana di Roma. *Immigrazione: Dossier Statistico 2008. Lungo le strade del futuro. XVIII Rapporto. Scheda di Sintesi*. Rome: IDOS, 2008. Available at: <<http://www.caritasitaliana.it/materiali/Pubblicazioni/libri_2008/Dossier_immigrazione2008/Materiale/scheda_sintesi.pdf>>.

³¹³ Giuseppe Sciortino. *Immigration in a Mediterranean Welfare State: the Italian Experience in Comparative perspective*. *Journal of Comparative Policy Analysis*, v.6, n.2, 2004, p.111-129. Available at: <<<http://www.tandfonline.com/doi/abs/10.1080/1387698042000273442>>>.

³¹⁴ A conservative type of welfare regime consists of a system focused on the role of the family in providing welfare for its members, so that the head of the household will receive benefits and pass it along to its family members. What's more, employment management is passive, labor market regulations are very high, welfare programs mostly consist in money transfers – as opposed to the direct provision of services – and compulsory insurance provisions are made. See more in: Giuseppe Sciortino. *Immigration in a Mediterranean Welfare State*, 2004.

in addition to disclosing a problematic aspect of immigrant work in households – i.e. it is sustainable as long as it is informal.³¹⁵ Yet, this example demonstrates how important the input of immigrants has become to Italy's productive and welfare systems. This importance, however, should not be considered a novel fact: according to Schierup and others³¹⁶, “migrants provided a cheap source of 'primitive accumulation' for the initial phase of the small-business revolution in the 1980s and 1990s”.³¹⁷

The demographic profile of immigrants is also an extremely important asset to states characterized by eminent rates of population aging, as Italy. In such context, inflows of people are considered important because they are responsible for bringing the demographic balance back to a provisional equilibrium.³¹⁸ In fact, whereas the average age of native citizens in the peninsular country is 43 years old, the one of foreign-born residents is much lower, 31.³¹⁹ Moreover, less than 2% of the latter individuals are over 65, i.e. immigrants do not impose an additional burden on a welfare system that is already under much stress. Another interesting fact is that without immigration, the Italian population would be shrinking. In 2009, for example, the number of native citizens diminished in 70 thousand units. Thus, the minor population increment observed that year was exclusively attributable to the natural growth of the foreign-born community.³²⁰

At last, it is interesting to make some statistically informed remarks on the alleged propensity of immigrants, in particular unauthorized ones, to commit criminal acts since this perception has been receiving much attention from politicians and the electorate. The nexus migration-criminality has been reinforced over the past years – even though much of the empirical support for this contention has been questioned –, and the easy appeal of this assumption has recently culminated in the adoption of the “security package”, which, as said before, seems to be more concerned with immigration than with the actual provision of security to the citizenry. In light of this evolution, it is extremely relevant to clarify whether immigrants are indeed more involved in criminal activities or whether, for example, “immigrant's offenses incite

³¹⁵Their regulation might reproduce the Baumol's cost disease also to immigrant work, that is: “the provision of personal services oscillates between the risk of a sharp reduction in their supply (if the wages in the sector follow its relative productivity) and the risk of a sharp reduction in the demand for them (if their wages follow the trend established by the most productive sectors and services, labor costs will price personal services out of the market)”. In: Giuseppe Sciortino. *Immigration in a Mediterranean Welfare State*, 2004, p.116.

³¹⁶Carl-Ulrick Schierup, Peo Hansen and Stephen Castles. *Economic Miracle*, 2006.

³¹⁷Carl-Ulrick Schierup, Peo Hansen and Stephen Castles. *Economic Miracle*, 2006, p.182.

³¹⁸Caritas Italiana - Fondazione Migrantes. *Immigrazione*, 2010.

³¹⁹Caritas Italiana - Fondazione Migrantes. *Immigrazione*, 2010.

³²⁰Istituto Nazionale di Statistica (Istat). *Popolazione*, 2010.

more scandal than those of co-nationals”.³²¹ In 2009, Caritas-Migrantes³²² released a study which indicated that, albeit immigrants lived under less favorable social conditions than Italian citizens, the criminality rates of the former group were just slightly higher than the ones observed for the latter.³²³ The study adds that, if the age difference between the groups is controlled for, their criminality rates are actually quite similar. If only regular immigrants are taken into account, the numbers are even less supportive of the linkage described above: for example, while between 2001 and 2005, the number of foreigners in possession of a residence permit increased more than 100%, the increment observed in the number of accusations involving these individuals was proportionally much lower, 45%.

Conversely, if only unauthorized immigrants are considered, the picture is less favorable: this group accounts for 70-80% of the criminal charges.³²⁴ Nevertheless, these figures should not immediately lead to the conclusion that there is a nexus between “illegal” migration and criminality. Several qualifications must be made in regard to this data: for one, a large part of these charges consist of “instrumental” crimes, that is to say, offenses related to these persons' statuses as immigrants.³²⁵ Much is also said about the high rate of incarceration of immigrants³²⁶, however, these numbers do not take into account that foreigners can rarely benefit from alternative penalties or from home arrest. Nor do they consider that legal and police institutions are generally biased against immigrants: once accused, foreigners are five times more likely to end up in prison. What's more, their sentences tend to be heavier than the ones of Italians who have committed the same crimes. Moreover, foreigners normally must rely on public defenders and might have difficulties in communicating.³²⁷ At last, it is relevant to note that irregular migrants are one of, if not the most vulnerable group in the society, and this fact also helps to explain why some of them end up resorting to criminal activities. The latter comment alludes to the topic of the next section, the social context in which inflows of foreigners have been taking place, and how these contextual changes functioned as a fertile soil for securitizing actors to frame immigrants and other

³²¹Free translation. Original in Italian: “il delitto dell'immigrato suscita più scandalo di quello di un connazionale”. Maurizio Ambrosini. *Immigrazione*, 2010, p.16. In: Maurizio Ambrosini. *Immigrazione: il Dilemma della Società Italiana*. In: *La Sicurezza in Italia*, 2010.

³²²Caritas Italiana - Fondazione Migrantes. *La criminalità degli immigrati: dati, interpretazioni e pregiudizi*. Presentazione della ricerca. Roma, 6 ottobre 2009. Available at: <<http://www.caritasitaliana.it/materiali/dossier_immigrazione/comunicato_criminalita_immigrati_06102009.pdf>>

³²³Caritas Italiana - Fondazione Migrantes. *La criminalità degli immigrati*, 2009.

³²⁴Caritas Italiana - Fondazione Migrantes. *La criminalità degli immigrati*, 2009.

³²⁵Caritas Italiana - Fondazione Migrantes. *La criminalità degli immigrati*, 2009.

³²⁶Caritas Italiana - Fondazione Migrantes. *La criminalità degli immigrati*, 2009.

³²⁷Alessandro Dal Lago. *Non-persons*, 2005.

vulnerable social groups as dangerous to the public order and security of the country.

3.2.2 Heading to the insecure North? Social climate and discrimination in Italy

This section has as its main objective to describe the evolution of the context and of the social climate in which immigration flows to Italy have been taking place. Moreover, it attempts to demonstrate how contextual changes are related to the progressive securitization of immigration in the country. It should be noticed that, while the descriptions of the first decades of immigration are slightly superficial, particular attention is devoted to the period between 2007 and 2009. This focus is justified by the fact that the case study of the present work, the “security package”, was officially launched by the fourth Berlusconi government(2008-today) in May 2008.

As aforementioned, the presence of outsiders in Italy may be traced back to the period following the country's unification in 1861, even though the quantity of immigrants then was negligible if compared to current figures.³²⁸ In spite of the numerical unimportance of this early group of movers, the mere acknowledgment of the existence of inflows of people to the country has important implications for the conventional wisdom on the phenomenon. One of the implications of this less known facet of immigration to Italy is the fact that native Italians have had to deal with the presence of foreigners much before the 1970s, even if the number of aliens was not that high. In other words, a public discourse on immigration, although marginal, existed long before irregular immigrants and boat people started to elicit strong nationalistic emotions in the country. Colombo and Sciortino³²⁹ contend that this early public discourse on foreigners was not immediately marked by a discovery of the “Other”; rather, newspaper articles demonstrate that immigration was a part of Italy's self-definition as a country. In light of immigration flows, Italians looked at their home country in a positive and in a negative way: on the one hand, the choice of Italy as a destination served to attest that the country offered a good quality of life to its residents; on the other, migration disclosed that, in relation to the countries of origin of some immigrant groups, Italy was still a backward and provincial society. Plus, during this early phase, immigrants were not considered responsible for the society's difficulties,

³²⁸ Asher Colombo and Giuseppe Sciortino. *Italian Immigration*, 2004.

³²⁹ Giuseppe Sciortino and Asher Colombo. The flows and the Flood: the public discourse on immigration in Italy, 1969-2001. *Journal of Modern Italian Studies*, v.9, n.1, 2004, p.94-113. Available in: <<<http://www.informaworld.com/smpp/content~db=all~content=a713706314>>>.

nor were they publicly connected to problems as terrorism and criminality.³³⁰ In fact, in the early 1980s, Italy was one of the countries with the lowest number of “racial” incidents in Europe. Back then, the general climate towards the increasing presence of foreigners was one of social tolerance.³³¹ The analysis of the public discourse on immigrants confirms this view: according to Sciortino and Colombo³³², although the presence of foreigners was thought to indicate the ills of a backward society plagued by unemployment and other economic difficulties, “foreigners were attracted by the quality of life and the tolerance and peaceful nature of the population”.³³³

During the 1970s and early 1980s, these characteristics, alongside the positive image held by Italy in Asian and African countries, were part of the appeal of the “bel paese” for those intending to look for a better life in the Northern hemisphere. Of course, other widely cited factors, such as the “pull forces” of the Italian segmented labor market and the aforesaid entry restrictions adopted by other European states, are of primary importance to understand the shift from what had been a traditionally negative migratory balance to a positive one. However, what is particularly interesting about the early history of immigration in the Mediterranean country is that the reported “social tolerance” is in sharp contrast with the current situation: according to the 2008 Special Eurobarometer issue³³⁴, discrimination is perceived as a widespread phenomenon in the Italian society, with native citizens being the least comfortable in Europe with having a neighbor of a different ethnic origin, and a political leader from an ethnic minority group. Thomas Hammarberg³³⁵, the Commissioner for Human Rights of the Council of Europe, adds to these negative findings by identifying a continuous trend of racism and xenophobia in the country, targeting primarily foreigners, their descendents, and Roma and Sinti populations. Unfortunately, while the initial tolerance to immigration might have come as a surprise to current observers of the phenomenon, the latter findings would most probably be seen as unremarkable acknowledgments of a reality that has been more often than not featuring public debates and legislative innovations in the

³³⁰ According to Tsoukala, Italian security agencies already looked at immigrants with suspicion: in several of these bodies' reports, foreigners are depicted as dangerous or criminal individuals. Yet, this was not a widespread view. See more in: Anastasia Tsoukala. *Looking at Migrants as Enemies*, 2005.

³³¹ Giovanna Campani. *Immigration and Racism in Southern Europe: the Italian case*. *Ethnic and Racial Studies*, v.16, n.3, 1993, p.507-535. Available at: <<<http://108.71.21.181/guenther-history/Europe%20since%201945%20grad%20class/Campani%20-%20Immigration%20and%20Racism%20in%20Southern%20Europe%20-%20the%20Case%20of%20Italy.pdf>>>.

³³² Giuseppe Sciortino and Asher Colombo. *The flows and the Flood*, 2004.

³³³ Giuseppe Sciortino and Asher Colombo. *The flows and the Flood*, 2004, p.101.

³³⁴ European Commission. *EuroBarometer Special Surveys: Discrimination in the European Union 2008*, n.296, 2008. Available at: <<http://ec.europa.eu/public_opinion/archives/eb_special_300_280_en.htm>>.

³³⁵ Council of Europe. Report by Thomas Hammarberg, 2009.

country – at least since the mid-1980s, as Sciortino and Colombo's³³⁶ analysis demonstrate.

The rise of discrimination and xenophobia against immigrants and minority groups, and more broadly speaking, the unease felt by large parts of the Italian population with the new components of their society is not an isolated occurrence; rather, it is a result of wider societal transformations that certainly have something to do with the presence of a growing number of immigrants in Italy, but are not exclusively attributable to this phenomenon. Other economic, cultural and political changes are related to Italians' stand against the entry and settlement of foreigners in the country. Indeed, the inception of larger inflows of immigrants in Italy coincided with a moment of transition in the domestic economy, which was consolidating its transmutation from an industrial to a service society. This shift, however was not without its losers: between 1980 and 1989, the incidence of poverty in the country increased from 8,3 to 14,4%, a change that turned Italy into one of the societies with the highest rates of economic inequality in the European continent.³³⁷ Therefore, immigration was experiencing its first intensification at a moment when life conditions in Italy were suffering some degree of degradation.³³⁸ As a result, a sense of insecurity was rising amongst citizens.

What's more, the period from 1980s to beginning of the 1990s corresponds to the years during which traditional structures of solidarity, such as trade unions, and the country's left-oriented culture started to give way not only to more conservative ideologies, but also to the pursuit of individual strategies of life, and to a consumerist society.³³⁹ This is not to say that the difficulties and instabilities caused by these changes justify discriminatory behaviors, but that Italians, in addition to having to cope with an increasingly diverse society, also had to adapt themselves to new structures and conditions of life. As Heisler and Layton-Henry³⁴⁰ contend, the association of migration to social and economic problems in receiving societies becomes particularly pronounced under circumstances of economic and/or political instability – even if immigrants cannot be directly linked to the sources of such instability. In tune with this contention is the fact that it was precisely during the late 1980s that immigration became a controversial and highly politicized matter in the country: the media and politicians started to discuss not only the potential social, economic and cultural impacts of the inflows of people became, but also to establish differences between categories of

³³⁶ Giuseppe Sciortino and Asher Colombo. *The flows and the Flood*, 2004.

³³⁷ Giovanna Campani. *Immigration and Racism*, 1993.

³³⁸ Giovanna Campani. *Immigration and Racism*, 1993.

³³⁹ Giovanna Campani. *Immigration and Racism*, 1993.

³⁴⁰ Martin O. Heisler and Zig Layton-Henry, *Migration and the Links*, 1993.

immigrants, or rather between those who were to be considered “foreigners” and those who were “immigrants” or *extracomunitarians*.³⁴¹ According to Paul Ginsborg³⁴², even though the latter term served at first to objectively differentiate immigrants, its official tone could not hinder the development of an alternative connotation, one that implied the exclusion of these individuals from the national community.

The beginning of the subsequent decade was no less troubled than the 1980s: the fall of the Communist bloc, coupled with the “Clean hands” scandal³⁴³ contributed to the collapse of the largest political forces of the country, including the Christian Democratic Party and the Socialist Party, as well as to the abandonment of their underlying ideologies.³⁴⁴ Thereafter, Italy's political landscape started to be reconstructed with the emergence of new parties – notably Silvio Berlusconi's *Forza Italia* – and with the reinvention of older political forces. These profound changes, alongside the intensification of the process of economic globalization and the deepening of regional integration represented destabilizing factors for the population.

In this context, the increasing number of immigrants, the presence of a large number of undocumented individuals, and the occasional crises generated by the arrival of boats filled with foreigners, especially of Albanians, to the Italian sea borders fueled public and political speeches opposing the entrance of more movers. In fact, it was during these years that the country's extremist right-wing parties – namely, National Alliance and Northern League – started to based their electoral programs on Italy's alleged ethnic and cultural essence, and to articulate claims that migrants constituted a cultural threat to the country.³⁴⁵ What's more, from the mid-1990s onwards, the association of immigration and criminality started to be officially asserted by several Italian public bodies. During this period, the image of the Albanian criminal became so disseminated that hostile attitudes against foreigners were multiplied, and claims for increased security became a commonplace. It was then, as a result of these developments, that legality and law and order campaigns became a seemingly permanent part of politics in Italy.³⁴⁶

As for the current situation, it does not seem all that different from the one

³⁴¹Giuseppe Sciortino and Asher Colombo. *The flows and the Flood*, 2004.

³⁴²Paul Ginsborg. *Storia d'Italia dal Dopoguerra a Oggi*, 1991.

³⁴³The so-called “Clean hands” (*Mani pulite*) scandal resulted from the disclosure of a large scheme of political corruption in Italy in the early 1990s. It was responsible for the demise of the country's First Republic, as well as of many political parties, including the hitherto largest political force of the country, the Christian Democratic Party.

³⁴⁴Maurizio Cotta and Luca Verzichelli. *The Republic of Parties: From Deadlock to Bipolar Alternation*. In: *Political Institutions in Italy*. Oxford: Oxford University Press, 2007, 277p.

³⁴⁵Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

³⁴⁶Anastassia Tsoukala. *Looking at Migrants as Enemies*, 2005.

observed during the last couple of decades: widespread social and economic changes continue to negatively affect the everyday life and long-term expectations of Italians, especially changes connected to the deepening of globalization and to the victory, and consequent imposition of neo-liberalism as the primary logic guiding economic and political processes across the globe.³⁴⁷ As a result of such transformations, Italians are put in a difficult position: if, on the one hand, the modest dreams of finding a stable position in the labor market, and of owning one's place of residence seem ever more distant – in particular for young adults trying to enter job market –³⁴⁸, on the other hand, well-established social problems have not faded away, with unemployment, economic informality, local clientelist structures, the mafia, and the developmental abyss between the Northern and Southern parts of the peninsula continuously plaguing the country's economic and political life. In fact, problems related to the economic and security realms, such as unemployment, inflation, and criminality represent some of the most worrisome issues for Italian citizens nowadays.³⁴⁹

Furthermore, Italy faces a number of challenges common to most post-industrial societies in the contemporary world: the population is aging, and its fertility rates are below the necessary to maintain numbers at the current levels; the welfare system is under increasing strain and its family-oriented character no longer corresponds to the prevalent relationships between the state and households; the country's recent rates of economic growth are negligible and the purchasing power of the citizenry frequently assumes a downward trend³⁵⁰; international economic and debt crises are a permanent concern; environmental problems are starting to demonstrate their negative effects; new pandemic diseases continue to appear, and terrorism and international criminal activities represent a lasting threat to the country.³⁵¹ On the top of that, the dominance of the aforesaid neo-liberal logic progressively turns what Schumpeter named the logic of “creative destruction” into a reality. In other words, radical economic transformations are causing the deconstruction of social orders, thereby promoting more inequality

³⁴⁷ Salvatore Palidda. *The Practices of Everyday War Against Migrations (and its Paradoxes)*. CHALLENGE Project, Italian Team. WP8: Effects of exceptionalism on social cohesion in Europe and beyond. 2005. Available at: <<http://www.libertysecurity.org/IMG/pdf_paradoxes_war_to_migr.pdf>>.

³⁴⁸ In respect to the difficult situation of the Italian youth, see: Istituto Nazionale di Statistica (Istat). *Rapporto Annuale: La situazione del paese nel 2010. Sintesi: Affrontare le vulnerabilità, assicurare la coesione, accelerare il cambiamento*. 2010. Available at: <<http://www.istat.it/dati/catalogo/20110523_00/sintesi_2011.pdf>>.

³⁴⁹ Demos & Pi and Osservatorio di Pavia per Fondazione Unipolis. *La Sicurezza in Italia: Significati, immagine e realtà. Seconda indagine sulla rappresentazione sociale e mediatica della sicurezza*. 2010. Available at: <<http://www.demos.it/2008/pdf/sicurezza_italia_2008.pdf>>.

³⁵⁰ Istituto Nazionale di Statistica (Istat). *Rapporto Annuale*, 2010.

³⁵¹ Demos & Pi and Osservatorio di Pavia per Fondazione Unipolis. *La Sicurezza in Italia*, 2010.

within and between societies, as well as weakening the powers of states to provide welfare to their citizens.³⁵² In this context, the task of achieving social integration – not only of immigrants, but of domestic societies as a whole – becomes even more arduous.³⁵³ In fact, according to Sartori³⁵⁴, a general and abstract sense of anxiety and unrest is emerging, and this sense is responsible for shaking the traditional system of values to which individuals and collectivities in Italy used to recur. In these circumstances, extensive and unsettling themes, like immigration may help to leverage the problem of security by contributing to its articulation or by emphasizing its existence.³⁵⁵

All in all, these distressful issues seem to have been translated into a sense of unease and insecurity in most Western countries, and Italy is no exception to this pattern. Different surveys conducted in the years of 2008 and 2009 demonstrate that living in a state of emergency has become the norm in the state.³⁵⁶ The data collected indicate that Italian citizens fear not only criminality and economic difficulties, but also environmental degradation, the unpredictable effects of the process of globalization, potential terrorist attacks, the workings of international criminal organizations, and the appearance of new epidemics.³⁵⁷ In fact, more than one third of the interviewees declared to be often preoccupied with these issues. Interestingly enough, the proportion of the population that feels insecure about matters that are global in character, such as problems concerning the environment, climate change and the consequences of globalization, has augmented significantly over the past three years (2007-2009), and these issues currently represent the main concerns of the citizenry. Equally worrisome is the fact that, in 2008, 35% of Italians said to frequently suffer from a “sense of anguish” (*senso di angoscia*) for no particular reason.³⁵⁸

The public insecurity disclosed by these numbers seems to be consistent with the courses of action chosen by Italians to deal with quotidian problems: over the past 9 years, the number of people attending Accident and Emergency departments across the country has risen significantly, as has the amount of citizens resorting to hospitalization. The large amount of cases in which the Civil Protection Agency has been called to

³⁵² Salvatore Palidda. *The Practices of Everyday War Against Migrations*, 2005.

³⁵³ Salvatore Palidda. *The Practices of Everyday War Against Migrations*, 2005.

³⁵⁴ Laura Sartori. *Lavavetri, Punkabbestia e Rom*, 2008.

³⁵⁵ Laura Sartori. *Lavavetri, Punkabbestia e Rom*, 2008.

³⁵⁶ See: Demos & Pi and Osservatorio di Pavia per Fondazione Unipolis. *La Sicurezza in Italia*, 2010. And also: Censis. *43rd Italy Today: Social Pictures and Trends*. Milano: Franco Angeli, 2010. Available at: <<http://www.francoangeli.it/Area_PDFDemo/2000.1290_demo.pdf>>.

³⁵⁷ Demos & Pi and Osservatorio di Pavia per Fondazione Unipolis. *La Sicurezza in Italia*, 2010.

³⁵⁸ Demos & Pi and Osservatorio di Pavia per Fondazione Unipolis. *La Sicurezza in Italia*, 2010.

intervene over the last years is also a noticeable fact, and one that helps to corroborate what seems to be a trend in the Mediterranean country: the prioritization of emergency action in detriment to long-term solutions to everyday troubles.³⁵⁹ In fact, the latter organ is not only contacted more and more often, but is also increasingly called to deal with events and problems that have nothing to do with natural disasters and fires – the organ's stated priorities. Remarkable examples in this respect are the participation of the Civil Protection Agency in rubbish disposal issues, as well as in incidents involving irregular immigrants and Roma groups. According to the researchers responsible for preparing this report³⁶⁰, the search for short-term, extraordinary solutions for “minor” problems reflect the difficulty of contemporary societies to foresee events, and thus, to effectively plan the future. Fear results from this incapacity to keep the world under control, and insecurity demands immediate actions. Needless to say, this pattern fits well into the description of “risk societies” provided in the previous chapter of the present study.

The downside of this “emergency approach” is that palliative solutions are oftentimes preferred to structural ones, with the consequence that the problems they are aimed at addressing may endure for very long periods of time. Despite this disadvantage, it is interesting to note that those who occupy power positions in the Mediterranean state have been resorting to this type of “fast-track” solutions more and more often.³⁶¹ For example, although the number of natural calamities, fires and other environmental emergencies registered during the years of 2008 and 2009 was 25% lower than the number reported in 2001 and 2002, the Italian government has issued more decrees requiring the intervention of the Civil Protection Agency recently than in the beginning of the decade. The frequent usage of this Agency to manage alleged emergencies indicates that politicians are well aware that a sense of unease and insecurity has been haunting many citizens. More than that, this frequent recourse to extraordinary actions demonstrates that the country's leaders are willing to instrumentally appropriate public fears for electoral purposes, after all the visibility of such actions attract media attention, in addition to conveying the message that something is being done to counteract pressing social problems. In fact, according to Quassoli³⁶²:

³⁵⁹Censis. 43rd Italy Today, 2010.

³⁶⁰Censis. 43rd Italy Today, 2010.

³⁶¹Censis. 43rd Italy Today, 2010.

³⁶²Fabio Quassoli. Making the Neighbourhood Safer: Social Alarm, Police Practices and Immigrant Exclusion in Italy. *Journal of Ethnic and Migration Studies*, v.30, n.6, 2004, p.1163-1181. Available at: <<<http://www.informaworld.com/smpp/content~db=all~content=a713996059>>>.

the success of right-wing parties in some European countries can be partly ascribed to a solid combination that has come to dominate political debates as well as the political agenda of recent years: on the one hand, a growing insecurity or, rather, a growing sense of insecurity of a section of the electorate [...]; on the other hand, the increased credibility of the policies put forward by the right to reassure the citizenry.³⁶³

The reality, however is that, while governments may successfully quiet down the anxiety of the citizenry by resorting to these readily effective responses, the provision of lasting solutions to the problems listed above is much more difficult, if not impossible. This difficulty or, in certain cases, incapacity to solve contemporary troubles stems from several reasons, partly mentioned in the previous chapter, such as the global and unpredictable character of distressful events and the inadequacy of national governance apparatuses to deal with them.

In addition to these difficulties, in the Italian case, it is important to highlight the discrepancy existing between the public representation of certain problems and the empirical reality of the country. In this respect, criminality and irregular immigration are cases to note: concerning the former issue, although statistical data does not show much variation in the number of criminal offenses over the last decade, between the end of 2007 and the Spring of 2008, approximately 88% of the population believed that the rate of criminality had assumed an upward trajectory in the country.³⁶⁴ Plus, more than half of the respondents had the same perception of local criminality. According to Sartori³⁶⁵, this negative view cannot be dissociated from the signs of decay observed in some Italian cities, especially the metropolises, since increasing urban degradation conveys the perception of disorder, and the idea that certain zones of the city are devoid of rule and authority. The second issue that, albeit disconnected from reality, has caused much alarm amongst Italians since the early 1990s is the arrival and settlement of immigrants, especially of “illegal” ones, as mentioned above. In spite of the draconian regulations and discourses against the presence of aliens in the country, most publicly held assumptions behind these measures and opinions do not find correspondence in reality, as seen in the previous subsection of this chapter. Yet, claims that immigrants are responsible for raising unemployment and criminality, for example, are commonly found in the news and in political speeches.³⁶⁶

Regardless of how disputable these connections are, they have been informing the actions of Italian politicians since the 1990s. Increasingly, these actors chose to

³⁶³Fabio Quassoli. *Making the Neighbourhood Safer*, 2004, p.1164.

³⁶⁴Demos & Pi and Osservatorio di Pavia per Fondazione Unipolis. *La Sicurezza in Italia*, 2010.

³⁶⁵Laura Sartori. *Lavavetri, punkabbestia e rom*, 2008.

³⁶⁶Alessandro Dal Lago. *Non-Persons*, 2005.

transform the foreigner and the criminal (often subsumed in one unique figure representing illegality) in a symbolic enemy in order to rip off electoral benefits of public fears.³⁶⁷ In this respect, the criminalization and “demonization” of immigrants is a case to note: in an epoch of rising insecurities, these individuals easily become scapegoats for other societal problems.³⁶⁸ According to Dal Lago³⁶⁹, the transformation of the foreigner into a threat serves the interests of political actors in that it not only perpetuates the “mindset of the state” – that is to say, it legitimizes the government’s domination over the territory –, but also satisfies the anxieties and fears of the electorate – even if not much is actually solved. As it is going to be shown in the fourth section of this chapter, the electoral program of the 2008 center-right coalition provides a good illustration of these practices.

A somewhat ironic picture emerges from the state of affairs described in this section: while people from the Southern and Eastern parts of the world leave their home countries – oftentimes economically, socially and politically unstable – in search of a safer and hopefully better life in the West, the citizens of the latter region – formed by rich, advanced, post-industrial societies – feel more and more unsafe, and not because credible threats of war and hunger effectively exist, but because – and here lies another irony – the insistence on trying to predict, to manage and to mitigate risks in an ever-changing world exacerbates the feelings of uncertainty and insecurity – as it was explained in the second chapter of this work. This is not to say that threats do not exist, but that the attempt to anticipate risks, and to keep a world that is unpredictable under control have very often the opposite effect. Italy, too, seems to be trapped in this paradoxical logic of “risk societies”.

In this unpredictable and threatening context, immigrants are clearly the biggest losers, for they embody nearly all the aforesaid fears. Perhaps, it is precisely because human mobility is a *fait social total*³⁷⁰, as both Palidda³⁷¹ and Dal Lago³⁷² remark, that the phenomenon has been so easily and convincingly related to several troubles encountered in contemporary societies. As mentioned, immigrants in Italy (especially non-EU citizens, but also Romanian and in particular Roma and Sinti populations) are taken to be criminals, terrorists, welfare exploiters and job thefts, in addition to being

³⁶⁷ Alessandro Dal Lago. *Non-Persons*, 2005.

³⁶⁸ Alessandra Buonfino. *Securitising Migration*, 2004.

³⁶⁹ Alessandro Dal Lago. *Non-Persons*, 2005.

³⁷⁰ This expression was first used by the Algerian sociologist Abdelmalek Sayad in his book “The Suffering of the Immigrant”, to which both Dal Lago and Palidda refer. See: Alessandro Dal Lago. *Non-Persons*, 2005. And: Salvatore Palidda. *The Practices of Everyday War Against Migrations*, 2005.

³⁷¹ Salvatore Palidda. *The Practices of Everyday War Against Migrations*, 2005.

³⁷² Alessandro Dal Lago. *Non-Persons*, 2005.

portrayed as dangers to the local culture, to social cohesion, and to the public order. Since the late 1980s, the presence of outsiders in Italy has been causing social alarm and some degree of insecurity, and such conditions have been manifesting themselves in the already referenced racist episodes, and more broadly speaking, in a general sense of hostility towards foreigners.

Both public fears and the enmity felt for outsiders have been successfully manipulated by Italian politicians, especially during the parliamentary elections of 2008.³⁷³ As a result of these circumstances, immigrants' hopes of finding a better life in Italy are becoming a distant dream: the insecurities experienced by the Italian “risk” society are translated into instability of legal statuses, prejudice, discrimination, hostility, fear, and ever more restrictive immigration policies. Thus, as the title of the present section suggests, although immigrants are heading to more technologically advanced and economically developed societies, development has failed to forge security; rather, as the case of Italy demonstrates, the Northern hemisphere seems to be pervaded by insecurities, which directly affect the lives of foreigners residing in these societies.

3.3 Italian migration policy: from the 1980s to 2002

The objective of this section is to briefly present the evolution of immigration policy in Italy from the mid-1980s, period during which migratory inflows started to intensify, until 2002, when the restrictive Bossi-Fini Law amended the 1998 regulatory framework. The fifth and final section, in turn, is devoted to discussing in more detail the most recent policy changes contained in the 2008-2009 “security package”.

In the first section of this chapter, it was mentioned that the “Great Migration” influenced not only Italy's nationality laws, but also regulations concerning immigration; in fact, the very first policies aimed at managing this phenomenon were established in the 1865 New Civil Code, along with the first provisions on nationality.³⁷⁴ In tune with the dominant perspective at the time, the document was liberal and tolerant towards alien citizens³⁷⁵: foreigners were allowed to enter and settle in the Italian territory provided that they respected domestic laws and did not represent a threat to the state. They were also granted the same rights as Italian citizens, and were free to profess their

³⁷³Evelyn Shea. *Elections and the Fear of the Crime*, 2009.

³⁷⁴Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

³⁷⁵Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

religious creeds.³⁷⁶ This wave of liberalism was shut down with the emergence of Fascism, which imposed strict border controls and established visa requirements for individuals coming from a set of countries. The main reason for this restrictive turn was the fear that foreigners turned out to be enemies of the regime. Since the Fascist state was not thrown down by a revolution, Italy's current legal apparatus is partly a legacy of Mussolini's regime and, for that reason, a security-oriented bias still pervades certain policy spheres.³⁷⁷ In fact, until 1987, republican regulations on immigration were based on the Fascist normative on public security, and for most of the twentieth century, the phenomenon had been managed by means of occasional administrative circulars that reflected the positions of the political coalition in power.³⁷⁸

However, since the mid-1980s – when immigrant flows first started to experience a quantitative intensification –, Italy has been obliged to revise its outdated legislation in order to properly manage the migratory phenomenon. According to Zанrosso³⁷⁹, despite the need to devise appropriate policies, over the past 25 years, regulation on immigration has presented a very high degree of instability – and so has the legal condition of foreigners. Some of the factors that explain the succession of uncoordinated and oftentimes inconsistent normative changes are the need to conform the country's internal norms to international agreements, as well as to the rulings of the Constitutional Court.³⁸⁰ Yet, as in the case of nationality, the political climate of the country and the state of the electoral fight have certainly affected the outcomes of these changes as well.³⁸¹ Plus, as mentioned before, Italy's past as an emigration country significantly influenced policy-makers' views on inward migration. Indeed, the first relevant law on the issue – Law no.943 – adopted in 1986, addressed immigrants as first and foremost workers, an understanding that was certainly in consonance with the image of Italians abroad.³⁸²

In more detail, the law no.943, in addition to incorporating the principles of the then recently ratified International Labor Organization Convention no.143, had as its main purpose to regulate the flows of foreign-born workers to Italy with a view to providing a legal alternative to the increasing presence of irregular migrants, as well as

³⁷⁶Emanuela Zanrosso. *Diritto dell'Immigrazione: Manuale Pratico in Materia di Ingresso e Condizione degli Stranieri in Italia*. Aggiornato al d.l. 23 maggio 2008, n. 92 Misure urgenti in materia di sicurezza pubblica. Second edition. Napoli : Esselibri-Simone, 2008. 524p.

³⁷⁷Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

³⁷⁸Emanuela Zanrosso. *Diritto dell'Immigrazione*, 2008.

³⁷⁹Emanuela Zanrosso. *Diritto dell'Immigrazione*, 2008.

³⁸⁰Emanuela Zanrosso. *Diritto dell'Immigrazione*, 2008.

³⁸¹Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

³⁸²Giovanna Zincone. *Italian Immigrants and Immigration Policy-making: Structures, actors and practices. IMISCOE Working Papers*, WP 12, 2006. Available at: <<<http://dare.uva.nl/document/39856>>>.

to assuring that newcomers did not compete with native workers for vacancies in the labor market. To this end, inflows were to be limited and planned according to the country's demand as well as to the availability of national and EU workers.³⁸³ What's more, the new legislation granted 'extracomunitarians' the same rights enjoyed by domestic laborers, including *inter alia* access to social and health facilities, the rights to education and housing and the right to maintain their cultural identity.³⁸⁴ Moreover, provisions for family reunification were also provided in this first document. Despite this equalization, the fiscal contributions of immigrants were 0,5% higher than those of local and EU workers – an extra charge intended to cover the costs of an eventual expulsion. Due to this additional burden, immigrant labor was less appealing for employers, a fact that alongside the complexity of bureaucratic procedures served as a deterrent to those willing to hire foreign manpower. In sum, despite the generous and liberal character of this first law, it failed to achieve its objectives, with employers still preferring to resort to informal labor.³⁸⁵ It is interesting to note that this was the case even though the law provided for the first regularization of unauthorized migrants.

Needless to say, the negative lessons learned from this early regulatory experience were taken into account in the design of the subsequent law, Law no.39 (or Martelli Law). More than that, the unsatisfactory outcomes of this first legislation inaugurated what would later on become a visible trend in the evolution of policy-making in the field, namely: the tendency of policy-makers to fall into a vicious learning process, in which the negative feedback of a set of norms leads to additional reforms, whose disappointing results trigger yet another process of revision and so forth, thereby generating a cycle that leads to a perpetual process of reform – a trait that helps to explain the aforementioned degree of instability of immigration policy.³⁸⁶ This was precisely the case of the 1990 regularization: in trying to fix the mistakes of the past amnesty – whose rigorous criteria for legalization resulted in an inadequate outcome –, the new provision ended up adopting requirements that were too loose, and a even looser implementation process.³⁸⁷ Past mistakes were not the only factor informing the 1990 law: as said in the second section, it was in the late 1980s that episodes of racism

³⁸³ Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

³⁸⁴ Bruno Nascimbene. The Regularization of Clandestine Immigrants in Italy. *European Journal of Migration and Law*, v.2, 2000, pp.337-359. Available at: <<<http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/ejml2&div=27&id=&page=>>>>>.

³⁸⁵ Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

³⁸⁶ Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

³⁸⁷ Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

and discrimination against immigrants started to appear consistently on the news³⁸⁸, and one particular case, known as the Masslo murder, spurred a governmental emergency reaction which immediately culminated in the adoption of the decree no.416 (December 1989), later on incorporated in the Martelli Law. Emergency reactions of this sort, too, have become more than an exceptional influence in policy-making in Italy; in fact, it was in the face of unexpected phenomena that most of the regulations in the field of immigration were first adopted.³⁸⁹

In spite of the aforesaid negative influences, the 1990 regulation was a turning point for Italy in immigration matters: the provisions of this integral law made is clear that the Italian government no longer considered immigration flows as a transitory event, but rather acknowledged that the phenomenon would continue to impose challenges and provide opportunities to the country.³⁹⁰ This meant that it was necessary to create a regulation that was more complete and inclusive than the 1986 one, that is to say, a law concerned not only with immigration for employment purposes, but that also addressed other types of influxes, such as entry for reasons of tourism, asylum, self-employment, amongst others. And this was exactly what the Martelli Law did: it regulated the refugee status, as well as the ingress of non-EU citizens for purposes other than work.³⁹¹ Moreover, in order to better manage the entry of foreign-born workers to Italy, the law introduced the concept of flows and the notion of programmed entry: accordingly, the government was required to issue annual flow decrees, which would establish the country's demand of foreign labor for the upcoming year.³⁹² A complex bundle of institutional actors were to collaborate in coordinating the planned legal immigration, including several ministries and national unions.

According to Zincone³⁹³, this overcrowding of the decision-making process is a characteristic feature of the Italian political system, and one that seldom works well. In regard to the planned annual inflows, for example, the author highlights that the final decisions on the size of the yearly quota were more often than not taken by a reduced amount of actors and that, until 1998, the decrees were issued at the end of the years whose number of legal entries they were aimed at establishing. On the top of that, the quotas usually reflected more the amount of people whose status had been regularized by amnesties, or those who entered the country through family reunification than the

³⁸⁸Giovanna Campani. *Immigration and Racism*, 1993.

³⁸⁹Giovanna Zincone. *Italian Immigrants and Immigration Policy-making*, 2006.

³⁹⁰Emanuela Zanrosso. *Diritto dell'Immigrazione*, 2008.

³⁹¹Bruno Nascimbene. *The Regularization of Clandestine Immigrants*, 2000.

³⁹²Giovanna Zincone. *Italian Immigrants and Immigration Policy-making*, 2006.

³⁹³Giovanna Zincone. *Italian Immigrants and Immigration Policy-making*, 2006.

actual arrival of new workers.³⁹⁴ Despite these deficiencies, the Martelli Law also maintained some of the positive provisions of its antecedent, notably the notion of equality among workers – regardless of nationality – and the equal access to social rights. Yet, the resources allocated to this and other goals, such as the provision of temporary accommodation and integration measures, were minimal, with much of the financial burden transferred to local administrations.³⁹⁵ The 1990 Law also counted with an innovative aspect in respect to the previous regulation: it introduced and specifically regulated the procedure of expulsion of third-country nationals, which had been hitherto provided by the public security law of the Fascist regime.³⁹⁶

According to Foot³⁹⁷, although the text of the Martelli Law was apparently liberal, “it turned out, in practice, to be a way of imposing further controls, expulsions and restrictions on migration and migrants”.³⁹⁸ Italy – already known for its porous borders – had a twofold objective with this law: first, to put a stop to the inflows of irregular immigrants by increasing punitive and preventive measures, such as expulsions orders and visa requirements; second, to take control of the chaotic situation by regularizing thousands of foreigners. However, once again, bureaucratic obstacles to entry and to regularization have had the effect of discouraging immigrants from taking the legal road.³⁹⁹ This failure coupled with the waves of Albanian migrants crossing the Adriatic sea, and with the state's inability to expel most of those with deportation orders culminated, in 1992, in the Boniver decree, a piece of legislation that allowed for immediate expulsion of immigrants caught committing “serious” crimes, without the right to trial or to appeal from the decision. This prohibitionist decree shows that in the early 1990s immigration had already become a source of much social commotion and alarm, with aliens being associated to danger and crime.⁴⁰⁰ More than that, it shows that immigrant's rights were already eroded in the name of control and security.

Another innovation that followed the Martelli law was the creation of the *ad hoc* Ministry for Italians Abroad and Immigration, whose main objective was improving policy-making coordination in the field of immigration. This innovation, however, failed to achieve this purpose, in particular because the ministry was overpowered by

³⁹⁴Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

³⁹⁵Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

³⁹⁶Emanuela Zanolto. Diritto dell'Immigrazione, 2008.

³⁹⁷John Foot. The Logic of Contradiction: Migration Control in Italy and France, 1980-1993. In: R. Miles and D. Thränhardt (eds), Migration and European Integration: the Dynamics of Inclusion and Exclusion. London: Pinter, 1995, 209 p.

³⁹⁸John Foot. The Logic of Contradiction, 1993, p.142-143.

³⁹⁹John Foot. The Logic of Contradiction, 1993.

⁴⁰⁰John Foot. The Logic of Contradiction, 1993.

other institutional actors dealing with immigration.⁴⁰¹ Thereafter, in 1993, another organ was set up to handle the matter, namely the Department of Social Affairs, within which a General Direction on Immigration was created. The importance of mentioning this particular institutional innovation lies in the fact that it was within this Ministry that the 1994 Contri proposal – which would subsequently lead to the Dini Decree and later on to the Turco-Napolitano Law – was drafted. The Contri Draft consisted of a proposal to reform the law on immigration designed with the help of experts and civil-servants, and due to this high level of expertise, its text included advanced pro-immigrant provisions, such as the right of undocumented immigrants to access health and educational services.⁴⁰² Zincone⁴⁰³ stresses that the latter measure, the right of schooling to irregular minors, derived from informal local practices. Based on this observation, she contends that sometimes regulations may originate from bottom-up, that is to say, from the ideas and practices of civil society actors and local administrations.

The following legislative piece on immigration, the Dini Decree (decree no.489), was issued in 1995, and as aforesaid, its text incorporated a number of measures drafted in the Contri proposal. As a followup of the latter work, this decree attempted to look at, and regulate immigration in light of the country's former experiences.⁴⁰⁴ However, the main objective of decree was not to promote a general reform of the regulatory framework, but to regularize the situation of the large amount of undocumented immigrants who were taking up work in the country back then. The 1995-1996 regularization was different from the previous ones in that it was not founded upon the notion of amnesty (*sanatoria*) but on the principle of regularization (*regularizzazione*). On the differences between these principles, it is important to note that, unlike the former, the latter was also concerned with the regularization of the tax status of migrants.⁴⁰⁵ Additionally, the Dini decree regularized specific aspects of inflows, notably the entry of seasonal workers, some particularities concerning border controls and the procedure of expulsion of undocumented foreigners. According to Dal Lago⁴⁰⁶, although the actual effects of these restrictive measures were limited – deportations, for one, were not carried out in the expected amount –, the decree did achieve some important political objectives: first, it consolidated the “closed borders” principle and expulsions as the main policy responses to the emergency situation in which Italy found

⁴⁰¹Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

⁴⁰²Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

⁴⁰³Giovanna Zincone. Italian Immigrants and Immigration Policy-making, 2006.

⁴⁰⁴Emanuela Zanrosso. Diritto dell'Immigrazione, 2008.

⁴⁰⁵Emanuela Zanrosso. Diritto dell'Immigrazione, 2008.

⁴⁰⁶Alessandro Dal Lago. Non-persons, 2005.

itself as a result of irregular migration; secondly, it allowed the country's political forces to find a compromise in this policy field.

Despite the importance of this decree – illustrated by the fact that it was restated six times –, its text was not converted into law.⁴⁰⁷ Therefore, the much needed general reform of the legal acts on immigration had to wait until 1998, when finally the Turco-Napolitano Law (Law no.40), was designed and approved with the intention of providing a unique and general regulatory framework to the migratory phenomenon. In contrast to former laws, the 1998 act was comprehensive, that is to say, its provisions impinged upon several aspects of immigration, ranging from entry conditions and border controls to integration measures. In this sense, Nascimbene⁴⁰⁸ states that the Legislator aimed at inaugurating a new era of immigration in Italy. Indeed, just the fact that this reform did not result from any drastic situation was already a great novelty, at least in terms of policy-making. Yet, as a followup of the Contri draft, the Turco-Napolitano Law also maintained some aspects of past regulations, such as the treatment of immigrants as individuals and potential citizens – as opposed to only workers –, the equality of access to social rights, and the granting of the rights to health and education to unauthorized immigrants. Novel liberal elements also featured in the law: a residence permit for job-seekers was created, provisions for the “sponsorship” of newcomers by Italian citizens, legal foreigners and organizations were established, conditions for family reunification were broadened, and the decrees on inflows were to become more generous.⁴⁰⁹

Officially, the goals of the 1998 law were the following: first, to fight clandestine immigration and the criminal exploitation of cross-border movements of people; second, to establish limited, planned and regular inflows of immigrants to Italy; and third, to introduce integration measures to newly arrived third-country nationals, as well as to those individuals already established in the country.⁴¹⁰ This list of objectives demonstrates that a dual approach towards immigration had been consolidated in Italy: on the one hand, the new legislation took a restrictive stand toward new inflows in that its provisions visibly aimed at reducing the entry of migrants and at diminishing the number of undocumented foreigners; on the other hand, the law sought to assure the integration of those who were already settled in the territory through the observance of these individuals' fundamental rights and through measures promoting social

⁴⁰⁷ Bruno Nascimbene. *The Regularization of Clandestine Immigrants*, 2000.

⁴⁰⁸ Bruno Nascimbene. *The Regularization of Clandestine Immigrants*, 2000.

⁴⁰⁹ Emanuela Zanolto. *Diritto dell'Immigrazione*, 2008.

⁴¹⁰ Emanuela Zanolto. *Diritto dell'Immigrazione*, 2008.

integration.⁴¹¹

Concerning the restrictive bias, the adoption of several repressive measures illustrates well the point: the law defined various types of forced expulsions, created “temporary detention centers” for irregular migrants – where they could be upheld for up to 30 days –, reinforced border controls, made it more difficult for migrants to acquire long-term residence permits, and restricted the access to certain social rights to those with legal permanent residence in the country.⁴¹² In part, these measures resulted from Italy's need to comply with the Schengen requirements – notably the provisions concerning border controls and the adoption of the Schengen Information System (SIS). In fact, it is argued that in Southern European states, EU Treaty obligations have had the effect of reinforcing the repressive aspects of immigration regulations.⁴¹³ Notwithstanding the importance of this external factor, domestic politics undoubtedly shaped the law's restrictive facet: the creation of internment centers for one, resulted from a compromise between the center-left government and the opposition. Meanwhile, pro-immigrants innovative measures, such as active and passive electoral participation in local administrations, were dropped along the negotiation process. The political climate in Italy was indeed pervaded by social alarm and panic, and while right-wing parties could take advantage of these public anxieties, the left-wing was obliged to accept a certain degree of hostility towards foreigners, which had been translated into the repressive side of the 1998 law.⁴¹⁴

Thereafter, public fears related to the presence of foreigners have continued to inform the country's political disputes, as well as policy-making on immigration. Although the restrictive aspects of the Turco-Napolitano law could have quieted down the electorate and thus, diminished the political relevance of immigration, the unsatisfactory results of the 1998 framework actually provided the right-wing coalition with ammunition against both their political opponents and immigrants.⁴¹⁵ Owing to the *Ulivo's* – center-left alliance – incapacity of making the best of the law's provisions, the right-wing House of Freedoms (CdL) found itself in a comfortable position; that is, the coalition could use the issue to justifiably criticize the government, to foment

⁴¹¹Emanuela Zanolto. *Diritto dell'Immigrazione*, 2008.

⁴¹²Emanuela Zanolto. *Diritto dell'Immigrazione*, 2008.

⁴¹³Andrew Geddes. *Southern Europe: Immigration Policies in Newer Immigration Countries*. In: Andrew Geddes. *The Politics of Migration and Immigration in Europe*. London: Sage, 2003, 220 p.

⁴¹⁴Alessandro Dal Lago. *Non-persons*, 2005.

⁴¹⁵See more on the implementation problems of the Turco-Napolitano Law in: Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini: Estremismi Gridati, Moderazione Implicite e Frutti Avvelenati*. In: Jean Blondel and Paulo Segatti. *Politica in Italia. I Fatti dell'Anno e le Interpretazioni*. Edizione 2003. Bologna: Il Mulino, 2003, p.195-215. Available at: <<<http://www2.scedu.unibo.it/colombo/ricerca/articoli/bossi-fini%202003.pdf>>>.

dissent within the majority, and to feed an electorally beneficial “politics of unease”, which profited from the perception that immigration flows were still out of control and were thereby, raising insecurity and urban degradation.⁴¹⁶ As Colombo and Sciortino⁴¹⁷ contend, the politicians of the CdL cleverly took advantage of the situation, a strategy that was visibly pursued in the text of one of the main law proposals that preceded the 2002 reform, the Berlusconi-Bossi bill:

Immigration is consequently used as a picklock; to disrupt the social order (thereby increasing the power of arbitrage between the unstructured social forces) e thus, to put the hands in the electoral loot (formed by a new *lumpenproletariat* made out of a mass of immigrants, which, it is speculatively said, would vote for the left-wing).⁴¹⁸

In this context, the reform of the 1998 framework ended up becoming one of the hottest topics of the political campaign for the 2001 national elections. Needless to say, the issue played a pivotal role in the victory of the center-right coalition in both the upper and lower houses of the Italian Parliament. However, once the CdL took over the power, the shift from political rhetoric to action proved to be more difficult than expected: the heterogeneous majority headed by Berlusconi had a hard time elaborating and approving the bill, and not only due to the opposition of left-wing parties, but also due to disagreements within the governing alliance itself.⁴¹⁹ Amongst the main controversial points of the bill, it is interesting to cite: the introduction of a fifth regularization scheme, the possibility of transforming irregular entry and presence into criminal offenses, and the proposal of adopting a policy framework based on the German guest-worker model – a functionalist move that would serve to prevent immigrants from settling in Italy.⁴²⁰ The bargaining process surrounding these and other issues toned down the extremist character of the bill. As a result of negotiations and compromises, the actual Bossi-Fini reform (Law no.189), albeit containing some repressive elements, did not include the polemical crime of clandestine immigration, nor did it introduce quotas for family reunification and the requirement of 3 years of legal residence (instead of one) for this type of reunification.⁴²¹ Moreover, the law did not curtail the rights previously granted to documented and undocumented immigrants. The latter group also benefited from yet another amnesty – the largest one in Europe thus far

⁴¹⁶ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴¹⁷ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴¹⁸ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003, p.203.

⁴¹⁹ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003. And: Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

⁴²⁰ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴²¹ Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

–, a victory attributable to the pressure of the moderates components of the majority, in particular to its centrist Catholic bloc.⁴²²

Notwithstanding the attenuation of the original tone of the reform, many restrictive provisions were maintained in its final version. To begin with, although the law did not set up a guest-worker scheme, it successfully tightened the linkage between employment and the acquisition/maintenance of a residence permit. To this end, the law eradicated the practice of granting permits to job-seekers, and diminished the period of acceptable unemployment from 12 to 6 months.⁴²³ In respect to the latter provision, it is also interesting to clarify that, in practice, unemployed foreigners only had 3 months to find a new work position, since the reform also established that requests to renew residence permits should be made 90 days before the expiration date of the old one (instead of the original 30 days). The life of those intending to get a permanent residence permit was also made more difficult in that they had to regularly live in Italy for 6 rather than 5 years. Employers of foreign manpower, too, were subjected to new demands: in addition to providing immigrants with a regular work contract, they were asked to ensure the availability of accommodation to the new employees, as well as the availability of funds to cover their expenses to go back home. Based on these changes, Sciortino and Colombo⁴²⁴ argue that “the new law is, in reality, very close to factually equalize legal presence and work”.⁴²⁵

The prohibitionist character of the reform does not stop there: new regulations concerning the expulsion of immigrants were established as well. In more detail, the law increased the amount of foreigners who could be subjected to this procedure by extending the penalty of expulsion to those charged with infringement of copyrights or with trade of counterfeit goods, as well as to those engaged in marriages of convenience.⁴²⁶ Undocumented aliens, in turn, could simply be escorted to the border and expelled. Furthermore, in case an individual did not comply with an order to leave Italy or was caught a second time without appropriate papers, he or she would be charged as though having committed a crime. This meant that, under these circumstances, undocumented foreigners could be arrested from 6 to 12 months. If caught violating the law for a third time, imprisonment could last from 1 up to 4 years.⁴²⁷ At last, other three provisions deserve reference here: the obligation to collect

⁴²²Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

⁴²³Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

⁴²⁴Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴²⁵Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003, p.203.

⁴²⁶Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴²⁷Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

immigrant's fingerprints, the possibility of using the navy to contrast illegal sea landings, and the tightening of punishment to those involved in irregular entries. The reason why these three measures were specifically highlighted is that, according to Sciortino and Colombo⁴²⁸ they are superfluous, that is to say: even though they send out the impression that the government is taking a strong stand against clandestine immigration, in practice, they do not change much.

Despite the adoption of several restrictive measures, all in all, the final version of the law fell short of the radical discontinuity publicized during the 2001 electoral campaign.⁴²⁹ Yet, the legal reform was broad enough to make the country's regulatory framework on immigration move backward. Instead of regarding immigrants as human beings, of promoting legal means for these individuals to enter the country, and of assuring legal stability for those who are already contributing to the growth of the Italian economy and society, the revision of the 1998 act looked at immigration as a danger or, at best, as a necessary evil, and devised instruments to deal accordingly with the phenomenon: the repressive provisions described above not only treat immigrants with suspicion, but also send out a number of discriminatory messages against them.⁴³⁰

It should be mentioned that after the approval of the reform, a number of sentences of the Italian Constitutional Court have eliminated some of its repressive aspects. For example, both the provision that allowed authorities to escort undocumented immigrants to the border and expel them, and the one that required the mandatory imprisonment of irregular foreigners under certain circumstances were declared unconstitutional.⁴³¹ Furthermore, in 2006, Prodi's center-left government attempted to counter-reform the immigration policy framework by bringing back some aspects of the original Turco-Napolitano Law, and by adding some innovative measures. However, the proposed Amato-Ferrero Bill was blocked in parliamentary activities, and later on, with the fall of the center-left government, was completely abandoned.⁴³²

3.4 Free from fear? The Italian infamous “Security Package”

The objective of this final section is to describe the main characteristics of the Italian “security package”, officially launched in May 2008 and approved during the years

⁴²⁸ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴²⁹ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴³⁰ Asher Colombo and Giuseppe Sciortino. *La Legge Bossi-Fini*, 2003.

⁴³¹ On the sentences of the Constitutional Court, see more in: Emanuela Zanolto. *Diritto dell'Immigrazione*, 2008.

⁴³² Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

2008 and 2009. For obvious reasons, especial attention is paid to the provisions that impinge upon immigration and the rights of immigrants. The second part of the present chapter provided a description of the social climate in Italy since the 1980s, and this exercise put in evidence the growing sense of unease felt by the Italian public. The cited surveys also indicated that this feeling was particularly pronounced between the autumn of 2007 and the spring of 2008. Suggestively, these months coincided with the political campaigning for the 2008 parliamentary elections. Even more significant than this coincidence is the fact that the winners of the 2008 ballot – the center-right coalition formed by Silvio Berlusconi's People of Freedoms (PdL), Gianfranco Fini's National Alliance (AN) and Umberto Bossi's Northern League (LnP)⁴³³ – strongly relied on the aforesaid popular feelings to gain the majority of the seats in the Italian parliament.

Evidence of the instrumental usage of public fears may be found in the law and order platform upon which the victorious alliance based its campaign⁴³⁴: along with the promotion of an economic revitalization, the objective of addressing the country's pressing security problems was placed high in the coalition's agenda. The center-right electoral program directly called for “More security, more justice”⁴³⁵, a goal that came in third place in the alliance's list of missions for the future of Italy. It is also noteworthy that out of 12 measures designed to enhance the security of citizens, 7 directly concerned immigrants or, rather, the fight against irregular migration. This number alone indicates that the *clandestini* were considered one of the main security problems of the country, even though, as clarified, Italian citizens were concerned with a much larger array of topics. Despite the plurality of sources of insecurity listed above, the “[...] anti-immigrant sentiment was one of the reasons for the centre-right coalition's electoral success”.⁴³⁶ In fact, Berlusconi's bloc seems to have played the security card very well since it acquired a large and homogeneous majority in the Parliament: “large” because the left-wing opposition suffered a substantial loss, with the Rainbow Left (*Sinistra Arcobaleno*) failing to achieve the required threshold of 4% of the votes⁴³⁷; “homogeneous” because, whereas the Catholic representation in the majority decreased, the presence of the Northern League was strongly reinforced. Given that the members of leftist and Catholic groups are generally pro-immigration and that the ones of the right

⁴³³The original names of the parties are respectively: *Il Popolo della Libertà*, *Alleanza Nazionale* and *Lega Nord*.

⁴³⁴Evelyn Shea. Elections and the Fear of the Crime, 2009.

⁴³⁵Originally in Italian: “Più sicurezza, più giustizia”. In: *Il Popolo della Libertà*. 7 Missione per il Futuro dell'Italia. 2008. Available at: <<<http://www.votaberlusconi.it/speciali/PROGRAMMA2008.pdf>>>.

⁴³⁶Giovanna Zincone. Immigration and Immigrant Policy in Europe, 2009, p.22.

⁴³⁷Massimo Merlino. The Italian (In)security Package, 2009.

tend to oppose it, this change was certainly significant for the subsequent policy-making in the field of immigration.⁴³⁸

Not surprisingly, as mentioned in the introductory section of this study, one of the first measures taken by the new center-right government was to announce the adoption of a “security package”, in other words, of a set of pieces of legislation that would free Italians from fear and guarantee the observance of their right to security. According to the Italian Premier, Silvio Berlusconi, these measures were devised to restore the citizenry’s confidence on the state⁴³⁹, a body that, in order to present itself as such, cannot refrain from assuring this primary right to its people.⁴⁴⁰ This point is indicative of the political leader’s promptitude to connect the provision of security to the significance of the state. In fact, terms like legality, public order, territory, state and citizenry pervaded both the electoral program of the center-right and Berlusconi’s first speech on the alleged “national security emergency”. This vocabulary was seemingly used to make a distinction between what and who was *in* and *out* the polity, as well as to reclaim the importance of the traditional framework of the national governing body. As Saleri⁴⁴¹ argues, in framing the problem in such nationalistic terms, the government not only delineated the security trouble as it wished, but also presented itself as the subject responsible to take action, as the agent who ought to act immediately to reassure its citizens and to eradicate their fears.

Interestingly, the “package” was first introduced in Naples, in the midst of the local rubbish disposal emergency. In this context, the members of the government appear to have taken advantage of the sense of urgency of the local situation to present another pressing issue, another emergency, one that concerned the lack of security and the right of citizens to live free from fear. Since Italy, as Naples, was said to be facing an *emergency*, it was only reasonable to take *urgent* measures to address this national problem as well. That was precisely what the Italian government set out to do with the “security package”: in light of the presumed urgency of security problems, new legislation had to be extraordinary and promptly operative. The measures announced by the Minister of the Interior Roberto Maroni apparently satisfied these requirements, as it is explained ahead.

A list of the main components of the government’s legislative “package” is

⁴³⁸Giovanna Zincone. *Immigration and Immigrant Policy in Europe*, 2009.

⁴³⁹Il Popolo della Libertà. 7 Missione, 2008.

⁴⁴⁰Governo Italiano, Presidenza del Consiglio dei Ministri. Audiovideo, 2008.

⁴⁴¹Sara Saleri. *Emergenze Sicurezza: un Discorso Istituzionale sull'Alterità*. XXXVII Congresso dell'Associazione Italiana di Studi Semiotici Bologna, 23-25 ottobre 2009. Available at: <<<http://www.ec-aiss.it/archivio/tipologico/atti.php>>>.

provided below:

1 Law Decree no.92/23 May 2008, concerning “Urgent Measures in the Field of Public Security”, later on amended and converted into law by the Law no.125/24 July 2008.

2 The draft law on security (Senate Act no.733 and Chamber Act no.2180), concerning “Provisions in the Field of Public Security”, which became Law no.94/15 July 2009.

3 Three legislative decrees, all of which modified the legislation transposing EU directives into national provisions:

3.1 Legislative Decree no.160/3 October 2008, on the right to family reunification (Directive 2003/86/CE);

3.2 Legislative Decree no.159/3 October 2008, on the procedures to recognize and revoke the refugee status (Directive 2005/85/CE); and

3.3 Legislative Decree on the freedom of movement of Communitarian citizens, which was later on withdrawn (Directive 2004/38/EC).

4 Law no.85/30 July 2009, with which Italy becomes a party in the Treaty of Prüm; and

5 Decree of the Interior Ministry no.183/8 August 2009 on the citizens' patrols.

Although the package includes other legislative measures (see Annex 1), the laws and decrees listed above may be considered the most important regulatory components of the government's strategy. In spite of differences in form and scope, all the above-mentioned instruments impinge upon the condition of foreigners in Italy and help to perpetuate the idea that insecurity is to a certain extent attributable to the presence of outsiders in the country. In this respect, Saleri⁴⁴² observes that, even though the adoption of this legislative kit evoked the impression that the government had “rationalized”⁴⁴³ the problem of insecurity, Italian political leaders actually refrained from directly identifying its causes, that is, from pointing out the sources of fear. In fact, when announcing the “security package”, Berlusconi never stated that immigrants represented a menace to the country's security. And yet, objective measures dealing

⁴⁴² Sara Saleri. *Emergenze Sicurezza: un Discorso Istituzionale sull'Alterità*, 2009.

⁴⁴³ The term “rationalized” is used to convey the idea that the government's contentions seem to be based on objective knowledge. That is to say, the state's agents seem to have studied the problem of insecurity, measured its dimensions, and defined appropriate solutions to deal with it. In this sense, even the usage of the word *misure* (measures in Italian) in the title of the decree no.92 alludes to this process of rationalization.

directly with foreigners were subsequently presented with the goal of tackling insecurity. In this respect, the author argues that even though the Italian prime-minister did not claim that migration was one of the causes of insecurity, the legislation put in place to remedy the population's sense of unease formulates an explanatory system, which connects public security problems, such as criminality, to immigration, thereby causing a syntactic slip between these phenomena.⁴⁴⁴ This means that the “security package” alludes to associations that transfer the negative connotations of several distressful phenomena to immigrants. By this means, the package helped to reinforce the narrative that includes immigration as a threat to the Italian society. In doing so, the government conveys the impression that action is being taken to tackle pressing national troubles, while leaving open the possibility of treating a wide array of matters under the banner of security. The number of legal instruments contained in the “package” and their mixed content seem to reflect precisely this choice to treat the problem in a loose and broad manner.

Despite the amount and heterogeneity of legislative measures, the centerpiece of the security strategy is the Law no.94, whose provisions complement the Decree no.92 (converted into law by the Law no.125). These two pieces of legislation are considered particularly important precisely for their comprehensive character: both include provisions that deal with a very wide range of issues. It is precisely because the Law no.94 is deemed as the most important and integral part of the “security package” that the present study focuses on the parliamentary procedures that led to its approval. However, given the complementary character of this law and the Law Decree no.92, the scope of the remaining of this chapter is to shortly present the central points of both of them, in particular the ones concerning immigration. The next chapter will include more details on how these provisions affect immigrant's rights, as well as on the process of approval of the laws.

In accordance with the alleged urgency of the security problem in Italy, the Council of Ministers not only announced the adoption of the “security package”, but also immediately issued the Law Decree no.92, a promptly operative piece of legislation that, due to its nature, satisfied the requirements of “urgency” and “extraordinarity” of the moment. This decree, published in the *Gazzetta Ufficiale* on the 23rd of May 2008 and converted into law on the 24th of July of the same year, consisted of 13 articles, many of which touched upon the legal condition of immigrants in Italy.⁴⁴⁵ For starters,

⁴⁴⁴Sara Saleri. *Emergenze Sicurezza: un Discorso Istituzionale sull'Alterità.*, 2009.

⁴⁴⁵Emanuela Zanolto. *Diritto dell'Immigrazione*, 2008.

the text⁴⁴⁶ counted with several new norms to fight clandestine immigration. Article 1 rendered the procedure of expulsion easier, and not only for those found irregularly in the country's territory, but also for EU citizens and legal immigrants. According to this modification, all categories of foreign-born residents may be subjected to expulsion if sentenced to more than a couple of years of imprisonment. Previously, a jail sentence above 10 years was required, and only third-country nationals could be expelled. The same Article 1 modified Article 61 of the Italian Penal Code by adding the notion of “irregularity of residence status” to the list of aggravating circumstances of criminal offenses. In practice, this means that an undocumented foreign-born individual found guilty for a crime in Italy may receive a prison sentence one third longer than the one normally applied, and this merely due to his administrative condition in the country.⁴⁴⁷ Additionally, the fifth article of the decree establishes that the “facilitation of clandestine immigration” is a criminal offense punishable by prison sentence and property seizure. Here, facilitation refers specifically to the cessation of property to an irregular migrant. Thus, according to this rule, which was later on revised, a landlord who rented out an apartment or so to an individual devoid of proper documents could face imprisonment from 6 months to 3 years, in addition to having his/her property confiscated.⁴⁴⁸ This implied that the owner had to make sure that the residence status of his/her tenant was regular throughout the whole duration of the lease. In the text of the Law no.94, this measure was made less strict: first, the jail sentence became valid only to those landlords who aimed at profiting from the migrant's situation; second, the owner only had to verify the legal situation of his potential tenant when signing or renewing the contract.⁴⁴⁹ Another provision related to irregular migration concerns the “temporary assistance and detention centers” (*Centri di Permanenza Temporanea e Assistenza* – CPTA), which were renamed “identification and expulsion centers” (*Centri di Identificazione ed Espulsione* – CEI). Although their structure did not change, this nominal alteration highlights that the goal of expelling unwanted immigrants has officially become the main function of these centers.⁴⁵⁰

Another change brought about by the new security legislation regards the powers

⁴⁴⁶Legge 125/2008. Conversione in legge, con modificazioni, del decreto-legge 23 maggio 2008, no. 92, recante misure urgenti in materia di sicurezza pubblica, Gazzetta Ufficiale no.153, 25th of July, 2008. Available at: <<<http://www.camera.it/parlam/leggi/08125l.htm>>>.

⁴⁴⁷Massimo Merlino. The Italian (In)Security Package, 2009.

⁴⁴⁸Caritas Italiana. Almanacco Immigrazione, 2009.

⁴⁴⁹Emilia Naldi. La disciplina dell'immigrazione dopo il c.d. Pacchetto sicurezza: D.Lgs. n. 94/09 Disposizioni in materia di sicurezza pubblica. Note Informative, Nuova Serie, n.46, 2010. Available at: <<http://www.noteinformative.it/NoteInfo/ArticleDown.asp?cRivista=46&cArticolo=2010_046_06_I mmigrazione-disciplina_Naldi.pdf>>.

⁴⁵⁰Caritas Italiana. Almanacco Immigrazione, 2009.

of mayors in the field of public security, which were significantly amplified. According to Article 6, mayors were conferred the competence of adopting urgent regulations in the case of security emergencies. Moreover, they now have the additional responsibility of facilitating the cooperation between the national and local polices. Also, they were granted access to the Ministry of Interior's databases. The expansion of these leaders' powers is important here because it may affect immigrants directly and indirectly: for one, mayors may report irregular foreigners to the competent authorities, so that the latter can take appropriate measures to expel these persons.⁴⁵¹ Furthermore, since the text of the article does not define the term “public security” precisely, mayors were left with power to use security regulations at their own discretion.⁴⁵² At last, the Law Decree also regulated the participation of the Army in territorial control. The deployment of soldiers can take place in order to prevent criminality in exceptional situations, and to surveil particularly vulnerable sites or targets. In accordance with this new provision, on July 2008 the Ministries of Defense and Interior decided to resort to the Italian Armed Forces in order to surveil the CEIs, amongst other places.⁴⁵³

As for the so-called Security Bill (S 733 and AC 1280), it was first presented by Italian Premier, Silvio Berlusconi alongside the Ministers of the Interior and Justice, Roberto Maroni and Angelino Alfano, not long after the adoption of the Law Decree no.92, on June 3rd 2008.⁴⁵⁴ Despite being rapidly devised, the text of what would become the Law no.94 was only approved in July 2009, after being subjected to parliamentary appraisal three times – twice in the Senate, and once in the Chamber of Deputies. The length of this process was not without a good reason: several of the provisions introduced by the Bill were highly controversial, particularly the ones concerning immigration. The Security Act changed profoundly the regulatory framework on immigration originally set up by the Turco-Napolitano Law, albeit not promoting an integral reform of the 1998 law.⁴⁵⁵ Additionally, the Law no.94, as most of the legislative measures of the “security package”, touched upon the legal condition of foreigners by altering other sources of law, such as the Penal Code and laws on citizenship. The most important provisions of the Act are described below.

Similarly to the decree no.92, the Security Act has introduced several norms aimed at contrasting irregular immigration. Despite the importance of these norms, the

⁴⁵¹ Caritas Italiana. Almanacco Immigrazione, 2009.

⁴⁵² Caritas Italiana. Almanacco Immigrazione, 2009.

⁴⁵³ Massimo Merlino. The Italian (In)Security Package, 2009.

⁴⁵⁴ Senato della Repubblica. Disegno di legge no. 733: Disposizioni in materia di sicurezza pubblica. 3rd of June, 2008. Available at: <<<http://www.senato.it/service/PDF/PDFServer/BGT/00302495.pdf>>>.

⁴⁵⁵ Emilia Naldi. La disciplina dell'immigrazione, 2010.

repressive character of the law is by no means restrained to the treatment of this specific category of foreigners. The law's opening article, for example, establishes additional constraints to the entrance of aliens in Italy, vetoing the ingress of foreigners who have been convicted for a list of crimes, including offenses related to the exploitation of prostitution, and to the facilitation of clandestine immigration. This restrictive rule also affects those in possession of residence permits requiring renewal, since their criminal background too will be checked according to the novel regulation.⁴⁵⁶ What's more, other provisions created by the new law help to hinder the acquisition and maintenance of a legal status in Italy. To start with, the law creates an integration agreement to which newcomers must subscribe in order to live regularly in the country. This agreement defines a number of integration objectives that must be fulfilled before the expiration date of the migrant's permit. In case the contract is not honored, the foreigner's permit is revoked, and he/she is expelled from the country.⁴⁵⁷ Ironically, the implementation of this demanding provision is to be done without additional expenses to the state. Applicants for long-term residence permit, too, were subjected to a new integration rule: to be granted this status, immigrants are now required to pass a language test.⁴⁵⁸

A second difficulty imposed by the new legislation to the acquisition and maintenance of a legal status is the creation of a prohibitive financial “contribution” (80 to 200 euros) for the procedures of issuance and renewal of the residence permit. The resources resulting from this provision are aimed at financing the activities of a newly established Repatriation Fund, whose objective is to cover expenses related to the return of immigrants to their countries of origin.⁴⁵⁹ One more provision related to the acquisition of permits establishes that, as of July 2009, the right to family reunification of spouses is officially limited in order to avoid polygamous marriages. By this means, the issuance of residence documents to a migrant's new partner may be denied in case the applicant's first spouse is still in possession of a permit derived from the same procedure. Although this provision is seemingly reasonable, it neglects that the maintenance of the legal status of more than one spouse is not motivated by polygamous unions, but rather by the necessity to assure the presence of both parents to the children of the foreign couple – in case they have them.⁴⁶⁰

In regard to the stay of foreign-born nationals in Italy, it is relevant to recall that

⁴⁵⁶ Emilia Naldi. *La disciplina dell'immigrazione*, 2010.

⁴⁵⁷ A number of exceptions apply in this case. Refugees, asylum seekers, family members of long-term residents, amongst other categories of foreigners cannot be expelled.

⁴⁵⁸ Emilia Naldi. *La disciplina dell'immigrazione*, 2010.

⁴⁵⁹ Caritas Italiana. *Almanacco Immigrazione*, 2009.

⁴⁶⁰ Caritas Italiana. *Almanacco Immigrazione*, 2009.

immigrants are now required to present documents attesting their legal status in order to access public proceedings, such as the recognition of civil acts – including marriages – and the granting of public licenses and authorizations. For those working in the public administration, in turn, it was introduced the obligation to report irregular immigrants. The original text of this norm was far more repressive than the provision just described in that the aforesaid requirement was also applicable to health assistance facilities and educational institutes. However, after heated debates and popular manifestations, this requirement was finally erased from the draft law. In case it had been approved, this measure would have transformed doctors and teachers into “spies” of irregular migrants, since they would be obliged to denounce aliens in irregular situation.⁴⁶¹ Moreover, such measure would surely have worked to demotivate a large group of foreigners to look for these public services, even if they were in need of help. Another qualification to this law was made by the Ministry of the Interior, which clarified that the obligation to present documents does not apply to public acts related to the issuance of birth certificates or to the acknowledgment of parentage. Even though these measures do not affect legal migrants directly, changes in the procedures of public registration (*iscrizione anagrafica*) have imposed further obstacles also to these individuals: several deadlines to renew or make a new registry were shortened, and migrants are now required to present a certification that their accommodations fulfill a set of sanitary conditions.⁴⁶²

One of the most controversial provisions of the Law no.94 was the creation of the *reato di clandestinità*, that is to say, the transformation of irregular entry and stay in Italy into a criminal offense. Initially, the perpetrator of such crimes was to face a jail sentence from 6 months up to 4 years, but this punishment was later on replaced by a financial penalty of 5 to 10 thousand euros.⁴⁶³ The creation of this criminal offense has been constantly contested, and not only due to its controversial character, but also because its constitutionality is not clear. In fact, recently, on April 28th 2011, the European Court of Justice has ruled against the provision establishing the offense by claiming that the creation of the “crime of illegal immigration” – including the norm that provides for the imprisonment of irregular immigrants who fail to comply with an expulsion order – breaches the EU directive 2008/115/CE on common standards and procedures in Member States for returning illegally staying third-country nationals.⁴⁶⁴

⁴⁶¹ Caritas Italiana. Almanacco Immigrazione, 2009.

⁴⁶² Emilia Naldi. La disciplina dell’immigrazione, 2010.

⁴⁶³ This shift reflected a change on the nature of the punishable action. Initially, irregular entry had been conceived as a criminal offense (*delitto*), but later on this was replaced by the notion of “penal contravention” (*contravvenzione penale*).

⁴⁶⁴ European Court of Justice. Causa C-61/11 PPU: Sentenza della Corte (Prima Sezione). Domanda di

The creation of this offense was not, however, the only extreme measure adopted to fight irregular immigration. The Security law also extended the duration of detention of irregular immigrants in CEIs from 60 days to 180 days. Furthermore, in an attempt to catch the so-called “overstayers” – aliens who enter the country in a short-term visa, and then overstay the period established in the permit –, another criminal offense was created: according to the new rule, a foreigner may be sentenced from 6 months to 1 year in prison in case he/she disobeys an order to leave the country, and overstays more than 60 days.⁴⁶⁵

What's more, the powers of mayors in the field of public security were broadened once again with the objective of contrasting disturbing situations, including the ones involving immigrants. In this respect, it is important to mention that the Security Law established that mayors are officially allowed to rely on the help of citizen's patrolling organizations – the so-called “*ronde*” – to identify persons or events that may disturb the local public security or generate situations of social unrest.⁴⁶⁶ The Decree of the Interior Ministry no.183, issued on August 2009, further specified how these organizations are to be regulated. At last, it is important to mention new provisions on two matters that albeit very different, also aim at detecting and contrasting the presence of irregular aliens in the country. The first concerns international money transfers. According to the law no.94, financial agencies offering this type of service to foreigners must request the costumer's residence permit, and archive a copy of this document for 10 years. Moreover, in case the agency comes across a non-regularized resident, a report must be filled to the public security authorities. In case an agency does not comply with these regulations, the license to operate shall be withdrawn. The second set of rules concerns the law on the obtainment of Italian citizenship by marriage. In order to avoid marriages of convenience, the Security Act increased the period of legal residence required to apply for citizenship from 6 months to two years.⁴⁶⁷ Interestingly, these restrictive measures were counterbalanced by a provision that benefits high skilled migrants, that is: foreigners holding Master or PhD titles obtained in an Italian university can get a temporary residence permit (no longer than 12 months) to look for a job in the country.⁴⁶⁸

pronuncia pregiudiziale proposta dalla Corte d'appello di Trento. Procedimento penale a carico di Hassen El Dridi alias Karim Soufi. 28 aprile 2011. The ECJ decision is available at: <<http://www.consiglioregionale.piemonte.it/organismi/dif_civico/dwd/2011/29.04.2011_TESTO_SENTENZA_CORTE_DI_GIUSTIZIA.pdf>>.

⁴⁶⁵ Emilia Naldi. La disciplina dell'immigrazione, 2010.

⁴⁶⁶ Caritas Italiana. Almanacco Immigrazione, 2009.

⁴⁶⁷ Emilia Naldi. La disciplina dell'immigrazione, 2010.

⁴⁶⁸ Emilia Naldi. La disciplina dell'immigrazione, 2010.

In addition to the restrictive provisions just described, the Law no.94 established other regulations that negatively affected the legal condition and the rights of foreign-born nationals living in Italy. However, as mentioned before, only the most important and radical provisions were highlighted above. Together, the prohibitive character of this set of rules puts in evidence that the recent legislative choices in Italy have been informed exclusively by a repressive mentality, one that looks at immigrants first and foremost as a threat. Therefore, these measures fail to consider that immigration cannot be efficiently managed in such simplistic terms: as mentioned above, the inward movement of people is a structural and complex phenomenon, and one that has to do, above all, with real human beings.

4 On Security and Rights: analyzing of the debates over the Law no.94

The main purpose of the last chapter of this work is to present a critical discourse analysis of the parliamentary debates that led to the approval of the Security Law no.94, concerning “Provisions in the Field of Public Security”. As explained previously, the objective of this analysis is to discover in what manner the advocates of this repressive Law managed to suppress and silence the voices that opposed it, in particular the ones that accused the legislative piece of violating the individual freedoms and human rights of immigrants. The previous chapter explained in some detail how and when a security narrative on immigration came into being in Italy, as well as the ways in which this negative and exclusionary conception influenced policy-making in the field of immigration from the mid-1980s until nowadays. However, not much was said about the other views of the migratory phenomenon, including the “rights-based” discourse on immigration.

Given this oversight, this chapter begins spelling out how a discourse based on individual freedoms and human rights was used by institutional and civil society actors, both in and outside of Italy, to counteract the main migration-related provisions of the so-called “security package”. Therefore, this part demonstrates, in an applied manner, the main characteristics of what was referred to here as the “rights-based” discourse on immigration, a discourse built upon liberal and democratic principles and values, and that presents immigration as a multiple phenomenon, formed first and foremost by human beings. As it is explained below, these critiques are in line with those used by the center-left parliamentary group to oppose the approval of the Security Bill S 733 and AC 2180. Thereafter, the second section introduces in more detail the methods used in the analysis. Thus, the different stages of a critical discourse analysis are presented, as well as the main strengths and shortcomings of this type of interpretative methodology. Finally, the third section presents the actual analysis of the parliamentary debates that culminated in the Law no. 94. Since the center-left and center-right coalitions were in opposite sides in the political struggle over the definition and treatment of the migratory phenomenon, the analyses of the speeches delivered by their members were made separately: first, the center-left's pro-immigration discourses were the object of analysis. Thereafter, the securitized discourses of the majority group were studied.

4.1 Critiques to the “Security Package”: Immigrants, human beings

“Immigration is a multifarious phenomenon” and “immigrants are first and foremost human beings”: these statements were reiterated several times in the present study and, even so, it was the negative image of immigration that received the most attention thus far. This section counterbalances this bias by introducing the main social and institutional reactions and critiques to the Italian “security package”. Thereby, it presents an alternative view of immigration in Italy, one that may even include some aspects of the dominant securitarian framework, but that, above all, approaches international mobility as a complex and human phenomenon. The idea here is to, first, demonstrate that the preeminence of the security narrative did not prevent other actors from questioning and challenging this negative discursive articulation, and second, to introduce in a more palpable way the political and social context in which the main legislative piece of the “security package” – Law no.94 – was subjected to parliamentary scrutiny. In respect to this context, it is interesting to note that many of the arguments raised by civil society organizations and international institutions against the Bill were replicated in the Italian Parliament by the center-left opposition. As it should be clear by now, this alternative view of immigration may be understood in the terms of the social theory of language presented in the first chapter⁴⁶⁹, so that: in a context dominated by a discourse type that portrays immigration as a security threat, such discursive reactions and critiques are parts of subaltern discourses, which attempt to challenge the hegemonic status of the securitarian one. In other words, these discourses are at the other side of the political battlefield, and they have been, up to now, mitigated and silenced by the dominant security narrative.

As clarified, despite the repressive turn in immigration policy, Italy is a liberal democratic state and, as such, it cannot simply choose to dispose of the individual freedoms and human rights of international movers. Nevertheless, according to the critics of the “security package”, this is precisely what the Southern European state has done with the approval of the set of security rules announced in 2008.⁴⁷⁰ These actors argue that, by adopting a number of highly repressive legislative measures to fight irregular immigration, the state has legitimized breaches of immigrant's most fundamental rights, such as the right to family life, and the right to equally before the law. Before specifying why and how some of the new provisions adopted by the Italian government violate principles that lie at the heart of liberal democracies, it is important to identify which institutional and civil society actors expressed concern about, and

⁴⁶⁹This connection is better explained in the beginning of the upcoming section, i.e. section 4.2.

⁴⁷⁰For an academic text that gathers some of these critiques and elaborates on them, see: Massimo Merlino. *The Italian (In)Security Package*, 2009.

attempted to challenge the security policy innovations – after all, discursive practices of social agents are influenced by their identity and placement in society. According to Merlino⁴⁷¹, actors situated at three different levels of political action – national, European and international – raised criticism against the “security package”.

At the international level, the Council of Europe, represented by the Commissioner for human rights Thomas Hammarberg, expressed deep concerns about the direction immigration policy-making has been taking in Italy. According to his report⁴⁷², the novel migration-related pieces of legislation “raise serious issues of compatibility with human rights standards”⁴⁷³. It is interesting to highlight that this negative evaluation was made in spite of the government's attempt to convince the international representative that the state of emergency and subsequent formulation of new security measures did not entail violations either to immigrants' or to nationals' fundamental rights and freedoms.⁴⁷⁴ The Commissioner has thereafter, warned the Italian government that, regardless of the pressures and difficulties brought about by international movements of people, national states are required to abide by human rights laws and standards. What's more, in regard to the criminalizing aspects of the Law Decree no.125 and the Security Bill S 733⁴⁷⁵, Commissioner Hammarberg argued that:

Criminalization is a disproportionate measure which exceeds a state's legitimate interest in controlling its borders and corrodes established international law standards that run counter to this kind of measures. To criminalize irregular migrants, in effect, equates them with the smugglers or employers who, in many cases, have exploited them. Such a policy would cause further stigmatization and marginalization, even though the majority of migrants contribute to the development of European states and their societies.⁴⁷⁶

In addition to the Council of Europe, other international organizations have criticized the Mediterranean country's new security legislation, as well as several immediate measures enacted against immigrants and Roma and Sinti populations, such as the collection of fingerprints of Roma children. Amongst these organizations, Merlino⁴⁷⁷ underlines the negative assessments made by the Organization for Security and Cooperation in Italy (OSCE) and the United Nations Children's Fund (UNICEF), both of which condemned the country's treatment of the Roma and Sinti. The “security

⁴⁷¹Massimo Merlino. *The Italian (In)Security Package*, 2009.

⁴⁷²Council of Europe. Report by Thomas Hammarberg, 2009.

⁴⁷³Council of Europe. Report by Thomas Hammarberg, 2009, p.1.

⁴⁷⁴Council of Europe. Report by Thomas Hammarberg, 2009.

⁴⁷⁵By then, the Security Bill no.733 had just been approved by the Italian Senate.

⁴⁷⁶Council of Europe. Report by Thomas Hammarberg, 2009, p.10.

⁴⁷⁷Massimo Merlino. *The Italian (In)Security Package*, 2009.

package” has also faced criticism from non-governmental organizations (NGOs) operating at the international level. In this respect, it is noteworthy, for instance, that Amnesty International denounced Italian authorities for jeopardizing the rights and freedoms of immigrants and asylum-seekers as a result of the efforts to reduce the numbers of undocumented aliens in the country.⁴⁷⁸

European Union institutions, too, have expressed criticism to the new security legislation, in particular in light of the potential consequences of some its measures to the lives of foreign-born persons. The European Parliament (EP) and the European Commission⁴⁷⁹ not only questioned the idea of censusing the communities of Roma people in the country, but also stressed that a number of measures included in the “security package” were incompatible with EU law.⁴⁸⁰ Amongst the provisions that conflicted with European directives were, for example, the expulsion of individuals sentenced to more than two years of imprisonment and the inclusion of irregular immigration status in the list of circumstances that aggravate criminal offenses. Furthermore, as mentioned in the previous chapter, the crime of irregular entry and stay in the territory of the country was more than simply criticized by European institutions; the ECJ has recently ruled against the criminalization of irregular immigration in a decision that contested both the possibility of incarcerating immigrants that do not comply with an order to leave the country, and the criminal punishment of irregular entry or stay with a fine of 5 to 10 thousand euros (which was to be followed or preceded by the expulsion of the accused).⁴⁸¹ EU civil society organizations have also reacted to the novel legal and institutional developments related to immigration, especially the ones concerning the situation of Romani people living in Italy.⁴⁸²

At the domestic level, the “security package” has also caused much commotion: the Catholic Church, and the groups and organizations associated to it, notably the Italian branch of Caritas⁴⁸³, together with a large number of NGOs and associations of Italian doctors – amongst other civil society actors –, attacked the parts of the new security laws that concerned immigration. In fact, these actors have formed a network

⁴⁷⁸ Amnesty International. Report 2010 – Italy. 28 May 2010. Available at: <<<http://www.unhcr.org/refworld/docid/4c03a82050.html>>>.

⁴⁷⁹ It should be noticed, in respect to the position of the European Commission, that although the organ questioned at first the Italian government's intent to conduct a census of the Roma communities, later on, after evaluating that the measure was not discriminatory in character, it ended up agreeing with the measure.

⁴⁸⁰ Massimo Merlino. The Italian (In)Security Package, 2009.

⁴⁸¹ European Court of Justice. Causa C-61/11 PPU, 2011.

⁴⁸² Massimo Merlino. The Italian (In)Security Package, 2009.

⁴⁸³ Website of Caritas Italiana: <<<http://www.caritasitaliana.it/>>>.

against the “security package”⁴⁸⁴, which served to provide up to date information on the matter, as well as to organize and to announce public manifestations against the laws. According to Merlino⁴⁸⁵, the harsher critic to the novel legislation has been the Catholic Church. Indeed, Catholic groups did not limit themselves to linking the policy innovations to racial discrimination, but took a step further and alerted to the possible emergence of a renewed fascist wave in Italy. The Italian branch of Caritas has also devoted a part of the 2009 Almanac on Immigration⁴⁸⁶ to the assessment of the potential consequences of the different pieces of legislation that compose the “security package”. As for the results of these evaluations, they corroborate the above-mentioned concerns, that is: several of the provisions that regard immigration are said to violate fundamental human rights, and not only of irregular subjects, but also of European citizens, and of third-country nationals living regularly in the country.⁴⁸⁷ Besides that, there is a general worry that measures that criminalize immigrants will worsen the already complicate relationship between foreigners and some parts of the native population, and thereby help to increase the number of racial and xenophobic incidents in Italy.

As mentioned above, several civil society organizations non-related to the Church have also rejected the government's repressive security package. In an interview to *La Repubblica*⁴⁸⁸, a daily newspaper of large circulation in Italy, representatives of the *Medici Senza Frontiere* (Doctors without borders) in the country criticized the proposal to extend the detention of immigrants in the “Identification and Expulsion Centers” (CEI) to 18 months, especially in consideration of the horrible conditions of these places, which, in addition to being inhumane, are often overcrowded. The NGOs ActionAid Italia and *Soleterre* were also featured in this news report, both of them condemning and questioning the efficacy of the new provisions. Damiano Rizzi, the president of *Soleterre*, argued for example, that by relying exclusively on repressive measures, the approach chosen by the government is counterproductive since most of the foreign-born nationals residing in the country are actually important resources to the Italian economy. Concerning the complaints made by associations of doctors, the Presidency of the Council of the Italian Society of Migration Medicine⁴⁸⁹ strongly

⁴⁸⁴The website of the network is <<<http://nopacchettosicurezza.noblogs.org/>>>.

⁴⁸⁵Massimo Merlino. *The Italian (In)Security Package*, 2009.

⁴⁸⁶Caritas Italiana. *Almanacco Immigrazione*, 2009.

⁴⁸⁷Caritas Italiana. *Almanacco Immigrazione*, 2009.

⁴⁸⁸Carlo Ciavoni. 'Solo repressione contro i disperati': Ong bocciano il pacchetto sicurezza. *La Repubblica*, 23 May 2008. Available at: <<<http://www.repubblica.it/2008/05/sezioni/cronaca/sicurezza-politica-5/ong-contrarie/ong-contrarie.html>>>.

⁴⁸⁹Consiglio di Presidenza della Società Italiana di Medicina delle Migrazioni. *Lettera Aperta: Immigrati Irregolari e Clandestini e Diritto all'Assistenza Sanitaria*. Roma, 16 giugno 2008. Available at:

rejected the proposal of invalidating the principle of medical confidentiality, a modification that would have allowed medical staff to denounce undocumented immigrants who looked for health assistance. More than that, they criticized the government for merely discussing the possibility of abolishing the norm that prohibited doctors to denounce irregular aliens in that this debate alone had spread fear amongst immigrants and, consequently, had diminished the proportion of foreign patients looking for medical assistance.⁴⁹⁰

All in all, even though the actors mentioned above are extremely different in nature and operate in diverse levels of governance, they appear to have a unanimous opinion about the migration-related measures included in the “security package”, that is: they fail to comply with basic human rights principles. In view of this common evaluation – which, as said, is shared by the country's left-wing parties –, it is interesting to specify what provisions are said to violate which individual freedoms and human rights, and to explain why these breaches were expected in case the new regulation became fully operative. Therefore, the remaining of this section presents the expected consequences of the new security legislation to the rights of immigrants in Italy. Once again, the analysis focuses on the two main pieces of legislation included in the “security package”, namely: the Law Decree no.92 (converted into law by Law no.125), and the Law no.94.

To start with a tendency common to both legislative pieces, i.e. the criminalization foreign-born nationals living irregularly in Italy, it is argued that the decision to criminally prosecute of this category of aliens is disproportionate to the offense allegedly committed by them.⁴⁹¹ Before explaining this statement, it is important to notice that the “crime of irregular entry and stay” is not the only legal innovation responsible for criminalizing foreign-born individuals in Italy– even though it is certainly the most direct provision in this sense. Additional legislative modifications, as the inclusion of irregularity of status into the list of aggravating circumstances of the Penal Code, and the reduction of the minimal length of sentences to expel migrants (from 10 to 2 years) also help to criminalize these individuals in that they ,too, convey the notion that undocumented migrants are malefactors. Another measure that approaches immigrants as though they were criminals is the one that provides for the incarceration of those who disobey an order to leave the country. In short, these and other less direct provisions are said to criminalize immigrants, and not only

<<http://www.simmweb.it/fileadmin/documenti/Lettere/simm_sicurezza_08.pdf>>.

⁴⁹⁰Il Consiglio di Presidenza della Società Italiana di Medicina delle Migrazioni. Lettera Aperta, 2008.

⁴⁹¹Emilia Naldi. La disciplina dell’immigrazione, 2010.

institutionally speaking, but also in the collective imagination of the society.

As for the reason why criminal punishments are considered disproportionate to the alleged offense, this evaluation is related to the nature of the crime perpetrated: immigrants caught “illegally” in the state's territory, and then charged on this basis, are being indicted for their administrative statuses, and not for their actions – a basic premise of the Criminal Code.⁴⁹² And, even if one considers that unauthorized entry and sojourn in a state's territory are not exactly proper doings, it seems unreasonable to criminally prosecute people simply because they did not comply with a set of administrative rules. If the Italian government is doing so, it must be working under the assumption that every *clandestino*/immigrant is potentially a criminal. In respect to this governmental posture, it seems to find some corroboration in the possibility of deporting aliens and EU citizens who have been sentenced to more than a couple of years of imprisonment: since this security measure is motivated by the presumed dangerousness of the expelled individuals, and taking into account that a two years' prison term is not a particularly high sentence, the decision to modify the rule could only have been based on the idea that immigrants are dangerous.⁴⁹³

What's more, from a technical viewpoint, rules that criminalize foreigners are of difficult implementation, especially the ones requiring their imprisonment.⁴⁹⁴ Partly, such technical difficulties stem from internal problems of the Italian judicial and penitentiary systems: while the latter is unprepared to receive new inmates due to problems of overcrowding in the detention facilities, the former is extremely slow and inefficient. In this context, the expenditure of human and financial resources to criminally charge a pool of defendants that could sum up to 700 thousand people was more than senseless, it was factually impracticable. However, the list of technical and operational faults of the new security measures related to the criminalization of aliens did not stop there. Given the obscure and continuous character of the novel reprehensible action – i.e. irregular entry and sojourn –, it would be hard to establish precisely when and how the conduct was carried out, and this difficulty would surely interfere with the judicial proceedings.⁴⁹⁵ Furthermore, the text that established the “crime of irregular migration” was formulated in such a way that the penal action was subjected to the execution of an administrative procedure. Put differently, the enforcement of the expulsion procedure by the *questore* (police commissioner) implied

⁴⁹² Caritas Italiana. Almanacco Immigrazione, 2009. And Emilia Naldi. La disciplina dell'immigrazione, 2010. And Massimo Merlino. The Italian (In)Security Package, 2009.

⁴⁹³ Caritas Italiana. Almanacco Immigrazione, 2009.

⁴⁹⁴ Emilia Naldi. La disciplina dell'immigrazione, 2010.

⁴⁹⁵ Caritas Italiana. Almanacco Immigrazione, 2009.

the ending of the penal action against the irregular foreigner, and this circumstance, in addition to being odd in itself, generated a serious problem: since the deportation of the unwanted alien could be carried out without the clearance of the judicial authority responsible for the case, the right to defense of the accused was factually limited.⁴⁹⁶

However, it is not only the right to defense that is violated by the new provisions: the nexus established between immigration status and criminal acts breaches the principles of equality before the law and of non-discrimination on the grounds of nationality – both of which are universal rights established by the European Convention of Human Rights (ECHR) and by the Universal Declaration of Human Rights (UDHR).⁴⁹⁷ The inclusion of “irregular migration” in the list of aggravating circumstances is illustrative of this point as it implies that, by the mere faculty of *being* an unauthorized *foreign* citizen, an individual is liable to receive a sentence that is one third higher than the one applied to other residents who committed a similar transgression (a fact that also implies that the provision is contrary to the principle of proportionality). The “crime of irregular migration” is also noteworthy here, as only third-country nationals could possibly perpetrate the offense. Hence, based on these evaluations, the Italian Caritas criticized these criminalizing measures and accused the Italian government of creating

[...] a special criminal law for foreigners, where the different penal treatment is based solely on the qualification/status of non-Italian citizen and not on a concrete evaluation of the higher dangerousness that this status may imply in terms of penal actions. Another consequence is the violation of the principle of equality/parity of treatment [...].⁴⁹⁸

Still concerning criminal penalties, only this time for Italian citizens, critics of the “package” contend that the punishment first provided for the crime of letting accommodation to irregular foreigners was not only disproportionate and unfair, but also put landlords in a very difficult position for it required them to assume a “vigilance function”, which obviously went far beyond the mere realization of a contract. In regard to the argument that the penalty was disproportionate and unjust, this disapproval was grounded both on the severity of the punishment – a prison term, plus the confiscation of the property – , and on the fact that if two Italians were found guilty for the exact

⁴⁹⁶ Emilia Naldi. La disciplina dell’immigrazione, 2010.

⁴⁹⁷ Massimo Merlino. The Italian (In)Security Package, 2009.

⁴⁹⁸ Original in Italian: “[...] un diritto penale speciale per gli stranieri, in cui la diversità del trattamento sanzionatorio poggia solo sulla qualifica/ status di cittadino non italiano e non su una valutazione in concreto della maggiore pericolosità che tale stato assume rispetto all’azione penale. Ulteriore conseguenza è anche la violazione del principio di uguaglianza/parità di trattamento [...]”. In: Caritas. Almanacco Immigrazione 2009, 2009, p.132.

same infraction, the consequences would be of administrative character.⁴⁹⁹ In fact, it was in light of these problems that the provision – firstly established in the Law Decree no.92 – was reformulated in the Law no.94, as seen above. Despite that, the original version of the measure deserved some space here in that its restrictive character was surely based on the aforesaid presumption that irregular immigrants are somewhat dangerous. The social dissemination of this presumption becomes riskier in light of another provision of the Law no.94, the institutionalization of citizen's patrolling groups. The so-called *ronde* not only violate underlying pillars of the modern nation-state, i.e. the monopoly of the legitimate use of the means of violence and the responsibility for the public security, but also potentially lead to a number of problematic and disturbing social situations. When it comes to immigrants, the components of such patrolling groups might deliberately choose to target such individuals simply because they are foreigners, especially in a society in which the migration-security nexus is so deeply rooted into the policy framework. Therefore, the *ronde* may unintentionally become an official means to discriminate against immigrants.⁵⁰⁰

Another controversial security measure concerning unwanted immigration was the extension of the period of detention of unidentified immigrants in the CIEs from 60 to 180 days. Even if one disregards these facilities' inadequate conditions, this decision is condemnable, especially in consideration of these centers' poor performance over the last years.⁵⁰¹ As a matter of fact, the CIEs have never worked as expected; that is to say, the detention of unidentified individuals in these places has hardly ever resulted in the determination of their personal identities and subsequent deportation. In this respect, it is noteworthy that the Ministry of Interior itself recognizes that the number of removals of third-country nationals does not surpass 50% of the number of foreigners held in these centers.⁵⁰² In light of these well-known deficiencies, the decision to extend the duration of the period of detention was deemed to be unreasonable, extremely burdensome, and disrespectful of immigrants' personal freedoms. In fact, many arguments against the continuous operation of these facilities existed even before the extension of the arrest period was approved – an observation that only makes this governmental decision more surprising. A study conducted in 2006 by the Directorate-General of Internal Policies of the European Parliament⁵⁰³, for example, disclosed the

⁴⁹⁹ Caritas Italiana. Almanacco Immigrazione, 2009.

⁵⁰⁰ Caritas Italiana. Almanacco Immigrazione, 2009.

⁵⁰¹ Caritas Italiana. Almanacco Immigrazione, 2009.

⁵⁰² Caritas Italiana. Almanacco Immigrazione, 2009.

⁵⁰³ European Parliament, Directorate-General Internal Policies. The conditions in centres for third country national (detention camps, open centres as well as transit centres and transit zones) with a particular

extremely poor and dehumanising conditions of the Italian centers. According to the report, immigrants were kept in “prison-like detention conditions”⁵⁰⁴ and the services provided in these places were inadequate, with foreigners being unable to access, for instance, information about their legal rights, as well as health and psychological assistance.

The human rights of irregular aliens in Italy were also negatively affected by the article that establishes the requirement to present a residence permit to access public services and proceedings. Even though the original text of the article was modified in a less restrictive direction – the requirement applies neither to medical and educational establishments and nor to the release of birth and parentage certificates –, the requisite was maintained for the realization of marriages. As a result, the novel provision is accused of limiting the right of irregular immigrants to establish a family, which, according to article 16 of the UDHR, is an inalienable right of human beings, regardless of their administrative statuses.⁵⁰⁵ As for the subsections of the provision that were modified – i.e. access to health and educational institutes and to parentage declarations –, it is important to highlight that they were not easily erased from the Bill. On the contrary, these issues were subjects of intense public debates until the Chamber of Deputies decided to mitigate the repressive content of the article. In more detail, before being altered, the provision was considered extremely polemic because it was said to violate constitutional, as well as international norms. Indeed, according to Caritas⁵⁰⁶, if approved, the requisite of presenting a legal document would have constrained irregular immigrants' rights to family life, to health assistance and to education. Furthermore, the new limitations would have endangered the overall resident population of the country, since undocumented individuals would probably be reluctant to look for health assistance, even if infected by transmissible diseases.⁵⁰⁷ And yet, this was not the only provision of the “security package” that could backfire on the Italian state: for instance, the new, more restrictive regulations on money transfer may drive immigrants devoid of appropriate documents to look for alternative ways of sending financial resources to their home countries⁵⁰⁸. Needless to say, criminal organizations could easily take advantage of this situation, and provide this “service” themselves.

focus on provisions and

facilities for persons with special needs in the 25 EU member states, 2006, IP/C/LIBE/IC/2006-181. Available in: <<http://www.libertysecurity.org/IMG/pdf_eu-ep-detention-centres-report.pdf>>.

⁵⁰⁴ European Parliament, Directorate-General Internal Policies. The conditions, 2006, p. 105.

⁵⁰⁵ Caritas Italiana. Almanacco Immigrazione, 2009.

⁵⁰⁶ Caritas Italiana. Almanacco Immigrazione, 2009.

⁵⁰⁷ Il Consiglio di Presidenza della Società Italiana di Medicina delle Migrazioni. Lettera Aperta, 2008.

⁵⁰⁸ Caritas Italiana. Almanacco Immigrazione, 2009.

As mentioned in the previous chapter, the rights and legal condition of regular foreign-born residents have also suffered some degree of degradation as a result of these new security-oriented immigration policies. As of 2008, regularized residents face heightened difficulties in establishing a stable and secure family life in Italy. For starters, the Law no.94 complements the already restrictive Legislative Decree no.160⁵⁰⁹ by adding yet another constraint to the right to family reunification: in order to avoid polygamous marriages, the issuance of documents to migrants' new spouses shall be denied in case the applicant's first partner is still in possession of a permit.⁵¹⁰ However, as mentioned, this provision neglects the possibility that the couple, albeit separated, have children together, and that these minors hold the right to have both parents nearby. Besides that, the extension of the period for the acquisition of citizenship by marriage has also complicated the lives of foreigners and of their partners. According to the government, this measure aims at avoiding unions of convenience, but the legislators ignore that this modification actually treats newlywed individuals as suspects of fraudulent behavior, even though they did nothing to deserve such treatment.⁵¹¹

In regard to the changes in the procedures of public registration, the newly established obligation to present a “hygienic-sanitary certificate” of the place of residence to the *anagrafe* poses problems both to foreign nationals and to Italian citizens. Estimations indicate that a large part of the houses in Italy would not pass an inspection of this sort.⁵¹² This means that if this requirement is strictly implemented, many citizens and non-citizens will be excluded from the public registries and consequently, will be deprived of a number of rights connected to this bureaucratic procedure, such as the right to social assistance.⁵¹³ Moreover, the state will lose an important instrument of surveillance and control of the population. On the top of that, procedures like the renewal of residence permits, and the issuance of documents to attest the continuous and regular sojourn of a foreigner in the territory of the country – necessary, for instance, to apply for a permanent residence permit – would be harder to get.⁵¹⁴ Hence, the government has factually made it more difficult for immigrants to get and to maintain a legal residence status.

As for the other migration-related provisions of the new Security Law, such as

⁵⁰⁹See: Decreto Legislativo no. 160/2008. Modifiche ed integrazioni al decreto legislativo 8 gennaio 2007, no. 5, recante attuazione della direttiva 2003/86/EC relativa al diritto di ricongiungimento familiare, Gazzetta Ufficiale no. 247, 21st of October, 2008.

⁵¹⁰Emilia Naldi. La disciplina dell'immigrazione, 2010.

⁵¹¹Caritas Italiana. Almanacco Immigrazione, 2009.

⁵¹²Caritas Italiana. Almanacco Immigrazione, 2009.

⁵¹³Caritas Italiana. Almanacco Immigrazione, 2009.

⁵¹⁴Emilia Naldi. La disciplina dell'immigrazione, 2010.

the novel integration requirements and the financial contribution to the issuance and renewal of residence permits, their main objective, too, seems to be that of imposing obstacles to the legal entry and stay of immigrants in Italy. In fact, concerning the creation of an integration contract for newcomers and the organization of language tests for long-term residents, it is noteworthy that the only precise statement in their regard in the Law is that they are to take place without additional financial burdens to state.⁵¹⁵ There are no other specifications, no regulations about how this complex process shall be best implemented. The financial contribution is a restrictive innovation as well: not only are the values asked – 80 to 200 euros – extremely high and thus, prohibitive to most immigrants, but also the additional resources gathered as a result of this procedure were meant to finance a repatriation fund – yet another decision that privileges the fight against irregular immigration.⁵¹⁶

In short, none of these provisions seem to be aimed at promoting the integration of immigrants into the Italian society; nor does the financial contribution appear to be aimed at covering the expenses of the bureaucratic procedures related to the granting of permits. Rather, alongside the other Legislative and Law Decrees of the “security package”, these repressive measures seem to be the final ramifications the Bossi-Fini Law in that they clearly complement the 2002 policy reform⁵¹⁷: they finally managed to criminalize irregular immigrants, to deteriorate the legal condition of foreign-born residents, and to constrain even more the few channels of legal immigration to the country. However, as seen, the main result of these efforts is likely to be the violation of individual freedoms and human rights – at least more than the stop of inflows of people. Hence, ultimately, this security-oriented approach to immigration is expected to result in “[...] the construction of a society [...] based on the hierarchical differentiation of non-citizens' legal statuses”⁵¹⁸, with citizenship representing the “[...] ultimate status privilege, the final factor of exclusion and discrimination, the last premodern relic of personal inequalities in contrast with the acclaimed universality and equality of fundamental rights”.⁵¹⁹

⁵¹⁵ Emilia Naldi. *La disciplina dell’immigrazione*, 2010.

⁵¹⁶ Caritas Italiana. *Almanacco Immigrazione*, 2009.

⁵¹⁷ Marco Ferrero. *Straniero e Diritti Umani*, 2009.

⁵¹⁸ Original in Italian: “costruzione di una società [...] basata sulla differenziazione gerarchizzata degli *status* giuridici del non cittadino.” In: Marco Ferrero. *Straniero e Diritti Umani*, 2009, p. 143.

⁵¹⁹ Original in Italian: “l’ultimo privilegio di *status*, l’ultimo fattore di esclusione e discriminazione, l’ultimo relitto premoderno delle disuguaglianze personali in contrasto con la conclamata universalità e uguaglianza dei diritti fondamentali.” In: Marco Ferrero. *Straniero e Diritti Umani*, 2009, p. 143.

4.2 Critical Discourse Analysis: a Methodological Note

The first chapter of the present paper introduced the main aspects of the social theory of language developed by Norman Fairclough⁵²⁰, a discourse analyst whose methodological framework allows social researchers to explore the significance of language in the production, maintenance and transformation of power and hegemony. According to the author, language is a privileged means – albeit not the sole one – to investigate the perpetuation and change of relations of domination in society. This is because language, understood first and foremost as a social practice that conditions and is conditioned by other societal processes, occupies an important place in modern societies: it is deeply involved in power struggles between political forces, and not only as a means to produce and maintain power, but also as a stake in the contest.

As most societies in the so-called Western world are configured as liberal democracies – i.e. government forms where the exercise of power finds its limits in a bundle of rights and duties derived *inter alia* from the principles of liberty, individuality and equality –, their political realm cannot but be characterized by disputes that take place primarily *in* and *over* language. As explained in the second chapter of this study, immigration and securitization are two of the subjects of contest in these states' political field: whereas the first is a complex, and multifarious phenomenon that is seen and represented in a variety of ways, the second is a process of social construction that may be differently enacted by various actors, and established through a large set of means – discourses, policy instruments, images, *etc.* As a result of these multiple possibilities, different discourses on immigration have been formulated over time in societies hosting a large amount of foreign-born nationals, including in Italy – the case studied of this work. As this Southern European state became a country of immigration, a discourse that portrays cross-border movements of people as a threat to the state, to its national identity, to the domestic economy and to the public order was slowly articulated and integrated into its immigration policy framework. Progressively, this security-oriented view took precedence over other discourses on the phenomenon, such as the economic and humanitarian ones, and this evolution culminated in the adoption of a “security package” that, as explained, has as much to do with immigration as it does with organized crime and mafia. Since these discourses on the migratory phenomenon in Italy may be considered social practices, one may state that they are intrinsically

⁵²⁰Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

imbricated in the wider social context of the Mediterranean country. Indeed, the third chapter of this study not only presented different narratives on the migration flows to Italy, but also showed that these accounts are inseparable parts of the country's social and historical records. Therefore, discourses on immigration, too, are a part and a result of the struggles for power happening within the society – an observation in tune with Buonfino's⁵²¹ contention that different discourses on migration reflect the existence of a number of political forces engaged in continuous political battles for power in society.

In light of the relevance of language in the political realm and of the socially constructed character of the securitized view of immigration, the discursive dimension of social practices seems to be an ideal site to research in what manner a narrative that includes the migratory phenomenon as a security concern becomes dominant and reduces human mobility to a threat that must be controlled, managed, mitigated and ultimately annihilated – even when it comes to liberal democratic states. More specifically, in order to investigate how the dominant securitized discourse on immigration negotiates its contractions with, and suppresses a rights-based and liberal view of the phenomenon, this study conducts a critical analysis of the political speeches delivered during the parliamentary procedures that culminated in the adoption of the centerpiece of the Italian “security package” – the Security law no 94. In other words, the analysis provided in this chapter attempts to demonstrate the ways in which different Italian political actors fought over the dominant discursive representation of immigration, and how the strongest political forces – in this case, the center-right majority – managed to approve a security-oriented reform of the country's immigration policy that circumvented and relegated to a second plane some of the founding principles of the liberal and democratic Italian state, such as equality and the respect for human rights. The present section aims at explaining how this critical discourse analysis is to be done in practice. Which formal features of the aforementioned debates should be observed? How are they connected to the wider social context? What do they indicate and why?

However, before answering these and other practical questions, it should be stressed that the objective here is not to provide an exhaustive account of the different methods of conducting critical discourse analysis. This is because, according to Bloor and Bloor⁵²², there is neither one unique formula to do so, nor a precise methodological boundary that should by all means be respected; rather, there is a plurality of interesting

⁵²¹ Alessandra Buonfino. *Politics, Discourse and Immigration*, 2004.

⁵²² Meriel Bloor and Thomas Bloor. *The Practice of Critical Discourse Analysis: An Introduction*. Oxford: Oxford University Press, 2007, 224p.

ways of critically investigating texts, which are influenced both by the scope of the research, and by the analyst's own standpoint on the issue under investigation. Concerning the latter argument, Fairclough⁵²³ warns researchers that, by the mere faculty of being critical, this type of analysis is partial. Indeed, if the intent of such investigations is to fight oppression in its linguistic forms, the analyst cannot aim at reaching the same level of objectivity claimed by scientists working with other methodological tools. This requires an ethical commitment on the part of researchers: when exposing their conclusions, they must openly recognize that the results obtained are unavoidably limited. Despite this apparent shortcoming, one cannot forget that it is precisely due to the critical character of this type of analysis that it is possible to unravel the ways in which language and discourse are used by powerful actors to maintain systemic structures of inequality and oppression in our societies. Since these ideological structures are taken for granted in quotidian social practices, it is not possible to disclose their operation unless a positive commitment to justice, fairness and equality is made. Hence, in order to operate critically, one must be ready to challenge the *status quo*, and to disclose the historically informed character of social structures, even if this implies compromising some degree of scientific objectivity.⁵²⁴

As for the present study, the method of discourse analysis used is compatible with the social theory of language developed by Norman Fairclough.⁵²⁵ The reason why the term “compatible” was used to express this choice is that although the aforesaid author provides a few general guidelines that explain how to canvass textual materials, he stresses that there is no unique way of making a critical discourse analysis. According to him, researchers must identify those that are the best tools to answer the questions posed in their specific studies. Bearing this qualification in mind, the author of the present paper assembled/copied some tables that re-construct the general methodological framework provided by Norman Fairclough in the book *Language and Power*.⁵²⁶ Although these tables should not serve as a blueprint of the methodological procedure, they may be of value in assisting the explanation provided in this section, and the actual study presented later on.

In order to make sense of the general guidelines of the procedure of critical

⁵²³ Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁵²⁴ Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁵²⁵ Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁵²⁶ Norman Fairclough. *Language and Power*, 2001.

discourse analysis proposed by Fairclough⁵²⁷, we must first take a step back into his theory of language. As previously explained, for this author, language is a social practice that cannot be separated from the context in which it is used. In regard to the notion of social context, one must recall that the author's understanding of this expression transcends the simple idea of immediate situation; if language is a constitutive part of society, this means that more general social structures influence and are influenced by the usage of this “means of communication”. Based on this premise, Fairclough⁵²⁸ argues that, when analyzing discourses, researchers should look beyond the text, meaning that attention must be paid to three different levels of social organization, namely: the particular situation of the interaction, the institutional level, and the level of the society as a whole. All of these societal layers shape the member's resources (MR) upon which agents conventionally draw when producing and interpreting texts. These macro-conditions are, in turn, shaped by individual practices, particularly when people engage creatively in interactions.

The relevance of recalling that discourses are imbricated in different societal levels lies in the fact that Fairclough⁵²⁹ distinguishes between three stages of discourse analysis, each of which corresponds to a different societal level. In other words, the author contends that

in seeing language as a discourse and as a social practice, one is committing oneself not just to analysing texts, not just to analysing the processes of production and interpretation, but to analysing the relationship between texts, processes and their social conditions, both the immediate conditions of the situational context and the more remote conditions of institutional and social structures.⁵³⁰

Therefore, a critical discourse analysis should consist of three steps, namely: description, interpretation and explanation. The first stage, description, is concerned with the formal features of texts. The second stage, the one of interpretation, refers to the analysis of the relationship between text and interaction. The last stage, explanation, concerns the study of the relationship between the interaction and the overall social context of production and interpretation of texts.

In more detail, in the first stage, the one of textual analysis, the researcher looks

⁵²⁷ Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁵²⁸ Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁵²⁹ Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁵³⁰ Norman Fairclough. *Language and Power*, 2001, p.21.

at the form and organization of texts, which should not be understood as unproblematic categories, but rather as potential traces of and cues to hidden ideological values in the text. Formal features – such as vocabulary and grammatical structures – are said to possess three types of values, which may or may not be imbued with ideology, namely: experimental, relational and expressive. Traits that contain experimental value indicate how the text producer represents her experiences of the social and natural worlds; that is to say, these traits are connected to the contents of the text, and help to unveil the knowledge and beliefs of the person delivering a speech or writing a text. Relational values, in turn, are contained in formal features that allude to the social relationships being realized through the text in the discourse. Therefore, they refer to the relations between people within the discourse as well as to more general social relationships in society. At last, a formal feature is said to have expressive value when it is a trace of and a cue to how the producer evaluates the reality to which he is related. In other words, expressive values of formal features are related to the subjects, as well as to their social identities. It should be added that Fairclough⁵³¹ deals with the possibility of formal features possessing what he calls “connective” value. Even though this value is internal to texts – it is to be found in formal traits that establish meaningful connections between different sentences and parts of a text, as conjunctions and definite articles –, it may point to the existence of ideological contents within a discourse, as well as to situations that are external to the text.

But what formal features should be observed in a text? How can one assess the value of a feature? And when is a formal feature endowed with ideological contents? Before answering these questions, it is important to clarify that any text, in whichever language it happens to be written or uttered, is composed of a mixture of formal features: particular words are used, grammatical structures are chosen, figures of speech are resorted to, semantic relationships are established, conjunctions are placed, *etc.* In other words, languages provide text producers' with an enormous amount of linguistic features and structures, which they may assemble as they wish in order to convey meaning. As a result of this production process, formal features may express one or more of the values described above. Nevertheless, this does not mean that ideological contents will necessarily be coded in such traits and thus, not all of the formal linguistic components of discourses will be relevant in critical studies. In sum, these observations indicate that what is of interest for the discourse analyst is not the mere formal description of the text; rather, the critical researcher attempts to find out whether and in

⁵³¹Norman Fairclough. *Language and Power*, 2001.

which ways formal linguistic features are engaged in the production, maintenance and transformation of established ideological notions, power relations, and social identities. In light of this purpose, the description phase cannot be conducted separately from the other two stages of the analysis; put differently, in order to interpret textural properties of texts, the researcher must pay attention to these formal aspects as well as to the discourse types upon which they rely. And this is to say that the three stages of discourse analysis cannot be clearly divided; on the contrary, they are supposed to complement and inform each other.

In fact, it is based on previous knowledge of the institutional, social and political contexts in which discourses occur that the analyst will be able to identify implicit contents, presuppositions, and traces of ideological processes in texts. Thus, it is not possible to indicate *a priori* what formal features should be observed in a text; instead, the inquire at this stage of the analysis must be reversed, that is to say, the analyst has to ask himself whether and how, for instance, certain ideological representations of the world (experiential values) are coded in the vocabulary used in a text, or in its grammatical structure. In respect to vocabulary, for example, the words, the way they

Stage 1: Description

Table 1: Critical Discourse Analysis (CDA)

3 Interactional Conventions are features related to text's organizational traits:		4 Large Scale Structures of texts are conventional frames with diverse values:					
<i>In a Dialogue:</i> 1 Turn-talk systems may have relational values. 2 Control over interactions show power in discourse (experimental, relational, & expressive values). - Interruption; - Enforce explicitness; - Control the topic; - Formulation.							
2 Grammatical traits are formal features with several values: <i>Experimental:</i> - the ways in which grammatical forms code happenings or relationships in the world, those involved in such processes and their spatial and temporal circumstances. 1 Types of processes & participants; 2 Agency; 3 Nominalization 4 Active/passive sentences 5 Positive/negative sentences. <i>Expressive:</i> - ways in which grammatical features express expressive values of participants.		<i>Relational:</i> - ways in which grammatical features express relational values. 1 Modes of sentences; 2 (Relational) modality; and 3 Pronouns.					
1 Words are formal features with several values: <i>Experimental:</i> - representations of the world are coded in vocabulary.		<i>Expressive:</i> - vocabulary features imply an evaluation of the world.					
<table><tr><td>Text</td><td>Text ↔ Disc.</td></tr><tr><td><i>Expressive:</i> 1 Vocabulary items; 2 Co-occur and collocation; 3 Ideological contestation of words.</td><td><i>Relational:</i> 1 Classificatory schemes; 2 Meaning relations; - synonymy - hyponymy - antonymy.</td></tr></table>		Text	Text ↔ Disc.	<i>Expressive:</i> 1 Vocabulary items; 2 Co-occur and collocation; 3 Ideological contestation of words.	<i>Relational:</i> 1 Classificatory schemes; 2 Meaning relations; - synonymy - hyponymy - antonymy.	<i>Relational:</i> - words depend on, and help to create social relationships between participants Eg.: Formality, slang and euphemism.	
Text	Text ↔ Disc.						
<i>Expressive:</i> 1 Vocabulary items; 2 Co-occur and collocation; 3 Ideological contestation of words.	<i>Relational:</i> 1 Classificatory schemes; 2 Meaning relations; - synonymy - hyponymy - antonymy.						
		<i>Expressive:</i> Eg.: Usage of diverse classificatory schemes.					
		<i>Connective:</i> - values formal features have in connecting together parts of a text.					
1 (Expressive) modality; 2 Verbal tense; 3 Adverbs.		1 Logical connectors; 2 Coordination or subordination of clauses; 3 Grammatical devices used for referring in a reduced form to material previously introduced (eg.: pronouns and definite article).					

This table was assembled by the author of the present work based on the description of the first stage of a critical discourse analysis provided by Norman Fairclough in the book *Language and Power*. See more in: Norman Fairclough, *Language and Power*, 2001.

co-occur or are collocated in the text, and the meaning relations established between them may all be indicative of particular ideological beliefs. What's more – considering vocabulary –, the choice of wordings may indicate that the text helps to create or to sustain an unequal social relationship between the interlocutors (relational values). The usage of linguistic formalities or of slang terms in social interactions illustrates well this point. Vocabulary features may also include an evaluation of the world (expressive value). This happens, for example, when ordinary classification schemes – common ways to divide reality into parts – are used in non-conventional manners.

Grammatical structures, too, should be evaluated in this manner: if, for instance, the agency of an event or process is unclear, the analyst may ask himself, considering the social and political context of the discourse, whether such obfuscation was ideologically motivated or not. Relational values may also be embedded into grammatical traits. The usage of first- and second- person pronouns in their plural forms, and the modes of the sentences chosen by interlocutors (declarative, imperative, and interrogative) are two common means to express relationships of solidarity and power between the social agents taking part in an interaction. In addition to grammatical structures and vocabulary, other formal features of discourses may contain traces of and cues to ideological dimensions, such as the connectors that link different sentences and parts of texts, the interactional conventions drawn upon during the discourse (e.g. turn-taking), and the large-scale structure of the text studied (e.g. the format of interviews, or news reports). In sum, as mentioned before, while several formal features may be meaningful from the analytical viewpoint, many of them will surely be irrelevant, and this means that the researcher must thoroughly examine the material studied with an eye not only to its formal aspects and to the social context in which social interactions occurred, but also to his particular research question. Table 1 summarizes the most important aspects of the descriptive stage of the critical discourse analysis, providing examples of formal features that commonly express ideological beliefs, support social relations, and reinforce social identities. As mentioned, this table was elaborated following the general guidelines provided by Fairclough in the book *Language and Power*.⁵³² Concerning the formal traits listed in the table, it is important to stress once again that they do not exhaust the innumerable linguistic features available in language; they simply exemplify the formal features with experiential, relational, expressive and connective values that are most commonly endowed with ideological representations.

The second stage of the procedure of critical discourse analysis is called

⁵³²Norman Fairclough. *Language and Power*, 2001.

interpretation, and as briefly mentioned above, is concerned with the relationship between the text and the social interaction in which this text is produced and interpreted. According to Fairclough⁵³³, studying this relationship is important because “the values of textual features only become real, socially operative, if they are embedded in social interaction, where texts are produced and interpreted against a background of common-sense assumptions (part of MR) which give textual features their values”.⁵³⁴ As it was explained in the second chapter, the processes of production and interpretation of texts are based on a dialectical interplay between textual cues and the resources (MR) upon which social agents draw in order to produce or to make sense of texts. A summary of these processes is presented on table 2. The two distinct parts of the table indicate that production and interpretation of texts take place at two levels: at the level of the text and at the level of the interactional context. Concerning the former level (lower part of the table), the illustration shows that in order to make sense of, or to create meaningful messages, participants in discourse practices are required to know the linguistic conventions of a language, ranging from formal aspects, such as the language's phonology, vocabulary and grammar, to semantic and structural facets, such as the how meaning connections are established between words and sentences, and the ordinary text structures – schemata – relied upon.

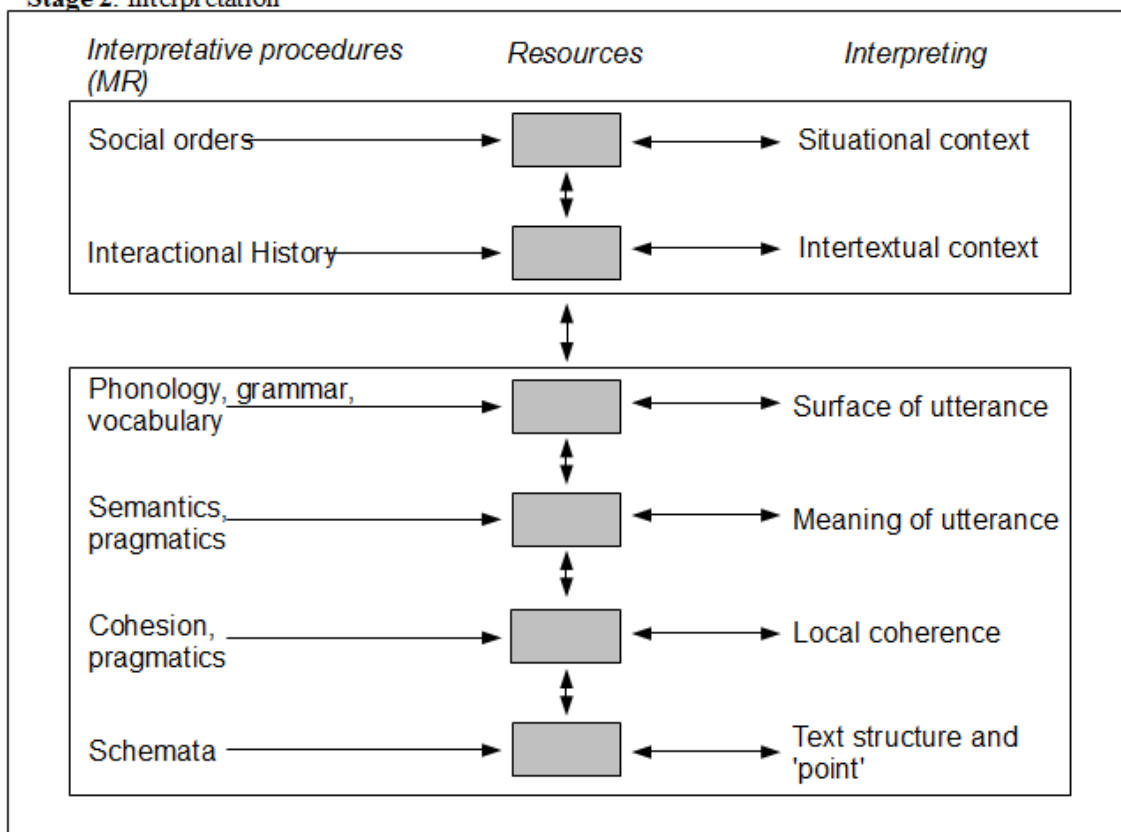
In turn, the upper part of the table refers to the level of the interactional context: it is based on the interpretation of the surrounding social circumstances that text producers and interpreters determine which discourse types should be used to create or interpret texts. In other words, those taking part in a social interaction use external contextual characteristics – for example, physical aspects of the environment and properties of other participants –, as well as their member's resources to identify the situation type in which they are placed, and as a result of this evaluation, they know the conventions that should be drawn upon to interpret or to produce linguistic messages. More specifically, situational contexts have four main dimensions: the first dimension, the one that determines the content of the interaction, may be defined by answering the following question: “what is going on?”. By providing a response to this inquiry, the text producer/interpreter defines the situational context in terms of an activity type, a

⁵³³Norman Fairclough. *Language and Power*, 2001.

⁵³⁴Norman Fairclough. *Language and Power*, 2001, p.117.

Stage 2: Interpretation

Table 2



Norman Fairclough. *Language and Power*, 2001, p. 119.

topic and a purpose, and this exercise allows him or her to act in accordance with what is socially acceptable. For instance, in any given institutional setting, such as the parliament, several activities take place. In general assemblies, for example, parliamentarians may be required to discuss a particular bill, to propose amendments to its text, or to vote on its content. Each of these activities define the set of topics that may be covered by participants, as well as the purpose of the social interaction. The division of activities into categories is common in most social contexts, and helps to guide the actions of participants.

The second dimension of the situational context refers to the subjects positions set up in an interaction. Thus, the question guiding the interpretation of this aspect of social contexts is: “who is involved?”. Needless to say, subject positions are multidimensional categories: in the case of parliamentarians, for instance, they are not simply deputies or senators; rather, they are members of political parties, of parliamentary groups, of the political majority or of the opposition, of specific commissions, amongst many other institutional and social roles. One may identify different levels of subject positions: the first level derives from the activity taking place;

the second, from the social positions related to the institutional and social orders; and the third refers to the immediate context, that is, to the different speaking and listening positions within the actual discourse practice. The third dimension of the situational context is closely connected to the previous one: it concerns the relations between subjects. Therefore, the question that helps to describe this dimension is: “in what relations?”. This inquiry differs from the former one in that the analytical focus is shifted from the subjects themselves to the relationships established between them in a discourse. In more detail, this means that variables like power and social distance become relevant, as they help to determine the nature of relationships between subjects. At last, the fourth dimension of the situational context concerns the function of language in social interactions. In this respect, it is noteworthy that the question “what is the role of language?” attempts to determine more than the genre predominant in an interaction (interview, narrative, etc); additionally, it tries to discover whether language is instrumentally used, if it is a means to achieve particular goals, if specific communication channels (spoken or written) are preferred due to these objectives, *etc.* In short, the idea in this fourth step is establishing what is the usage of language in the context of the interaction.

Overall, by providing answers to these questions, an individual is capable of determining the discourse types that should be/are used in a given circumstance, and the text producer/interpreter will operate within the boundaries provided by this discourse type. Thereby, the sets of formal and semantic conventions belonging to the identified discourse type, the constraints it imposes on contents, subjects, relations⁵³⁵, and on the connections within parts of texts, and between texts and situational contexts are responsible for determining the *meaning potential* of the text produced or interpreted. It is important to remember that we are talking about a process of *interpretation*, that is to say, a process in which text producers and interpreters read the cues of the situational context in accordance to their particular member's resources. In other words, it is in accordance to the social orders and to the repertoire of situational types that particular participants bring into the social context that the process of interpretation will take place. Bringing up this point is important not only to highlight that it is possible for individuals to “misinterpret” a social situation – i.e. assign a meaning to it that is different from its mainstream understanding – , but also to recall that inasmuch as interlocutors rely on social orders and situation types to engage in discourse practices, ideologies and power

⁵³⁵Or, as Fairclough specifies, the constraints the identified discourse type imposes on the experimental, expressive, and relational meanings in discourse practices.

relations deeply influence the procedures of text production and interpretation. It is in this sense that Fairclough⁵³⁶ contends that “just as even a single sentence has traditionally been seen to imply a whole language, so a single discourse implies a whole society”.⁵³⁷

Despite the importance assigned to the situational context of discourses, this is not the sole contextual feature influencing processes of text production and interpretation; as indicated in the upper part of table 2, the intertextual context, too, informs these procedures. According to Fairclough⁵³⁸, texts do not occur in a social vacuum; rather, they are parts of historical series, of chains and networks of texts, which are repeatedly created and recreated in different circumstances. The notion of intertextuality was developed based on this observation, and refers to the ways authors and speakers incorporate aspects of previous texts into their contributions through, for example, direct citations and references, or through more indirect means, such as the usage of different genres and discourse types in one text. In this sense, texts are said to be “dialogic” – at least to some extent. Once discourse participants identify the historical series to which a particular text belongs, the text's background provides these individuals with information about what can be taken to be a common ground, that is, about what can be presupposed by the participants. Therefore, when text producers/interpreters work out the intertextual context of a discourse, a number of sincere or manipulative presuppositions can be made. It is important to keep an eye on them because they often have ideological functions – i.e. they become common-sense assumptions that help to maintain and perpetuate power. It is interesting to mention that presuppositions do not have to evoke specific texts, but may simply refer to the textual experience and/or background knowledge of interpreters. Text producers, in turn, may raise intertextual elements in order to contest them in their discourses, or they may mix heterogeneous discourse types in order to sustain a particular representation of the world, including contested ideological beliefs.

Finally, it is based on the textual, situational and intertextual contexts of an utterance, as well as on member's resources that discourse participants assign values to speech acts, and figure out which schemata, frames, and scripts should be used in the processes of interpretation or production of a text. Concerning speech acts, the expression refers to the performative character of utterances or, in other words, to the

⁵³⁶Norman Fairclough. *Language and Power*, 2001.

⁵³⁷Norman Fairclough. *Language and Power*, 2001, p.126.

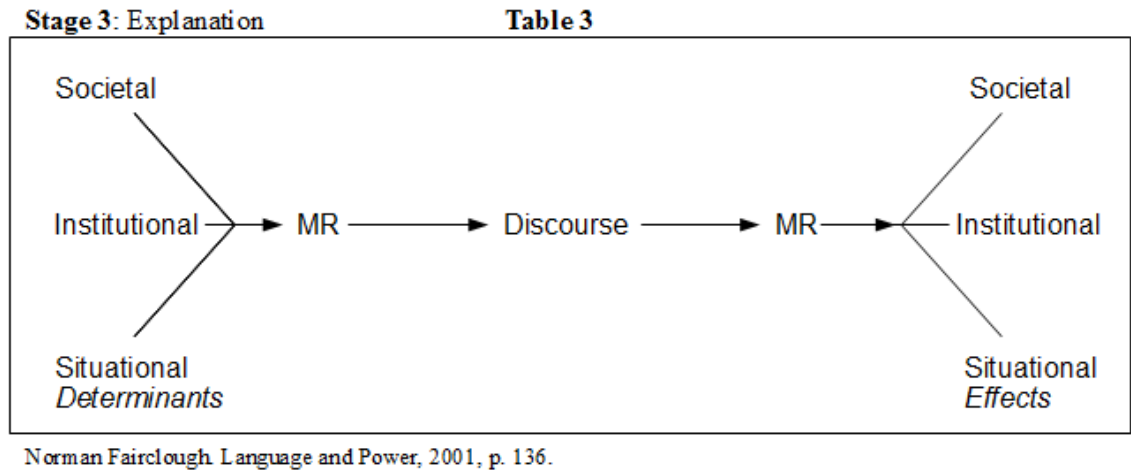
⁵³⁸Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

action performed by the text producer by virtue of producing the text. In more detail, when people make statements, promises, or threats – to name a few possibilities – they are not merely conveying information, they are actually doing something, they are acting through words. In spite of being pragmatic, these discursive actions are still subjects of some degree of interpretation: for example, the same speech act in different situational contexts may have different values (a question in a classroom is likely to be a command, whereas in other contexts, this is seldom the case), and diverse contexts might require different degrees of speech directness (the formulation “would you please?” can only be replaced by “do it!” in very particular situational contexts). Usually, conventions that determine the values of speech acts and the degree of directness allowed in particular situations are laid in discourse types, which, as seen, frequently embody ideological representations about the world, social subjects and the relations amongst them. Therefore, the critical discourse analyst should mind who uses speech acts and in which ways these linguistic devices are used.

As for frames, scripts and schemata, they are mental frameworks – and thus, parts of member's resources – that human beings conventionally draw upon to interpret and to produce texts once they have figure out the textual, situational and intertextual contexts of a discourse. More specifically, a schema is the mental representation of an activity type, and of the large-scale textual structure associated to this activity. For instance, telephone calls, medical consultations and interviews are activity types with predictable elements and sequences, and therefore, discourse participants can rely on interpretative schemata to operate discursively in these contexts. Frames, too, are mental representations, however, they depict elements and entities in the social and natural worlds (animate and inanimate things, processes and abstract concepts). Scripts, in turn, are representations of subjects involved in particular social activities and of the relationships between these subjects. In the aforementioned examples of the consultation and the interview, specific scripts for doctors, patients, interviewers and interviewees are socially provided. Also interesting to notice is the fact that these types of representations are interconnected, and may even overlap in certain cases. Similarly to the other interpretative devices, schemata, frames and scripts are important to the critical discourse analyst because they embody ideological beliefs, and are often ideologically variable, so struggles for power in and over language may be spotted in these aspects.

The third and last stage of a critical discourse analysis, namely explanation, aims at demonstrating that discourses are social practices and that, as such, they are part of

wider societal processes, which not only determine the contents of particular discursive interactions – as seen above –, but which are also influenced by the long term effects of localized linguistic practices. Indeed, when social agents rely on their member's resources to interpret the context of a discursive interaction, they unintentionally reproduce the dominant social order; however, it is important to recognize that they may also help to alter this order, especially in case they challenge persistently the *status quo*.⁵³⁹ Hence, it seems that this notion of social reproduction – and change – connects different levels of social organization, and not any level, but the ones whose relationship is the object of study of the third stage of discourse analysis, that is, the level of the interactional context and the overall social context. More specifically, given the concerns of Fairclough's⁵⁴⁰ book – relations of power and social struggles –, and the general objective of the present study – analyze the discursive dimension of a political struggle –, this phase of the analysis consists in “seeing a discourse as part of processes of social struggle, within a matrix of relations of power”.⁵⁴¹



Fairclough⁵⁴² contends that the stage of explanation has two dimensions: the first one focuses on processes of social struggle, whereas the second dimension is concerned with social relations of power. In this sense, discourses may be seen and contextualized as either parts of social contentions for power, and consequently, as the effects of such

⁵³⁹It should be noticed that when Fairclough talks about individual contributions to social struggles, he does not mean that only discourses that challenge the established configuration of power should be considered a contribution. On the contrary, he highlights that it does not matter if discourses perpetuate or conflict with dominant views of the world for they are, in any case, derived from power struggles and thereby, a contribution to one of the sides in these conflicts.

⁵⁴⁰Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

⁵⁴¹Norman Fairclough. *Language and Power*, 2001, p.135.

⁵⁴²Norman Fairclough. *Critical Discourse Analysis*, 1995. And: Norman Fairclough. *Language and Power*, 2001.

struggles on social structures (in this case, the future, structural consequences of discourses are emphasized), or they may be seen as one of the aspects of social reality that is determined by the dominant social relations of power, which, in turn, result from past power struggles (in this case, emphasis is put on the social determination of discourse, i.e. on the consequences of past struggles for power). In view of this configuration, both the social effects of discourses and their social determinants must be investigated, and since both dimensions ultimately have to do with all levels of social organization (from particular social interactions to the macro-structures of the social world), Fairclough⁵⁴³ contends that these two aspects should be investigated at the societal, institutional and situational levels. As a result of this expanded analytical focus, the same discourse may be seen from different perspectives, as a societal, institutional or situational practice. This is to say that the same features of discourses must be studied from different standpoints – as illustrated in table 3 –, and in light of this demand, the analyst should ask himself firstly, what power relations at each of these levels shape the discourse, and secondly, which elements of the member's resources drawn upon by discourse participants are ideologically informed.

As for the effects of discourse practices, they may be either normative or creative: in regard to the former, it refers to the cases where the social determinants of discourses are reproduced in the linguistic interaction. In more practical terms, this means that text producers and interpreters act in accordance with their socially determined member's resources, without questioning the situation and interpreting it as a typical circumstance. In contrast, the creative possibility points to cases where discourses contribute to the transformation of member's resources, a course of action that may over time help to transform the social relations upon which these resources are founded. Therefore, the second case refers to situations in which text producers and interpreters act creatively in relation to their member's resources – either because they want to challenge established powers, or because the concrete situation in which they found themselves is atypical, that is to say, does not match any familiar situational type. In such cases, text producers and interpreters may be creative by questioning the situation, by adapting and combining different discourse types, genres, *etc.* What is important to note here is that, although one person cannot change the world, systematic alterations of discourse types, for example, may lead to changes in the social relations underlying conventional ways of acting. In summarizing this latter part of the third

⁵⁴³Norman Fairclough. *Language and Power*, 2001.

stage of analysis, Fairclough⁵⁴⁴ states that the researcher should ask himself: “how is this discourse positioned in relation to struggles at the situational, institutional and societal levels? Are these struggles overt or covert? Is the discourse normative with respect to MR or creative? Does it contribute to sustaining existing power relations or to transforming them?”⁵⁴⁵

Before ending this methodological note, a few qualifications concerning this three-dimensional analytical framework should be made. First, as mentioned previously, the position of the researcher unavoidably conditions the results of this type of study, especially in the second stage of the analysis as the analyst must put himself in the position of the producers/interpreters of the material studied. Furthermore, this difficulty points to yet another problem: the researcher must be conscious that, in analyzing discourses and developing his/her line of argumentation, he/she, too, is subjected to the influence of societal structures and power relations. Thus, he/she must watch out for common-sense and ideological assumptions in his own speech. Second, although this methodological framework was divided in a linear sequence of stages, the boundaries between description, interpretation and explanation cannot be well defined. As clarified before, these stages are not only intrinsically inter-connected, but they are also supposed to constantly inform each other. In this respect, it is also noteworthy that the sequence in which the stages were presented does not have to be strictly respected. Fairclough⁵⁴⁶ says that, depending on the study, it may be necessary to introduce the overall social context – a part of the explanation – before proceeding to the textual analysis. The third qualification is somehow related to the latter argument: although the third stage of the analysis is extremely important, Fairclough⁵⁴⁷ argues that it is difficult for discourse analysts to extrapolate the analysis of the situational level to provide a fully-fledged account of the societal state of the world. This would require a great deal of sociological research, one that goes way beyond the analysis of linguistic social practices. Given this shortcoming, Fairclough⁵⁴⁸ contends that the optimal solution would be to develop an interdisciplinary research. However, in case the analyst cannot count with the direct collaboration of other social scientists – as in the case of the author of the present study –, he should rely upon relevant scholarly literature on the phenomena studied, and recognize the limits of his/her research.

These qualifications are important to situate the overall structure of the present

⁵⁴⁴Norman Fairclough. *Language and Power*, 2001.

⁵⁴⁵Norman Fairclough. *Language and Power*, 2001, p.138.

⁵⁴⁶Norman Fairclough. *Language and Power*, 2001.

⁵⁴⁷Norman Fairclough. *Language and Power*, 2001.

⁵⁴⁸Norman Fairclough. *Language and Power*, 2001.

dissertation in the context of the analytical framework described above. In light of the three-dimensional procedure proposed by Fairclough, the two first chapters of this study may be understood as parts of the explanation stage of the analysis in that they help to contextualize both the overall context in which discourses on security and migration emerge, as well as the history of immigration in Italy and the securitization of this matter over time. So, for example, all the discursive frames conventionally used by Italians to approach immigrants might be relevant in the analysis of the parliamentary debates that led to the approval of the Security Law no.94.

4.3 Security versus rights: an analysis of the debates over the Law no.94

The main objective of the final section of this chapter is to present the analysis of the parliamentary debates that led to the approval of the Law no.94, concerning “Provisions in the Field of Public Security”. As clarified, the migration-related sections of this legislative piece treat human mobility as a security concern in detriment to the other dimensions of this social phenomenon. In fact, this particular Law was chosen as the main object of study here not only because it was the centerpiece of the “security package”, but also because it regulated immigration as though it was primarily a security matter. The repressive handling of the topic has, however, generated much controversy, as shown in the first section of this chapter. Needless to say, the dispute over immigration regulation was replicated on the parliamentary debates concerning the Bill. Indeed, out of approximately 185 speeches on the draft law⁵⁴⁹, at least 158 touched upon immigration and the conditions of foreign-born residents in Italy. In view of the high level of politicization of the issue, the Italian legislative houses seem to be appropriate sites to investigate how a security-oriented narrative on immigration succeeded at mitigating and silencing a discourse that lies at the very heart of liberal democracies, namely the discourse on fundamental freedoms and human rights.

Since the draft of the piece of legislation studied here was submitted to parliamentary appraisal three times⁵⁵⁰ – firstly, in the Senate, then in the Chamber of

⁵⁴⁹ This number excludes the debates over proposed amendments and the agenda. Although these discourses are also used in the analysis, they were excluded from the enumeration not only because they concern very particular subjects – which were mostly not included in the text of the law – but also because they are not the same type of speeches as the other ones. That is to say, since they deal with particular matters, their content was defined a priori, and this means that it would make no sense to state that they have or have no something to do with immigration.

⁵⁵⁰ It is relevant to remind here that Italy is a parliamentary democracy, and that its legislative body is composed of two equally powerful branches, the Senate of the Republic and the Chamber of Deputies. Due to these characteristics, Italy is conventionally classified as a co-equal and symmetrical bicameral

Deputies and thereafter, in the Senate again –, several sessions of both branches of the Italian legislative power had to be examined. Annex 2 contains a list of these sessions. It should also be noticed that due to the controversial character of some of the articles of the bill, more than a year passed by from the day the first version of the draft law was introduced – July 3rd 2008 – to the day its final text was at last published in the *Gazzetta Ufficiale* – the 15th of July of 2009.

Given the large amount of primary sources available, the length of the parliamentary discussions and the complexity of the methodological framework, it seems appropriate to divide the analysis presented here in two parts, each of which deals with one of the main political groups represented in the Italian legislative institutions – the center-right and center-left coalitions. This division is expected to render the investigation more intelligible not only because the most important political grouping in the Parliament had opposite opinions in regard to the security legislation, but also because these opinions clearly replicated the security *versus* rights juncture delineated above – albeit there were exceptions in both cases. Besides being divided in two sections, the investigation focuses on three main topics, namely: the process of securitization of immigration, the “rights-based” discourse on immigration, and the manners in which these contrasting discourses are brought together by the center-right and center-left political coalitions. Note that these matters correspond to the main components of the general research question of this study: how does the securitarian view of immigration negotiates its contradictions with, and silences the “rights-based” discourse on immigration? What's more, given the hypotheses of presented in the Introduction, especial attention is payed to the ways in which political actors discursively use the legal categorization of foreign-born residents in Italy.

As for the three-dimensional character of the critical discourse analysis, it must be kept in mind that, although an attempt is made to respect the division proposed by Norman Fairclough⁵⁵¹, the intrinsic imbrication of the three stages of analysis makes it hard to deal with them separately. Even though no clear-cut division between the processes of description, interpretation and explanation is made ahead, a number of comments are provided as to which methodological “tools” are being resorted to in the assessment of the textual material. Additionally, the analysis makes references to the information presented in the first and second chapters of this study, after all, as

system, which corresponds to saying that laws must be approved in the same reading by both chambers. For more on the Italian political system see: Maurizio Cotta and Luca Verzichelli. *Political Institutions in Italy*. Oxford: Oxford University Press, 2007, 277p.

⁵⁵¹Norman Fairclough. *Language and Power*, 2001.

explained above, the historical and institutional aspects of migration flows in Italy are a part of the explanation stage and thereby, inform the current representations of the migratory phenomenon, as well as the discussions taking place in the chambers. In fact, whereas some of these aspects, such as the image of immigrants as the world's poor and destitute, may be seen as the *frames* used by political actors to approach international movements of people, others, as the historical evolution of immigration policy, are parts of the *situational and intertextual contexts* of political interactions.

Before passing to the assessment of the textual material itself, it is important to provide the reader with basic information about the political developments that culminated in the approval of the Security Law no.94. This brief introduction shall be thought of as a part of the *situational context* in which political discussions and deliberations took place, in that text producers and interpreters – Senators and Deputies – had to rely on the interpretation of this overall state of affairs in order to meaningfully interact with their counterparts. As mentioned before, the center-right coalition formed by PdL, National Alliance and the Northern League (LNP) – and other smaller parties – not only held the largest part of the seats in the Parliament, but could also take advantage of a broad and homogeneous majority in both legislative chambers.⁵⁵² The center-left opposition, on the other hand, had been extremely weakened by the 2008 ballot. In fact, as a result of losses suffered by left-wing parties in this election, the group directly depended on the support of the moderate sections of PdL – which were proportionally smaller after the withdrawal of the Union of Christian and Center Democrats⁵⁵³ (UDC) from the alliance – to approve and/or reject draft laws. Fortunately for them, when it came to immigration, the majority was still quite divided in that parties with a strongly anti-immigration program, as the Northern League, had to co-exist with Catholic elements and other moderate figures.⁵⁵⁴

Internal disagreements concerning immigration had indeed cost the governing majority important defeats in the Parliament, and two of them are of particular significance here. First, the defeat of the proposal to institutionalize voluntary citizens' associations to patrol the territory of the state (*ronde*). This provision was actually rejected twice by secret votes in the Senate and in the Chamber of Deputies. Second, the defeat of the proposal to extend the maximum period of detention of unidentified immigrants in the CIEs from 2 to 18 months, which followed the exact same path as the

⁵⁵²The official results of the 2008 ballot may be found in the website of the Italian Ministry of Interior: <<<http://elezionistorico.interno.it/index.php>>>.

⁵⁵³ Original name in Italian: *Unione dei Democratici Cristiani e di Centro*, UDC.

⁵⁵⁴For more information on this topic, see, for example: Giovanna Zincone. *Immigration and Immigrant Policy-making in Europe*, 2009.

previous proposal, that is, the text was turned down once and subsequently reformulated (the maximum duration of detention was reduced to 6 months), only to be turned down again by a secret ballot in both houses. These defeats are especially interesting here because, as described above, both the legalization of the so-called *ronde* and the extension of maximum duration of the detention of migrants in the CIEs were included in the Security Bill. Even more surprising than the government's insistence in having these measures turned into law was the fact that they ended up sanctioned in both chambers not long after they had been rejected.⁵⁵⁵

This puzzling situation indicates that an external factor must have influenced the law-making procedure in the Parliament. And, in fact, the government did: following the first round of discussions in the Chamber of Deputies, the Council of Ministers asked for a vote of confidence on the Bill⁵⁵⁶, which meant that members of the majority – moderates and radicals alike – were practically compelled to vote in favor of the law. Oppositional parties were directly affected by the decision as well, since they were prevented from proposing real amendments to the text of the draft law. One of the factors leading to the adoption of this exceptional instrument was surely the suspicion that the Bill would not pass a secret ballot in the Chamber of Deputies, a concern not at all unjustified given that moderate deputies of the majority had formulated a document (referred to as “Document of the 101”) expressing their opposition to several migration-related measures contained in the Security Bill. Thereafter, when the draft law had already been sent back to the Senate for a second appraisal, the government, once again, decided to ask for a vote of confidence on the text. As a result, the Security Law no.94 was approved by a large majority of the parliamentarians both in the Senate and in the Chamber of Deputies.

4.3.1 Center-left: more security, more rights

The purpose of the present subsection is to analyze the speeches delivered by the components of the center-left parliamentary group in the debates that preceded the sanction of the Security Law. The main parties of this oppositional force are the Democratic Party (PD), represented in 2008 by Walter Veltroni, Italy of Values (IdV), headed by the prosecutor Antonio Di Pietro, and UDC, whose main figure is Pier Ferdinando Casini. Even though UDC has been for most of its existence a part of the

⁵⁵⁵Giovanna Zincone. Immigration and Immigrant Policy-making in Europe, 2009.

⁵⁵⁶See the intervention of the Minister Elio Vito on the 12th of May of 2009. Ministro per i rapporti con il Parlamento Elio Vito, People of Freedoms. Session no.175, Chamber of Deputies, 12/05/09.

center-right coalition and, as of 2008, represents one of the largest centrist political forces in the Parliament, the speeches of its members were included in this subsection as well. The connection between the center-left bloc and Casini's party, albeit debatable, does not seem all that arbitrary when it comes to immigration. Indeed, the positions of these groups were well aligned, and both of them were in strong discord with the center-right's view on the matter. In this respect, it is suggestive that members of the UDC use the personal pronouns “you” (*voi*) and “we” (*noi*) to refer respectively to the center-right majority, and to the oppositional forces – a fact that supports the treatment given to this party here. Even though all of these centrist/center-left parties somehow associate migration to security in their political programs⁵⁵⁷, they may be said to be pro-immigration forces. This is not to say that they would support indiscriminate migration policies, but rather that they adopt a broader perspective when evaluating this complex social phenomenon – as demonstrated ahead. For one, they recognize the pressing economic needs of the country, as well as the potential benefits of receiving foreigners. In light of these factors, components of these parties advocate that only a well-informed policy aimed at regulating new influxes and at promoting the integration of third-country nationals, combined with a strong stand against irregular forms of entry and sojourn would efficiently respond to the challenges brought about by immigration.⁵⁵⁸

In spite of defending expulsion procedures and the establishment of an effective and severe policy to combat irregular immigration, the center-left political group also argues that these actions cannot forgo individual freedoms and human rights. It was based on these “rights-based” considerations that Senators and Deputies belonging to these parties opposed and questioned several aspects of the Security Bill. In this sense, it is reasonable to contend that the Italian center-left group occupies the opposite side of the political battlefield in which the migratory phenomenon is discussed, defined, and managed. In fact, parliamentarians of the minority appeared to be very eager to counteract the advances of the center-right on immigration regulation, since they were responsible for approximately 120 discursive interventions (out of the aforementioned

⁵⁵⁷See more in: Partito Democratico. *Un'Italia Moderna si può fare: Il Programma di Governo del PD*. 2008. Available at: <<http://www.partitodemocratico.it/allegatidef/programma_PD_pagine_singole47690.pdf>>. And Unione dei Democratici Cristiani e di Centro. *5 Impegni Coerenti: Centralità della Famiglia, il Merito Soprattutto, Difesa della Vita, Più Sicurezza, Indipendenza Energetica: programma elettorale 2008*. 2008. Available in: <<http://www.udc-riano.it/images/stories/programmi/Programma_UDC_Nazionale_2008.pdf>>.

⁵⁵⁸Partito Democratico. *Un'Italia Moderna*, 2008. And Unione dei Democratici Cristiani e di Centro. *5 Impegni Coerenti*, 2008.

185), the majority of which (101) concerned immigration. So, in Fairclough's⁵⁵⁹ terms, the existence of this group seems to be a strong sign of ideological diversity, that is to say, a sign that the migration-security nexus and its ramifications do not go completely unchallenged. Therefore, despite the dominance of the security narrative on immigration, ideological struggles are still being fought over the phenomenon's definition, representation, handling, *etc.* Since Italy is a parliamentary democracy, this ideological variation is expressed within the pivotal element of this government system, the Parliament⁵⁶⁰ – i.e. the *institutional order* in which discourses are embedded.

Indeed, the Parliament is an *institutionalized* site of political conflict, where individuals representing different ideological views are engaged in struggles in and over language.⁵⁶¹ The institutional character of this setting was remarked above in order to highlight that, despite the overt marking of power relationships within this site, the direct exercise of power occurs in a meticulously controlled environment.⁵⁶² Therefore, as the examples contained in the methodological section of this chapter stressed, Senators and Deputies of the majority (i.e. the main power holders) are not allowed to act as they wish in this institutional context; on the contrary, they are required to resort to a *discourse type* that fits the *situational context* of the particular interactions in which they participate. Thereby, members' discursive interventions are constrained in terms of content, format, and timing. Besides, the relationships of parliamentarians one to another, as well as the roles they assume are defined and limited not only by a number of internal organizational rules but also by their ideological positions. All of these situational constraints are clearly reflected in the textual material analyzed in this study, and are probably the first noticeable characteristic of parliamentary speeches (note that this trait pertains to both sides of the political spectrum). In fact, a fast glance at the transcriptions is enough to observe that strict *interactional conventions* are established.

A parliamentary session (both in the Senate and Chamber of Deputies) starts with the announcement of the agenda (in Italian, “*ordine del giorno*”) by the President, and this is normally followed by a number of discursive contributions, which are structured according to the *activity type* correspondent to the daily program – again, this means that the interventions should respect limits in terms of content, duration, *etc.* Even general discussions are severely controlled by the president of the Chamber

⁵⁵⁹ Norman Fairclough. *Language and Power*, 2001.

⁵⁶⁰ Maurizio Cotta and Luca Verzichelli. *Political Institutions*, 2007.

⁵⁶¹ Norman Fairclough. *Language and Power*, 2001.

⁵⁶² In this respect, see, for example, concerning the Italian Lower House, the “Regulation of the Chamber of Deputies”, which as the name indicates specifies how the institution is organized, how it is supposed to operate *etc.*

concerned, and formal requirements, albeit looser in the latter case, are always operative. For example, the turn-talk system does not follow the mood of parliamentarians; instead, these actors must either ask to talk or enter their names on a list in order to get a turn (perhaps, this unnatural evolution of the discussion explains why most of the discursive contributions resemble more a monologue than a dialogue). In regard to these general rules of conduct, it is interesting to note that they are often broken or challenged, and that such transgressions usually appear to be ideologically motivated.. Examples of these practices are over-speaking, unauthorized interruptions, and discourses about topics that do not concern the discussion. Behaviors as the ones just mentioned are especially prominent amongst the members of the left-wing group, who, in the case studied, insist in including migration-related remarks, and critiques to the issuance of law decrees and votes of confidence in their speeches – regardless of the content under discussion. It is reasonable to suggest that the observed tendency of the center-left coalition to violate institutional rules of conduct, and also to speak more than any other parliamentary group were prompted by a feeling of indignation and impotence in front of the majority bloc, especially after the government asked for a vote of confidence on the Security Bill. For instance, Federico Palomba (IdV) – who, in a tone of protest, addresses the vote of confidence when he should be delivering a speech about amendments to the Bill – instrumentally violates the rules of interaction with the goal of challenging the majority and the government. In a certain point of his intervention, the Deputy directly addresses this practice: “Thus, we will not fall for the suggestion to illustrate amendments that cannot be put to vote [...]”.⁵⁶³ By deliberately refusing to follow the conventional *large scale structure* of parliamentary discursive interaction, he does not want to dare the President or to question the operational norms of the Lower House; rather, he aims at challenging his colleagues of the center-right majority by saying: I refuse to be a part of this fake political dispute.

As for the particular structure of the parliamentary sessions dedicated to the draft law, these were *initially* divided into the following activity types: presentation of the proposed legislation, introduction of procedural and preliminary questions, general discussions, illustration of amendments and debates over specific articles, and at last, final vote on the text. The usage of the adverb “initially” above was not unintended: as a result of the decision of the Council of Ministers to exert its power to impose a vote of confidence over the Bill, the structure and the content of the parliamentary sessions

⁵⁶³Original in Italian: “Quindi anche oggi noi non cadremo nella suggestione di illustrare emendamenti che non potranno essere posti in votazione [...]”. Federico Palomba, Italia dei Valori, Session no.175, Italian Chamber of Deputies, 12/05/2009.

were altered so as to reinforce the power of the majority not only over moderate rightist and leftist actors, but also over the dominant image of immigration in Italy. As a result of this manoeuvre, no amendments could be presented, and from that moment onwards, discussions were virtually useless. The three max-amendments that composed the government's version of the Bill were closed, and the final result of the ballot was known before it had taken place. Thus, if during the sessions preceding the announcement of the vote of confidence, the center-left could hope to persuade parts of the moderate majority to boycott the governing coalition, this hope was completely lost after the Council of Ministers' announcement. Again, it is possible to observe an ideologically motivated subversion of the parliamentary procedures that regulate discursive interactions. By asking for a vote of confidence, the center-right has not only managed to control/silence its political basis (i.e. the moderates of PdL), but has also left its opponents disarmed in that discourses could no longer be used as a persuasion device, nor could they serve as a means to alter certain provisions of the draft law.

As mentioned, before the announcement of the vote of confidence, the center-left directly attempted to take advantage of discourse as a persuasive instrument. In the Chamber – where the Document of the 101 had been formulated –, Deputies often appealed to the good sense of some elements of the majority either by calling upon their christian and caring consciousness or by denouncing the suppression of these Deputies' freedom of vote. Fabio Evangelisti, for example, stated the following about the impossibility to register marriages between irregular residents, and other repressive migration-related norms of the Security Bill:

I ask myself: the believers (*credenti*), those who in this room often brag about being on the side of the believers, don't they have anything to say about this intangible right, that derives from its elevation to sacrament? [...] Now, I ask where did those parliamentary colleagues end up, that famous group of one-hundred parliamentarians of the majority, who had asked to the President of the Council and to the President of the Chamber to exclude these points, together with the preexisting provision according to which medical staff should denounce those who resorted to health assistance.⁵⁶⁴

In to respect this quotation, it is interesting to notice the *mode of the phrases*: they are structured as *wh*-questions, which involve listeners in a process of “interpellation”,

⁵⁶⁴Original in Italian: “Mi chiedo: i credenti, coloro che spesso in quest'Aula si pavoneggiano di essere dalla parte dei credenti, non hanno proprio niente da dire su questo diritto intangibile, che deriva dalla sua elevazione a sacramento? [...] Allora, chiedo dove sono finiti quei colleghi parlamentari, quei famosi cento parlamentari della maggioranza che avevano scritto al Presidente del Consiglio e al Presidente della Camera di stralciare questi punti, insieme alla preesistente previsione per cui gli operatori sanitari dovevano denunciare chi faceva ricorso alle cure sanitarie.” Fabio Evangelisti, Italia dei Valori, Session no.169, Italian Chamber of Deputies, 30/04/2009.

calling upon them to provide an answer, to break free from political constraints, to raise their voices, and to express themselves – after all, it was the access to discourse, and not their opinions, that had been limited by their political alignment to the Northern League and other extremist elements.

These appeals to the moderate sections of PdL were also discursively connected to a wider discussion, one that concerns the common usage of exceptional legislative instruments by the government, and the dangers that the “instrumental” manipulation of such tools represents to the democratic prerogatives of the Parliament, as well as to the political rights of the electorate. Law decrees and votes of confidence – suggestively preceded by the numerical adjective “umteenth” in several discourses of the center-left – are said to effectively limit the freedom of the political game because, as a result of their adoption, interventions of Deputies and Senators are at best symbolic, and at worst, pretenses, that is to say, simulations of what should happen in a liberal democracy. According to Federico Palomba, in this context, parliamentarians are no more than “spectators”, constrained to watch as decisions are factually taken elsewhere. What is interesting about the usage of this figure of speech is that it is consonant with what could be identified as the overall “leftist” representation of the Security Bill, that is: this legislative piece is, alongside the other measures of the “security package”, seen and presented as no more than a “propaganda”, a “manifesto-rule”, an “electoral spot”, meant to be seen and appreciated, but devoid of any real content. One of the recurring expressions used in the speeches of the center-left illustrates well this point: the governing coalition keeps pulling the wool over electors' eyes (*gettare fumo negli occhi*).

More than that, according to Gianrico Carofiglio (PD), the Security Bill is a “sort of metaphor” of the general approach adopted by the political majority to deal with societal problems, that is: the emergency approach. As mentioned, one of the main characteristics attributed to this approach is precisely its symbolic character. A glance at some of the adjectives and expressions that normally co-occur⁵⁶⁵ (not necessarily sequentially) with some of the terms used to refer to the Bill and to its component parts – i.e. norm (*norma*), measure (*provvedimento* and *misura*), provision (*disposizione*), among others – corroborates this representation of the legislative piece: apart from “symbolic” and “metaphoric”, terms as “emblematic”, “announcement effect”, “electoral spot”, “ideological” and “propagandist” were also relatively common means

⁵⁶⁵It should be noticed that no statistical analysis of co-occurrence and collocation was made here. It was just observed that some adjectives, nouns and expressions occur often in the vicinity of items that refer to the Security Bill and to its component parts. In spite of this methodological shortcoming, the co-occurrence of the aforesaid lexical items seems to be analytically significant.

to describe and to refer to the Bill. However, these were not the only words that seemed to convey the idea that the Security law had been elaborated to be seen, and seen only. The provision was also said to be “inutile”, “irrational”, “blind”, “inappropriate”, “wrong”, “impracticable”, “inapplicable”, “counterproductive”. It is also interesting to note that these adjectives were used in contrast to other adjectives, which, in turn, indicated what a legislative measure should be, namely: intelligent, rational, efficacious, serious, necessary, real, etc.

In addition to conveying the notion that the Security Bill was no more than an electoral spot, the usage of such words to sort out “good” from “bad” legislative measures demonstrates that the political actors of the center-left have in mind a *classificatory scheme* against which it was possible to judge the value of such norms. Given the emphasis put on the notions of rationality, reality and efficiency, this scheme seems to be in tune with a traditional means-ends rationality, which, as said in the second chapter of this work, underlies the modern conception of national state. In this framework, the state and the political realm are given precise functions: “[Security] is a challenge that entails a duty of politics. Politics *must* address it [security] with rigor and planning”.⁵⁶⁶ In this quote, it is interesting to note that the center-left alliance founds its line of argumentation against the Security draft law on the idea of rationality, that is, on the notion that one must analytically process reality in order to devise and enact appropriate regulations (indeed, statistical data and scientific researches are often quoted in their politicians speeches). Meanwhile, the center-right coalition bases its discourses on the idea of concrete and immediate action, and attacks the left precisely for failing to take action, for failing to respond to the needs of the citizenry (often illustrated with references to news reports). The position of the latter group is indeed very consistent with the emergency approach mentioned above in that it allows for immediacy of action. In other words, it allows “provisions [to] succeed from emergency to emergency, based on the last news topic”.⁵⁶⁷

In light of these considerations, parliamentarians from the center-left coalition point to the existence of a double simulation in the “security package”: first, the simulation of a democratic game, which was in effect doomed as soon as law decrees and votes of confidence were announced; and second, the simulation of governmental

⁵⁶⁶Original in Italian: “[La sicurezza] È una sfida che comporta un dovere della politica. La politica se ne deve occupare con rigore e progettualità”. Giuseppe Lumia, Partito Democratico, Session no.95, Senate of the Republic, 19/11/2008.

⁵⁶⁷Original in Italian: “[...] provvedimenti si susseguono di emergenza in emergenza, sulla base dell'ultimo caso di cronaca.” Roberto Rao, UDC, Session no.169, Italian Chamber of Deputies, 30/04/2009.

action, that is to say, the pretense that the “security package” is composed of measures that can effectively help to curb insecurity. According to the speeches delivered by center-left parliamentarians, these measures, despite having been announced and enacted as appropriate solutions to the growing sense of unease, could not possibly mitigate the sources of insecurity for they were not based on a rational assessment of the reality. In regard to this overspread representation of the “security package” and of the Security Bill as covers – as opposed to measures that confront and deal with (*affrontare*) problems –, it is interesting to note that in the very last speech delivered by the center-left coalition in the Senate, Anna Finocchiaro (PD) makes a direct *intertextual reference* to Jean Baudrillard⁵⁶⁸ that captures the essence of her group's argument against the draft law: “this measure, in my opinion, has the strength to constitute an admirable example of signifier without signified [...]”⁵⁶⁹. Thereby, she is directly stating that image and votes are all that matter to the center-right bloc in that the “security package” has no substance.

However, this security-oriented mode of governance is not only accused of deceiving Italian citizens; it is also directly and indirectly blamed for setting in motion a vicious circle that reproduces and reinforces the sense of insecurity of the population. Once again, the citizenry is presented as the silent interlocutor, who is deluded by a world of the center-right's creation. By doing so, the political actors locate what, for them, is one of the sources of societal insecurity: the government and its majority. To start with, parliamentarians at the opposition directly state: “not only the substance is left aside, but there is a factual attempt to create a sort of vicious circle in which first, fear is fed [...], and after this process is set in motion, one pretends simultaneously to provide answers”.⁵⁷⁰ Albeit the subject of the sentence is indefinite, there seems to be an overall agreement over which actor should be held responsible for this manifest-rule, namely: the right-wing component of the majority, *Lega Nord*. In fact, Giulio Calvisi (PD)⁵⁷¹ describes the new “security” provisions – which, for him, do no more than to persecute foreigners – as the Bossi-Bossi Law, making thereby a direct reference to the

⁵⁶⁸For a fast glance at Jean Baudrillard's work, see, for example: Jean Baudrillard. Jean Baudrillard, from Simulations. In: Anthony Easthope and Kate McGowan (eds). A critical and cultural theory reader. Open University Press: London, 2010. 2nd Edition. 287p.

⁵⁶⁹Original in Italian: “Questo provvedimento, a mio avviso, ha la forza di costituire un esempio mirabile di significante senza significato”. Anna Finocchiaro, Partito Democratico, Session no.232, Senate of the Republic, 02/07/2009.

⁵⁷⁰Original in Italian: “Non solo si prescinde dalla sostanza, ma si cerca di fatto di creare una specie di circolo vizioso in cui prima si alimenta la paura, [...] e, dopo che si è messo in moto questo processo, contemporaneamente si fa finta di dare risposte”. Mauro Maria Marino, Partito Democratico, Session no.94, Senate of the Republic, 18/11/2008.

⁵⁷¹Giulio Calvisi. Partito Democratico. Session no.169, Italian Chamber of Deputies, 30/04/2009.

previous immigration legislation approved by the center-right government, the Bossi-Fini Law. This is an extremely face-threatening statement on the part of the opposition, and one of the few that the members of the majority – especially, of the Northern League – feel compelled to respond directly to.

This notion that insecurity is fed by the majority bloc pervades several discourses of the center-left coalition in less direct ways: nearly every Senator or Deputy who talks about the new immigration regulations follows a particular *schema*, which in addition to containing a list of the weak points of the component parts of the Security Bill, always stresses its “repressive”, “harmful” and “humiliating” character, especially towards the most vulnerable parts of the resident population, such as the homeless people, children, Roma and Sinti populations, and immigrants. It is argued that the adoption of repressive measures that impinge upon these groups' rights and legal condition – i.e. the creation of what they describe as a “double law” (*doppio diritto*) – is also “dangerous” in that it will ultimately relegate these people to the margins of the society, i.e. to a place where the concepts of clandestinity and illegality may be used in a literal sense. This assumption repeatedly underlies the discursive interventions of the center-left, whose members make an almost abusive usage of conditional and future verbal tenses in order to delineate the possible, dark future of Italy in case the law is approved. What's more, they state over and over that the new security measures violate constitutional provisions, democratic values, and international laws. This seems to be an attempt to convey the notion that the Security Bill paradoxically generates more insecurity, and that it is also founded upon a paradox: it is a public security law that resorts to clandestine, illegal methods to achieve its alleged objectives. In light of these accusations, the term “security” becomes a direct target of ideological contest: in several speeches, the “security” package and law become the “insecurity” package and law.

The direct ideological contestation of the word “security” should not lead to the conclusion that the center-left group did not consider the sense of insecurity a valid/real social problem, but rather that they relied on a conception of “security” that differed from the one that, according to them, was used by the majority. Since the latter political force was accused of making a set of propagandist norms, center-left politicians did not attempt to reconstruct the notion of security that underlay the overall legislative provision (after all, it was considered a *zibaldone* or a mixture of heterogeneous measures put together for electoral purposes). Yet, as it is going to be further explained later on, they did identify and question what seemed to be the main source of insecurity

to the center-right bloc, namely immigration. The speech delivered by the Deputy Donata Lenzi (PD) illustrates well the ideological contest over the meaning of security:

In *our* idea of security it is necessary, thus, to assert, first of all, a principle of legality: the law is valid to all, it is always respected, also when we do not like it [...]. *Our* idea of security recognizes the use of force only to those who have and are called to this duty [...]. Security to *us* is the fight against “black labor” [reference to undocumented work] [...]. Security to *us* is the certainty of punishment [...]. Security is [...].⁵⁷²

In this passage, it is possible to observe that the center-left alliance tries to distance itself from the center-right, as well as from its conception of security (note, for instance, the relational value of the first-person plural pronouns *us* and *our*) by formulating its own definition. However, the message itself, more than providing an alternative substance to the concept of security, seems to be aimed at contrasting the center-right coalition's definition, or rather, the measures these actors were advancing in the Parliament under the banner of security. Each of the statements (the law is valid to all, use of force to those who are called to this duty, etc) is a direct attack to a provision of the draft law (against a discriminatory right, against the establishment of the *ronde*, etc). So, the rhetoric device used by Ms. Lenzi, that is, the repetition of declarative sentences of the type “security is”, has more of a relational value than an actual experimental value – as it would appear at first given the structure of the sentence. Put differently, the center-left does not clearly define security either, but takes a stand against the majority and against its ideas/measures to deal with (in)security.

One argument that the center-left does make concerning security is that immigrants, regular or irregular, are not intrinsically dangerous, criminals, or delinquents. Based on this assessment, the Security Bill becomes yet again a target of criticism:

Why do the procedures to obtain the residence permit must find space in a legislative piece about security? Why do the necessary “hygienic-sanitary” conditions must find a place in a legislative piece about security? Why do the opportunities for foreigners to learn the Italian language, etc, must find such placement, if not due to a completely securitarian logic, whereby serious and difficult social and cultural problems that should be addressed through the pursuit of serious immigration policies are solved by us as though they were

⁵⁷²Original in Italian: “Nella nostra idea di sicurezza è necessario allora che sia affermato, prima di tutto, un principio di legalità: la legge vale per tutti, la si rispetta sempre, anche quando non ci piace, [...]. La nostra idea di sicurezza riconosce l'esercizio della forza solo a coloro che hanno e sono chiamati a questo compito [...]. Sicurezza per noi è lotta al lavoro nero [...]. Sicurezza è certezza della pena [...]. Sicurezza è [...]”. Donata Lenzi, Partito Democratico, Session no.169, Chamber of Deputies, 30/04/2009.

In the above-quoted passage, the controversies of the draft law on security are presented in the form of interrogative sentences so as to provoke a reaction/feeling of perplexity in the text interpreters. It is a way to invite the listener to re-build (if possible) the logical connection that underlies the inclusion of a whole set of immigration policies into a provision aimed at addressing public security matters. Needless to say, the premise of this argumentation is that there is no reasonable justification to treat immigrants as threats. And, that is not all: the speaker also presents immigration as a phenomenon that entails *social* and *cultural* problems – as opposed to one that implies exclusively security troubles. Thereby, Senator Adamo (PD) effectively contests the migration-security nexus, which, as it is shown in the next subsection, is an important ideological assumption for the center-right coalition in that it holds the whole “security package” together.

For the center-left group, immigration is an “epochal” and “dramatic” theme – as Senator Gianpiero D'Alia (UDC) describes it –, and one that requires a plurality of interventions in order to be properly governed. More than that, immigrants are said to possess one status that goes beyond any official categorization devised by the apparatuses of national states: that of human beings. They underline that neither the Italian Constitution nor the international human rights instruments signed and ratified by the Italian state differentiate between national citizens and foreigners when it comes to the respect to individual freedoms and fundamental rights. It was based precisely on this broader view of the migratory phenomenon, and more specifically, on the acknowledgment of the humanity of movers (what was referred to throughout this work as the “rights-based” discourse type), that parliamentarians of the opposition parties formulated most of their critiques to the migration-related measures that compose the Security Bill. In addition to pointing out the technical and operational problems of a number of legislative innovations, such as the “crime of irregular immigration”, and the extension of the period of detention of unidentified immigrants in the CIEs, these politicians articulated a number of critiques based on human rights considerations.

⁵⁷³Original in Italian: “Perché le modalità per avere il permesso di soggiorno devono trovare spazio in un provvedimento sulla sicurezza? Perché le condizioni igienico-sanitarie necessarie per avere l'iscrizione anagrafica devono trovare collocazione in un provvedimento sulla sicurezza? Perché l'opportunità che gli stranieri imparino la lingua italiana, eccetera, deve trovare tale collocazione, se non per una logica del tutto securitaria, in base alla quale problematiche sociali e culturali serie e pesanti, che andrebbero affrontate per perseguire delle politiche sull'immigrazione serie, vengono da noi risolte come fossero questioni securitarie che, dunque, hanno a che fare con la sicurezza”. Marilena Adamo, Partito Democratico, Session no.94, Senate of the Republic, 18/11/2008.

Much like the social and institutional organizations that opposed the new Security law (mentioned in the first section of this chapter), representatives of DC, UDC and IdV recalled in nearly every discursive intervention that principles, values and rights like dignity, equality before the law, freedom, right to health, to family life, to instruction, to defense, among others, cannot be sacrificed in the name of security – especially, if the conception of “security” in question is refutable. Security is deemed important, but it cannot be pursued at the expense of individual freedoms:

In this sense, it is important to recall that the security subject goes hand in hand with the theme of rights to freedom. This is a problem of a difficult equilibrium and dosage, but that we must find if we want to consider ourselves a democracy.⁵⁷⁴

In sum, at first view, it seems that politicians of the opposition are very clear about the human component of cross-border movements of people. They are defenders of rights and freedoms, since they recognize, as the quotation demonstrates, that these elements are the cornerstone of a liberal and democratic nation. Hence, in the social struggle over the discourse on immigration, the center-left represents the contestants at the other side of the battlefield, that is to say, the powerless who make a bid for power by discursively contesting not only the two central concepts dealt with throughout the present study, security and immigration, but also the relationship established between them. Since the critiques advanced by the center-left to the individual articles of the Security Bill are similar to the ones described above (in the first section of this chapter), they are not going to be repeated here. More relevant than the specific arguments raised during the debate are the ways in which text producers discursively articulated some of these negative reviews.

As mentioned before, the comprehensive view of the migratory phenomenon adopted by the oppositional group does not imply – so the center-left politicians argue – a position of do-goodism (*buonismo*) towards immigrant communities in Italy – an allegation against the left-wing group that is commonly found in the speeches of centrist and right-wing parties. As mentioned in the beginning of this section, according to the forces that compose the minority, it is indeed important to fight the irregular entry and stay of foreigners in Italy. Nevertheless, even though they contend that immigration is, in general, a phenomenon that requires a rigorous and severe treatment, they tend to

⁵⁷⁴Original in Italian: “In tal senso occorre ricordare che il tema della sicurezza viaggia di pari passo con il tema dei diritti di libertà. Si tratta di un problema, di un equilibrio e di un dosaggio difficili, ma che dobbiamo trovare se vogliamo ritenerci una democrazia”. Jean Leonard Touadi. *Italia dei Valori*, Secuta no.169, Chamber of Deputies, 30/04/2009.

highlight that this should not be a “good” (*buono*) or a “bad” (*cattivo*) treatment, but a “fair” (*giusto*) one.

I believe that the state must be neither bad, nor good: the state must only be fair (*acclamation from the deputies of the groups Union of Centre, Democratic Party, and Italy of Values*), it must be sympathetic to [those] who come to Italy and assist our sick people, our children, our elderly, and open our factories. The state must, conversely, be inflexible towards the prostitution racket, the drug racket and the criminality racket.⁵⁷⁵

This schematic classification that places “good” and “bad”⁵⁷⁶ immigration policies in opposition is recurrently used by center-left politicians (no wonder opposition parties acclaimed Casini's statement), and it makes a direct reference to an external discourse: that delivered by the Interior Minister Roberto Maroni, who publicly stated that “to contrast the clandestine immigration it is not necessary to be do-gooder (*buonisti*) but bad (*cattivi*), determined, to assert the rigor of the law”.⁵⁷⁷ Although Senators and Deputies of the opposition attempted to distance themselves from the label “*buonisti*”, they instrumentally took over the other term used by Mr. Maroni, “*cattivi*”, to represent what, for them, is the political essence of the draft law: badness. Accordingly, they portray the provision as a “hostile” instrument of exclusion, informed by a cruel, xenophobic, racist, evil and discriminatory logic. Allusions to the Fascist state, to the Soviet regime and to Nazism help to reinforce this image of cruelty, the image of a state that persecutes the most vulnerable parts of its population, of a state that sets up a special law to outsiders, of a state that treats its residents as suspects, and a state that functions based on a blind defensive and exclusionary logic.

In contrast to this image, centrist and leftist politicians try to introduce not a do-gooder state, but a fair one (see quotation above); that is to say, a state where the rule of the law is prevalent and equal to all, and where social phenomena are handled in conformity with their real nature (remember that rationality is said to inform the center-left's approach to public policy). In short, the reasoning behind these arguments is the

⁵⁷⁵Original in Italian: “Credo che lo Stato non debba essere né cattivo, né buono: lo Stato deve solo essere giusto (Applausi dei deputati dei gruppi Unione di Centro, Partito Democratico e Italia dei Valori), deve essere comprensivo verso chi viene in Italia e assiste i nostri malati, i nostri figli, i nostri anziani e apre le nostre fabbriche. Lo Stato deve, invece, essere inflessibile verso i racket della prostituzione, della droga e della criminalità”. Pier Ferdinando Casini. Union of Christian and Center Democrats, Session no.177, Chamber of Deputies, 14/05/2009.

⁵⁷⁶Note that these adjectives (good and bad) are not used to denote the efficiency or appropriateness of immigration policy, but in the sense of being mean or good towards immigrants.

⁵⁷⁷Original in Italian: “Per contrastare l'immigrazione clandestina non bisogna essere buonisti ma cattivi, determinati, per affermare il rigore della legge”. Roberto Maroni. In: La Repubblica. La ricetta di Maroni: “Basta bontà saremo cattivi contro i clandestini”. 02/02/2009. Available in: <<<http://www.repubblica.it/2009/02/sezioni/cronaca/immigrati-4/maroni-cattivi/maroni-cattivi.html>>>.

following: a “rights-based” society is a fair society, and a fair society is a secure one. Thus, a logic of inclusion, rather than one of exclusion, is identified as the preferred strategy to contrast marginality and its ramifications, that is to say, illegality and clandestinity:

the immigrants, the people without fixed residence, and other types of marginality are subjected to a treatment under the banner of repression, whilst their condition would deserve an inclusive treatment on the part of the state. In fact, I recall to all of us, a safe city is a just city.⁵⁷⁸

What's more, in the comments made by these parliamentarians on what should be the character and functions of a state, Italy is not only presented as a liberal democracy localized in Europe, but it is also introduced (directly and indirectly) as a moral, and civilized society. According to Senator D'Alia (UDC)⁵⁷⁹, when intolerance, racism, and badness reign a country's approach to the “other”, civility and democracy fade away, and barbarism takes over (note that, again, rights, justice and security are closely intertwined). Senator D'Alia (UDC) is not the only one to put the debate in these terms: the notion of “civility” (*civiltà*) appears frequently in the discursive interventions of members of the center-left group and, even though it is not clearly defined, it is generally collocated in a context where other states are being referred to. In this regard, it is noteworthy that the other countries cited in such contexts are not chosen randomly: the Mediterranean democracy is only compared to, and included in a “elite” group, formed by Germany, France, the United Kingdom, the United States, and the European Union as a whole (from time to time, other European states are brought up, but these four are the most cited ones). This suggests that Italian politicians think of themselves, or rather, of Italy as a Western democracy that stands alongside other developed “centers of civilization”. In turn, this self-representation implies that there is a “Rest” in need of protection and help. Hence, the placement of Italy in this sort of developmental *hierarchy* also entails a number of responsibilities: internally, it implies a responsibility towards foreigners and marginal groups of the society; internationally, a responsibility towards the “Rest” of the world. Fabio Evangelisti (IdV) sums up this point well when he states that: “to think about a world divided between a barricaded, closed society, nestled in its welfare at the expense of a multitude of desperate [people] appears as the

⁵⁷⁸Original in Italian: “Gli immigrati, le persone senza fissa dimora e altri tipi di marginalità subiscono un trattamento all'insegna della repressione, mentre la loro condizione meriterebbe da parte dello Stato un trattamento inclusivo. Infatti, lo ricordo a tutti noi, una città sicura è una città giusta”. Jean Leonard Touadi. Italia dei Valori, Secuta no.169, Chamber of Deputies, 30/04/2009.

⁵⁷⁹Gianpiero D'Alia. Unione di Centro, Session no.143, Senate of the Republic, 05/02/2009.

worst of the fates in which abandon our children”.⁵⁸⁰ Note that, despite rejecting the idea of a closed society, the Deputy reifies the aforesaid division of the world by metaphorically referring to other countries as “our children”, that is to say, as vulnerable and inexperienced individuals in need of constant assistance. Besides, he implies that these nations should follow the path delineated by the Western world, which includes *inter alia* civility, democracy, rule of law, and human rights.

As for the foreign-born individuals living in Italy, they are discursively approached through a *frame* that fits well the developmental hierarchy described in the previous paragraph. In other words, the image of a “multitude of desperate people” escaping distressful situations – or the vision of “pauperism” described by Colombo and Sciortino⁵⁸¹ – appears as a common way to depict “the” immigrant, regardless of his/her status. The insistence of center-left parliamentarians to portray immigrants as such – even when they provide additional information on immigration that contradicts this representation – seems to be aimed at inciting a feeling of solidarity towards the other, and at reinforcing the “humanitarian” component of their line of argumentation – after all, few politicians would be brave enough to publicly defend the repatriation of individuals escaping war and persecution. Another common image of the immigrant was also alluded to above, in the quotation of Casini's speech. The parliamentarian used the following sentence to refer to foreigners: “[...] to assist our sick people, our children, our elderly, and open our factories”. This description or, rather, this attribution of functions was most certainly not arbitrarily formulated. Instead, it makes a direct reference to an important aspect of the Italian social and economic context, namely its unbalanced demographic situation, and to the role immigration plays in redressing this worrisome condition. But that is not all: it is well-known that a large part of Italian families informally employs foreign-born housekeepers (*colf*) and/or caretakers (*badante*), who, despite being irregularly in the country, represent an important asset to these families, as well as to the Italian economy (remember: Italy has a conservative welfare system, which depends on the provision of household services). Therefore, this indirect reference to immigrants, which describes not their attributes, but their functions serves to remind the listeners/text interpreters of the economic and demographic values of the inflow of foreign-born persons. Thus, if the previous frame could be said to be a humanitarian one, this may be labeled “utilitarian”.

⁵⁸⁰Original in Italian: “Pensare un mondo diviso tra una minoranza barricata, chiusa, arroccata nel suo benessere a spese di una moltitudine di disperati, appare come il peggiore dei destini in cui abbandonare i nostri figli”. Fabio Evangelisti, Italia dei Valori, Session no.171, Chamber of Deputies, 05/05/2009.

⁵⁸¹Asher Colombo and Giuseppe Sciortino. Italian immigration, 2004.

However, there seems to be even more into the recurrent usage of the image of carers and housekeepers than economic reasons. See, for instance, the following passage: “the thousands of carers and housekeepers, that help so much and that bring so much love to our families, what do they have to do with those criminals that traffic human beings and commit crimes in our territory?”⁵⁸² This question, uttered by Senator Nicola Latorre (PD), gives a hint of what is so appealing about this image: the *badanti* and *colf* are not considered “just arms” – as immigrants are conventionally described. This is because they are thought to do more than help Italian families in the provision of domestic services, they bring love into their homes! In short – even if one considers Mr. Latorre's assertion a bit of an overstatement –, these homeworkers are presented as the ultimate representation of the good immigrant, completely integrated into the Italian family-centered⁵⁸³ society. Furthermore, since they are known for being undocumented, their image of “good migrants” serves to corroborate the notion that irregularity is not a synonym of illegality. Thereby, the usage of this category of foreigners helps to refute the assumption that irregular immigrants are necessarily criminals. Similarly to the case of the “poor and destitute”, text interpreters can hardly disagree with the idea that these *women* (another appealing property of the frame) should not be equated to malefactors. Therefore, this is a powerful means of persuasion, as well as a way to problematize the negative assumptions that underlie the novel set of security measures.

There is one last mental representation that is often resorted to by members of the center-left coalition to support their pro-immigration narrative: the image of the Italian emigrant. As mentioned in the third chapter of this study, Italy had been for approximately a century a source of foreign manpower to Europe and to the Americas. Even though this historical record may be differently interpreted – as explained before –, it provided opposition parties with ammunition against the repressive treatment of immigrants. What's more, this frame is enriched by references to the waves of internal immigrants that left the Italian *Mezzogiorno* in search of a better life in the industrialized North throughout the twentieth century. In respect to this historical frame, it is very interesting to reproduce a direct quotation read out loud in the Chamber of Deputies by Fabio Evangelisti (IdV):

“Usually they are short and dark-skinned. They don't love water. Many of them stink because they use the same clothes for many weeks. They build

⁵⁸²Original in Italian: “Le migliaia di badanti e colf, che tanto aiuto e amore portano nelle nostre famiglie, con cosa c'entrano con quei criminali che trafficano esseri umani e delinquono sul nostro territorio?”. Nicola Latorre, Partito Democratico, Session no.143, 05/02/2009.

⁵⁸³Paul Ginsborg. *Storia d'Italia dal Dopoguerra a Oggi*, 1991.

themselves shacks of wood and aluminum in the peripheral areas of the city, where they live nearby each other. When they manage to get closer to the city center, they rent decaying apartments at great costs. They always present themselves in two and look for a room with a kitchen. After a few days they become four, six, ten. Amongst them, they speak languages incomprehensible to us, probably ancient dialects. Several children are used to beg, but oftentimes, in front of churches, women dressed in black and men almost always older invoke pity with petulant and whiny tones. They make many children, which they can barely support, and are very united among themselves. It is said that they are devoted to thievery, and that if obstructed, they become violent. Our women avoid them, not only because they are unattractive and wild, but also because there are rumors that a few rapes took place in peripheral streets, as women went back home from work. Our government leaders opened the entrance for too many in the borders, but above all they were unable to distinguish between those who enter our country to work and those who think about living on expedient solutions, or even on criminal activities.”⁵⁸⁴

Initially, this speech causes discomfort, surprise, and a sensation of unsettling in the average reader/listener. These feelings may be ascribed to two main reasons: firstly, the text is a blatantly discriminatory description of immigrants. Indeed, not even its apparently neutral narrative (observe, for instance, that the text is seemingly dry, mostly composed of simple declarative sentences, in a style that resembles the one used in informative textbooks) is capable of mitigating its politically incorrectness. Second, the discourse is uttered in an unexpected context and by an unexpected speaker: as specified above, Fabio Evangelisti, from IdV, is the parliamentarian reading it aloud during a session. If the Deputy's political alignment to the pro-immigration center-left coalition is taken into consideration, the speech sounds even more puzzling – remember that his *subject position* as a member of the opposition constrains the content of his contributions. However, as soon as the politician finishes to quote the passage, he turns the table around on the components of the majority by revealing its source: the text had been retrieved from a 1912 report of the American Congress' Inspectorate for Immigration, and the immigrants described are Italian citizens, who by then were arriving in large numbers to the North American continent.

⁵⁸⁴Original in Italian: “Generalmente sono di piccola statura e di pelle scura. Non amano l'acqua. Molti di loro puzzano perché tengono lo stesso vestito per molte settimane. Si costruiscono baracche di legno ed alluminio nelle periferie delle città, dove vivono vicini gli uni agli altri. Quando riescono ad avvicinarsi al centro, affittano a caro prezzo appartamenti fatiscenti. Si presentano di solito in due e cercano una stanza con uso cucina. Dopo pochi giorni diventano quattro, sei, dieci. Tra loro parlano lingue a noi incomprensibili, probabilmente antichi dialetti. Molti bambini vengono utilizzati per chiedere l'elemosina, ma sovente davanti alle chiese donne vestite di scuro e uomini quasi sempre anziani invocano pietà con toni lamentosi e petulanti. Fanno molti figli che faticano a mantenere e sono assai uniti tra di loro. Dicono che siano dediti al furto e se ostacolati violenti. Le nostre donne li evitano, non solo perché poco attraenti e selvatici, ma perché si è diffusa la voce di alcuni stupri consumati dopo agguati in strade periferiche, quando le donne tornano dal lavoro. I nostri governanti hanno aperto troppo gli ingressi alle frontiere, ma soprattutto non hanno saputo selezionare tra coloro che entrano nel nostro Paese per lavorare e quelli che pensano di vivere di espedienti o addirittura di attività criminali”. Fabio Evangelisti, Italia dei Valori, Session no.175, Italian Chamber of Deputies, 12/05/2009.

This is a powerful and certainly an ideologically invested way to use the image of Italian emigrants: he clearly aims at defending a less repressive, and more inclusive immigration policy. By reading this passage and revealing its origin, Evangelisti claims to be unveiling the real, or at least a more accurate picture of the Italian emigration history, of the challenges movers had to overcome, and of the prejudices they were obliged to deal with. More than that, since the passage appears, at first, to describe the situation of foreigners living currently in Italy, it approximates the old and the new social occurrences, and thereby, invites the listener to re-evaluate the contemporary reality in light of the historical episode. Obviously, many assumptions underlie Evangelisti's discursive strategy, and one is of particular importance here: the premise that nationalist sentiments will trigger a process of identification between current Italian citizens and emigrants back in the beginning of the twentieth century. In other words, the discursive strategy is only persuasive in so far as text interpreters include emigrants into the category of "us, Italians". This means that, once again, Evangelisti manages to take over a mental representation that is usually attributed to right-wing parties – i.e. nationalism – and to use it in the favor of immigrants. As a result of the correspondence established between old and new migration flows, a bond of solidarity may be created between native citizens and foreign-born residents, and this bond is expected to generate a more sympathetic view of immigrants.

Before concluding this subsection, a final remark about the centrist/center-left position towards immigration should be made. As mentioned throughout the analysis, these politicians tend to advocate stronger policies to fight irregular immigration, whereas taking the side of undocumented immigrants already working in the country. What's more, they defend that, regardless of immigrants' administrative statuses, they are, above all, human beings endowed with a number of inalienable rights. Notwithstanding the fair and ethical character of the latter arguments, these two positions – fight against unauthorized immigration and defense of irregular immigrants – are not easy to conciliate. These difficulties were often translated in the center-left discourses into a confusing narrative, which does not linearly explain how the contrast to unauthorized entry and sojourn is to be made, and how foreigners residing irregularly in the country are to be treated. Additionally, from time to time, centrist and leftist politicians seem to fall in contradiction. For example, if, on the one hand, they claim that the origin of irregularity is the Bossi-Fini Law – for it closed all the legal doors into the country –, that most regular immigrants were at some point of their journey undocumented, and that it is undeniable that Italy needs foreign labor, on the other

hand, they state that the lack of legal status is a gateway to illegality – thereby, indirectly replicating the migration-security nexus –, and that Italy needs a policy that allows its public apparatus to differentiate the good migrants from bad ones. Ms. Adamo (PD), for instance, contends that:

This [repressive norm] repels the immigration of quality, which is the problem of our country, and attracts low-skilled immigration, which creates more problems for us and puts these people, who do not find a state capable of telling them what are their rights and of assuring these rights, in the hands of those who organize traffic and of those who are criminals, because these will be appear in some way, albeit illusory, as the only ones who can assure some protection to immigrants.⁵⁸⁵

Observe that the Senator identifies highly-skilled third-country nationals as desirable migrants, while pointing out in the same sentence that unqualified movers are problem-creators, who will surely fall into illegality in case they do not receive support from the state. This representation, in addition to undermining the pro-immigrant idea conveyed by the image of the irregular, yet well integrated house-worker, denotes a connection between irregularity of status and criminality – which is precisely the ideological linkage used by the parties of the majority to support the “security package”. Obviously, in this case, the sentence and the argumentation are structured so as to locate the guilt for migrants’ illegality in the state (note the subordinate passage “who do not find a state capable of telling them what are their rights and of assuring these rights”). Yet, the linear structure of the argument, and the lack of linguistic hedges (for example, conditional verbal tenses or modal auxiliary verbs, as “may”) that could mitigate the causal connections, gives the message a tone of inevitability, as though criminality was the fate of undocumented migrants. In sum, despite all the pro-immigration rhetoric used by the center-left bloc, individual politicians still have a hard time formulating an alternative to the security-oriented legislation, that is to say, an alternative that does not link immigration to criminality, and that does not make a differentiation between those who are potentially good and bad migrants based on loose and ill-informed categories.

4.3.2 Center-Right: more security, more duties

⁵⁸⁵Original in Italian: “Ciò allontana l’immigrazione di qualità, che è il problema del nostro Paese, e attira immigrazione di bassa qualifica, che ci crea più problemi e mette queste persone, che non trovano uno Stato che sappia dir loro quali sono i loro diritti e garantirli, nelle mani di chi organizza la tratta e di chi è delinquente, perché si rivelerà in qualche modo, sia pure illusorio, l’unico che può garantirgli certe protezioni”. Marilena Adamo, Partito Democratico, Session no.129, Senate of the Republic, 30/06/2009.

The present subsection analyzes the speeches delivered by the components of the center-right parliamentary group in the debate sessions that culminated in the approval of the Security Law no.94. The main parties of the rightist coalition are: Silvio Berlusconi's PdL, which encompasses the old *Forza Italia*, as well as Gianfranco Fini's post-fascist party, National Alliance (AN), the controversial Northern League (LNP), headed by Umberto Bossi, and the Southern party Movement for Autonomies (MpA)⁵⁸⁶, whose main representative is the President of Sicily, Raffaele Lombardo. As mentioned, the center-right coalition, albeit not claiming to oppose immigration *per se*, has advanced a strongly securitized discourse on the phenomenon. However, in regard to the latest security provisions, emphasis must be given to the role played by the Northern League in that this party managed to translate its larger parliamentary representation into more power of influence over policy-making in the field of immigration. As Senator Valli (LNP) stressed, the repressive Security Bill is the “[...] consummation of the political battles that for long the Northern League has pursued in the fields of prevention and contrast to the clandestine immigration, and of public security”.⁵⁸⁷ Indeed, a number of controversial measures repeatedly proposed by the Northern party and subsequently rejected by legislative vote, such as the crime of irregular immigration, finally managed to find their way through the parliamentary procedures in 2008/2009. This repressive evolution of immigration policy is a sign that the “battles” mentioned by Mr. Valli were won, and that the security narrative became at last the dominant discourse type on immigration.

In spite of this discourse's dominance, the plural composition of the Italian democratic government still allows for political disputes to take place in and over language, and this means that the securitized definition and treatment of the migratory phenomenon may be not only questioned, but eventually transformed. In fact, during the parliamentary debates concerning the Security Bill, the majority group was recurrently challenged by the pro-immigration minority, which made bids for power using several linguistic and non-linguistic instruments – in this respect, see the previous subsection. Likewise, the rightist group attempted to take advantage of such resources in order to maintain and to reinforce its power, in particular after the Document of the 101 had been released. Once again, the institutional and situational contexts in which discursive interactions were embedded proved to be strategic for political actors

⁵⁸⁶Original name in Italian: *Movimento per l'Autonomie*.

⁵⁸⁷Original in Italian: “[...] il coronamento delle battaglie politiche da tempo perseguite dalla Lega Nord in tema di prevenzione e contrasto dell'immigrazione clandestina e di politica della sicurezza”. Mandell Valli, Northern League, Session no.95, Senate of the Republic, 19/11/2008.

engaged in the security battle: in addition to creating interactional constraints in terms of content, relations, and roles, the institutional configuration of the Parliamentary houses provided rightist politicians with opportunities to take advantage of certain conventions and norms of conduct in order to promote their own agendas.

Before explaining how this was done, it is important to note that although the center-right alliance was threatened by some of its own moderate members, the power position occupied by the group in the Senate and in the Chamber of Deputies was still quite strong: not only did the group have a large majority, but also its components filled the main positions of power in the parliamentary institutions. The Presidents of both Chambers, the main *relatori* (proposers) of draft laws, the Presidents of the commissions, as well as the representatives of the executive were all members of the leading coalition, that is, politicians of PdL and LNP. Even though these different positions are more organizational than properly hierarchical, they still assure more control over parliamentary procedures, and thus, over several dimensions of discourse. All in all, the supremacy of the right-wing meant that parliamentarians of the bloc did not have to be as worried about exposing and defending their proposals and arguments as the ones of the center-left coalition. The text of the law had been, after all, devised by their own representatives, and given the favorable context in which it was being discussed, their main scope was to get it approved as fast as possible.

The comfortable political situation in which the center-right coalition found itself appears to have influenced the unfolding of the debates. In fact, majority Deputies and Senators were not very keen to participate. It is noteworthy, for example, that these politicians took part in the discussions relatively few times (approximately 60 speeches were delivered, counting with the inputs of the *relatori* and of the representatives of the government), and in average, they spoke much less in each intervention than the members of the opposition did. Moreover, during parts of some sessions at the lower Chamber, Deputies of the majority were completely absent. As for the content of their discursive contributions, most of the center-right parliamentarians did not bother to respond directly to questions raised by their political counterparts (the *relatori* and the government's representatives, conversely, were obliged to do so). In some cases, this attitude gives the impression that some questions are just considered inappropriate and unworthy of an answer. Even in the cases in which they use their turns to refute critiques, these Deputies and Senators seem to be more concerned with advancing their own agenda. In sum, the center-right group was well-aware of its power, and this was clear throughout the debates. See, for instance, the following quotation:

The government has presented a draft law, not a decree: I believe this is a sign of good will, of dialogue, and of opening *also* in relation to the opposition. Let's not confuse this decision with an authorization to prolong the time with a thousand amendments.⁵⁸⁸

The passage, taken from Ombretta Colli's (PdL) speech, is an interesting illustration of the argument developed here: the pretentious tone used by the Senator, which is particularly pronounced in the imperative sentence “Let's not [...]”, reclaims to the center-right government a paramount position of authority over both the oppositional force and over the Parliament as a whole. Note that her argument alludes to two perverted notions of democratic rule (*presuppositions*): firstly, it seems to rely on the idea of “tyranny of the majority”⁵⁸⁹, according to which the numerical supremacy of a majority political group should assure to it absolute power over policy-making. Thereby, this group would be allowed to pursue the interests of its subsections of the electorate, and of its subsections only. In this regard, observe, for instance, the relational value of the word “also” (in Italics): the adverb is deliberately used to include the oppositional force in the political game, as though it would not be a participant unless the majority and the government allowed. Secondly, Ms. Colli's argument appears to be founded upon a twisted version of the “theory of the presidential mandate”⁵⁹⁰, according to which the president – in this case, the Council of Ministers – is superior to the Congress, and not one independent and equal power. In this respect, the usage of the term “authorization” is noteworthy in that it conveys the impression that the executive power had the competence to delegate functions and powers to the Parliament. What's more, the latter understanding is supported by the argument that Law decrees are regular legislative procedures, whereas draft laws are to be used in exceptional circumstances, that is to say, when the executive power deems the contribution of minority groups particularly valuable. As a result of this view, Berlusconi, Maroni and Alfano are presented as benevolent leaders, whose patience should not, however, be strained. All in all, this short passage summarizes how several members of the PdL-LNP coalition understood the relationships between majority and minority political forces, and

⁵⁸⁸Original in Italian: “Il Governo ha presentato un disegno di legge, non un decreto: credo sia un segnale di buona volontà, di dialogo e apertura anche nei confronti dell'opposizione. Non confondiamo questa scelta con l'autorizzazione ad allungare i tempi con mille emendamenti”. Ombretta Colli, People of Freedoms, Session no.95, Senate of the Republic, 19/11/2008.

⁵⁸⁹This expression has been used by several political philosophers and scientists over time, but it is mostly commonly attributed to John Stuart Mill, who uses the term in the book *On Liberty*, and to Alexis de Tocqueville, in his work *Democracy in America*.

⁵⁹⁰On the theory of the presidential mandate, see, for instance: Robert A. Dahl. Myth of Presidential Mandate. *Political Science Quarterly*, v.105, n.3, 1990, pp. 355-372. Available at: <<<http://www.jstor.org/pss/2150822>>>.

between the executive and the legislative powers.

Although these were certainly not accurate representations of the democratic process – to say the least –, the asymmetry of power between the parliamentary groups did give the components of the majority a wider margin of discretion to use institutional procedures to their advantage. As the decision to ask for votes of confidence over the text of the Security Bill demonstrates, the center-right exploited such opportunities to advance its own agenda, as well as to control the discursive contributions of the center-left coalition. Since the interactional consequences of the vote of confidence were mentioned above, they will not be analyzed here. However, besides the vote of confidence, the components of the center-right coalition resorted to other institutional conventions to constrain the discursive contributions of their counterparts. To begin with, the proposers of the Bill and the representatives of the government tended to use their positions of power to dismiss the attempts of the minority to change their version of the draft law. For example, during the first appraisal of the Bill in the Senate, when no vote of confidence was announced, the center-left group proposed and illustrated a large number of amendments, most of which received unfavorable opinions from the *relatori* Vizzini (PdL) and Berselli (PdL) and from the Undersecretary of the State for the Interior Mantovano (PdL). These negative opinions are particularly interesting here because they were often motivated by institutional limits (the *expert discourse*, as Bloor and Bloor⁵⁹¹ name it), rather than by the merit of the propositions. In other words, instead of dismissing amendments on account of their irrelevance or unconstitutional character, these politicians often justified their opinions by resorting to institutional constraints of the following type: the Financial Commission estimates that the state will not be able to bare the burden of the suggested measure; there is another draft law dealing with the same matter being assessed in the other branch of the legislative power; and even, this question is so relevant that it must be regulated separately. Meanwhile, critiques of the same sort directed to the measures of the Security Bill were simply ignored (the financial coverage of the “crime of irregular entry and sojourn” being a case to note here). Therefore, the proposers of the Bill and the representative of the government often pretended to acknowledge the efforts of the center-left group, while using their institutional and expert powers to dismiss its ideas and to silence its voice.

Vizzini (PdL), Berselli (PdL) and Mantovano (PdL) were not the only ones to adopt this strategy: the Senators and Deputies of the majority parties have also tried to instrumentally use the constraints imposed by the institutional configuration to

⁵⁹¹Meriel Bloor and Thomas Bloor. *The Practice of Critical Discourse Analysis*, 2007.

challenge and to depreciate the discursive contributions of the components of the center-left grouping. Senator Pastori (PdL), for example, stated the following about the several preliminary issues raised by the members of the opposition after the Security Bill had been presented:

I believe that all the objections that we have listened to are questions of merit, not of constitutionality, and the objections of merit can also be heard, acknowledged, deepened, but they surely cannot constitute objects of preliminary [issues] as the ones presented by the colleges.⁵⁹²

This passage was extracted from the first paragraph of the speech delivered by Mr. Pastori (PdL), who, (allegedly) based on the activity type of the parliamentary session underway, censured the speakers that preceded him by contending that they misinterpreted the content of their own messages and therefore, misused the time slot devoted to the presentation of preliminary issues (Fairclough⁵⁹³ describes this sort of practices as attempts to *control the topic* of the interaction). It is interesting to notice that the Senator chose to start up his reply by highlighting the institutional impropriety of the interventions made by the members of PD and IdV, instead of using the opportunity to react to the very serious accusations brought up against the Bill. The decision was not, however, innocent: this opening message has the capacity to disqualify all the statements made by the center-left group, in addition to giving text interpreters the impression that the critiques previously raised were not even worth answering. Note: they may be “heard”, “acknowledged” and “deepened”, not answered, not voted – as preliminary issues should be. What's more, the way in which the critique was articulated by the Senator, as a combination of reprehension and tolerance (observe the expressive value of the modal verbs “cannot” and “can”), resembles more the type of discourses used in educational facilities, whereby teachers/parents try to patiently explain to their students/children what is correct and what is not, than the face-threatening discourse conventionally used in politics. This is not to say that the Senator is treating his peers as children; rather, what is being contended here is that, by admonishing them in such a comprehensive manner, Mr. Pastore (PdL) presents himself as a balanced, wise man, while indirectly imputing immaturity to his political counterparts, who are then seen as inexperienced politicians, that albeit meaning well,

⁵⁹² Original in Italian: “Credo che tutte le obiezioni che abbiamo ascoltato siano di merito, non di costituzionalità, e le obiezioni di merito si possono anche ascoltare, recepire, approfondire, ma certamente non possono costituire oggetto di pregiudiziali quali quelle presentate dai colleghi”.
Andrea Pastore, People of Freedom, Session no.89, Senate of the Republic, 12/11/2008.

⁵⁹³ Norman Fairclough. *Language and Power*, 2001.

are unprepared to deal with reality.

Interestingly enough, this image of left-wing politicians pervades most of the discursive contributions of the center-right group. Furthermore, the representation fits well into the conception of “*buonismo*” mentioned above. Based on a combination of these negative assessments, the opposition is discursively depicted as an irresponsible political group, as a group detached from the country's reality, and as a force that “below a blanket of hypocritical tolerance”⁵⁹⁴, leaves the citizenry to its own fate. Terms commonly used to refer to these politicians provide support to this view: these actors are indirectly mentioned as, and blamed for the “past” (*passato*), an epoch during which much was “said”, “chattered”, but nothing was done. Political leaders of the past – i.e. of the left, since the representation obviously does not take into account that before the 2006 Prodi's government, the center-right had been in charge for a very long period – are said to have “closed their eyes” to the reality of the country, as well as to Italians. In contrast, the center-right presents itself not as an exponent of “*cattivismo*” (badness), but as a doer, as an actor that listens to the real complaints and frights of its people, and does not hesitate to put in place concrete measures to redress these societal problems. Therefore, unlike the center-left group, which is said to have wasted time making delusional promises, they take immediate action; in short, they are pragmatic, not ideological politicians. Based on this self-conception, a new era of politics is announced: the era of facts. It is having in mind the importance of “action” – as opposed to the “inaction” characteristic of the “do-gooder center-left” – that these politicians often brag about how much they have done in one year of government – mostly through emergency legislation –, and about how close they are to the citizens and to their real needs. As it is demonstrated below, the foregoing discussion brings us directly to the alleged “national security emergency”, since the widespread fear and insecurity allegedly felt by the population motivated the government to undertake the duty to provide a concrete response – the “security package” – to this pressing societal problem.

In nearly all the speeches delivered by the members of the majority, their closeness to the people, as well as their better understanding of popular needs are said to explain to the 2008 electoral results. This ballot is approached as the supreme proof of their pragmatic capabilities and knowledge of the reality. In fact, the favorable outcome of this popular consultation is frequently understood as an authorization to resort to political instruments (Law Decrees and votes of confidence) that dispense with

⁵⁹⁴Original in Italian: “[...] sotto la cltre di un'ipocrita tolleranza [...]”. Maurizio Gasparri, People of Freedom, Session no.143, Senate of the Republic, 05/02/2009.

parliamentary debates and deliberation – observe that this view is in tune with the above-quoted speech of Senator Colli (PdL). The extract below, for instance, illustrates this alleged connection between the elections, the people and the role of the majority, as well as the aforesaid self-representation of the center-right coalition:

[...] we may say, [...], that in the months that preceded the electoral campaign and in the days that immediately followed it, a unique, unambiguous scream of pain arose from all over the country, a strong and significant appeal, so that the conditions of legality and security, already excessively compromised and [that were] such as to have produced an intolerable situation, were restored. We could not, we should not remain indifferent in respect to this scream of pain that transversely came from all the components of the civil society and, as far as we are concerned, to speak about security means, in our parliamentary role, to adopt that complex of norms that can assure the most regular, ordered, and pacific development of everyday life of a community [...], we could not, we should not and we did not remain apathetic. We did it being conscious that we had to provide a response that was simultaneously concrete, clear, efficient, and above all, based on a dose of sane and robust realism [...].⁵⁹⁵

In this passage, the majority coalition is introduced as an attentive listener, whilst the citizenry is presented as a desperate utterer, one who does not simply speak, but yells, cries out loud craving for the guidance and protection of the authorities. In this context, the figure of speech “the country screams” seems to hold at least a couple of important messages: first, alongside other textual features, it appears to express a *situational* critique to the opposition; second, it alludes to a crucial component of the overall *societal context* in which political discursive practices were taking place in 2007/2008. In more detail, concerning the situational critique, the screaming-country metaphor is important because the speaker, Senator Mugnai (PdL), albeit mentioning only two interlocutors, uses the figurative speech to send a critical message to a third discourse participant, namely: the center-left coalition, whose members are actual listeners of the intervention. The content of this message may be “heard” every time a “not” is verbalized. The usage of negation, instead of affirmative sentences, serves to emphasize that the unambiguous and pervasive popular outcry could not not have been heard by

⁵⁹⁵Original in Italian: “[...] possiamo dire [...] che nei mesi precedenti la campagna elettorale e nei giorni immediatamente successivi si è levato da tutto il Paese un unico, univoco, grido di dolore, un appello forte e significativo, perché venissero ripristinate su tutto il territorio nazionale condizioni di legalità e di sicurezza ormai eccessivamente compromesse e tali da avere determinato una condizione non più tollerabile. Non potevamo, non dovevamo, rimanere indifferenti rispetto a questo grido di dolore che trasversalmente proveniva da tutte le componenti della società civile; e, per quanto ci riguarda, parlare di sicurezza significa, nel nostro ruolo parlamentare, adottare quel complesso di norme che possano garantire il più regolare, ordinato e pacifico svolgimento della vita quotidiana di una comunità, [...]non potevamo, non dovevamo e non siamo rimasti indifferenti. Lo abbiamo fatto nella consapevolezza di dover dare una risposta che fosse al tempo stesso concreta, chiara, efficace e soprattutto basata su una dose di sano e robusto realismo”. Franco Mugnai, People of Freedom, Session no.89, Senate of the Republic, 12/11/2008.

the previous government (note that he specifies that the scream was already being uttered in the months that preceded the elections). Thereby, Prodi's administration is indirectly accused of neglecting the desperate requests of the citizenry, and this means that the politicians of the center-left are portrayed as being either irresponsible or incapable. In any way, the novel government is deemed to be the extreme opposite of both negative images. In fact, they "could not", "should not", and "did not" disregard the pressing security needs of the country. The sequence of adjectives used to characterize the reaction of the center-right government to these needs – "concrete, clear, efficient" – reinforces this point, in addition to underscoring the pragmatic approach of the right-wing coalition.

As for the second point, it is related to the message conveyed by the term "scream", and to the ways in which the usage of this particular representation reflects and informs the overall societal context in which both the institutional and situational contexts are embedded. One screams in despair, when rationality is abandoned and emotions, as pain or fear, are all that is left. A scream is not a word, it is a subjective expression of feeling, one that responds to an unbearable emotional situation, which in turn needs to be redressed by any means as soon as possible. In light of this understanding, it is reasonable to content that when Mr. Mugnai (PdL) compared the demand for security to a scream, he was indicating that security was not just another regular political request; rather, it was an urgent, desperate, exceptional need that should be addressed immediately, regardless of what it took. More than that, the Senator unveiled a crucial component of the Italian social context, that is: the overspread feeling of insecurity. As explained previously in this study, insecurity, fear and unease have become pervasive in the Western world, and Italy is no exception to this pattern. In spite of not being necessarily founded upon real threats (they are, like the scream, triggered by emotions), these feelings often inform political discourses and policy-making in Italy and elsewhere. Moreover, as seen, when politicians replicate societal fears, either discursively or by other means, they collaborate to the reinforcement of these fears, even when they are unreal.

The speeches delivered by the center-right coalition certainly go in the direction of reproducing this overspread component of the societal context, as Senator Mugnai's intervention illustrates: although he contends that the majority bases its actions on a dose of realism, he accepts the validity of popular appeals without really substantiating them, and thereby, this Senator – an actor holding a power position (facilitating condition of securitization) – contributes to strengthen the feeling of insecurity. What's

more, this happens even though threatening elements are not clearly defined – plus, as said, they might not even be real. This situation resembles the one described in the analysis made by Saleri⁵⁹⁶ of the speech delivered by the President of the Council, Silvio Berlusconi, in the press conference where the “security package” was launched. The author points out a paradox in the Premier’s discourse: even though he had announced a national emergency, presented the government as the actor responsible for redressing the situation, and introduced concrete measures to fight insecurity, the precise sources of fear, that is to say, the enemies/threats that so much fear raised in the citizenry were not identified. The superficial treatment of the security question was not, however, limited to Senator Mugnai’s and to Berlusconi’s interventions; on the contrary, it may be identified throughout the whole debate over the Law no.94. Although members of the center-right coalition repeatedly stated that the Security Bill was a concrete answer to the security demands of the electorate, they hardly ever determined what conception of security they were using, and the sources of insecurity they were referring to. Once again, Mugnai’s contribution may be taken as a reference to illustrate this point: the Senator delineates a situation of insecurity that must be tackled by the governmental actors in order to re-establish the country’s conditions of legality and security, as well as the development of an ordered, regular quotidian life. However, if a listener uses the traditional security framework to grasp the context depicted, he/she will probably come to the conclusion that something, a piece of the argument is missing. Put differently: what does the statement actually tell text interpreters about the conception of security that informs governmental actions? And what sources of insecurity that must be mitigated? The only information he provides to his interlocutors is that there is fear, and people would like to be freed from it.

The multifarious and somewhat confusing character of the Security Bill, which includes provisions ranging from terrorism to traffic rules, may be partly ascribed to the ill definition of (in)security and of the sources of fear. However, this lack of precision did not necessarily pose a challenge to the center-right group. Quite the contrary: as mentioned in the second chapter, the vagueness with which the terms security and insecurity were dealt appears to have been intentionally exploited, after all, it allowed these politicians to include a wide range of issues in the provision – including immigration policies. In other words, the security approach could, thereby, be used to manage whatever topic the center-right considered “dangerous” and, needless to say, the competence of assessing the level of dangerousness of social phenomena may easily be

⁵⁹⁶Sara Saleri. *Emergenze Sicurezza*, 2009.

influenced by self-interest (rather than used to identify actual threats). On the advantages of securitizing an issue, one has for example, the possibility of treating a matter with urgency, and of skipping lengthy processes of political deliberation. The 2008-2009 Law Decrees and votes of confidence exemplify well this point. However, whereas the center-left criticized the Bill for being a malformed mixture of norms (a *zibaldone*) – some of which had nothing to do with security –, their political counterparts defended that its multiplicity reflected the complexity of the security theme, as well as the government's commitment to solve the national security emergency. In fact, that is how the *relatori* described the Bill, even though they themselves showed some difficulty in making sense out of the overall textual body of the legislative piece.

[...] the draft law under examination in this Assembly constitutes an articulated series of answers to the complex demand of security largely heard in Italy. The theme is unfolded in various aspects, which range from the so-called urban security to the organized criminality, to a few aspects of the management of the migratory phenomenon. The main objective of the draft law is to reinforce the protection of all of those who live and work legally in Italy. [Since] the factors that affect the perception of security are manifold, also the responses are articulated at diverse levels.⁵⁹⁷

In the passage above, it is possible to observe that the complexity of the legislative piece is presented as a manifestation of the complexity of the security question. From this viewpoint, the multifarious character of the Bill seems to constitute an appropriate answer to the social demand of security. However, observe how the speaker logically relates all of these complex matters by using *nominalizations* (processes converted into nouns, as “the draft law under examination”, “the complex demand of security largely heard”). This grammatical instrument allows for processes to be taken for granted – the categorical presentation dispenses with further explanations –, and thus, it is widely used when it comes to referring to, for example, the “the diffusion of a sense of public insecurity”, or “the growing problem of public security”. The definite article “the” contributes to impose naturalness to these supposed processes, in that it restricts and particularizes them as though they were actually defined, existing nouns. Yet, despite the apparent existence of these processes, it is difficult to find in what exactly insecurity consists, and what is inside the calls for security and protection. If the security of those

⁵⁹⁷Original in Italian: “[...] il disegno di legge all'esame di questa Assemblée costituisce un'articolata serie di risposte alla complessa domanda di sicurezza largamente avvertita in Italia. Il tema è declinato sotto vari aspetti, che vanno dalla cosiddetta sicurezza urbana alla criminalità organizzata, ad alcuni aspetti della gestione del fenomeno migratorio. Obiettivo fondamentale del disegno di legge è quello di rafforzare la tutela di tutti coloro che vivono e operano legalmente in Italia. Essendo molteplici i fattori che incidono sulla percezione della sicurezza, anche le risposte si articolano su livelli diversi”. Jole Santelli, People of Freedom, Session no.169, Chamber of Deputies, 11/11/2008.

living in Italy may be guaranteed through the implementation of environmental and economic measures – to name a couple of pressing social issues –, why does this package include exclusively immigration rules and traffic norms?

Therefore, in spite of all the rightist attempts to introduce the legislative piece as a concrete, efficient response to the pressing security problems of Italy, and to the insecurity felt by the Italian citizenry, a deeper, more attentive look at the speeches delivered by the components of this group demonstrates that they themselves are not too sure about what are the security needs of Italy – and if they are, they do not discursively show it. Nevertheless, as Saleri⁵⁹⁸ argued, the legislative provisions devised to fight insecurity serve as an indication as to which societal phenomena are included in the center-right's security narrative. In the above-quoted passage, for example, the law proposer, Ms. Santelli (PdL), lists some of the societal processes that, according to the center-right group, ought to be treated under the banner of security: organized criminality and immigration. However, these are not the only ones; the provision also aims at contrasting terrorism, mafia, micro-criminality, smuggling, money laundering, among a number of other illegal activities. Of interest to the present paper is the treatment of immigration as a security matter, thus, as mentioned in the introduction of the present section, the remaining of this subsection deals specifically with the discourses that concern immigration, immigration policy, the rights of immigrants, and the articulation of the “rights-based” discourse within the dominant security narrative.

As the dedication of a whole part of the Security Law to immigration policy indicates, the security-migration nexus has significantly informed the legislative provision studied here. The inclusion of measures that regulate immigration and the legal condition of foreign residents in a piece of legislation that was also concerned with organized crime, terrorism, micro-criminality, etc, unavoidably reinforces the securitization of the topic, in addition to indirectly transmitting the message that cross-border movements of people are as much of a security problem for the state as organized crime and other serious societal problems. Notwithstanding the importance of the securitization mechanisms enacted by the draft law itself, of particular interest here are the ways in which parliamentarians of the center-right group discursively articulated this process, represented immigration, and related these speeches to immigrants' rights and freedoms – which, as repeatedly mentioned above, could not be ignored in a liberal democracy. It was demonstrated in the previous subsection, that the center-left, albeit not completely refuting the security-migration nexus, questioned and challenged not

⁵⁹⁸Sara Saleri. *Emergenze Sicurezza*, 2009.

only the inclusion of immigration policy in the Bill, but also the repressive turn this policy was taking as a result of the novel provision. Most of these attacks were based on a discourse type that relied on the principles and values that define Italy as a civil and liberal democratic state (especially individual freedoms and human rights); thereby, they contrasted the prohibitionist and oftentimes discriminatory and oppressive way in which the novel regulation approached human mobility. The center-right, on the other hand, claimed to be adopting a more down-to-earth view of the phenomenon and of its relation to security problems in Italy.

In more details, in the discourses of the members of the majority, immigration was both directly and indirectly pointed out as a source of insecurity to the country. See, for example:

[...] the re-establishment of the conditions of legality in our country could not leave one equation aside: that for which the reduction of the conditions of legality was strongly connected to another phenomenon that we had to face. [...] I am referring to the uncontrolled, savage, and clandestine phenomenon of immigration, which sadly in our country has reached levels that can no longer be tolerated without serious consequences, [which] damage also those that came to Italy and found regular life conditions.⁵⁹⁹

This passage is the followup of the above-quoted speech of Senator Mugnai (PdL), in which he contended that the Security Bill is a concrete answer to the popular outcry for security. It is interesting to notice how he chose to connect this desperate demand to the migratory phenomenon: although the security question had been superficially defined in the first part of his speech, he did not hesitate to attribute a part of the blame for the “reduction of legality” to the inward movement of people. Therefore, based on his speech, it may be stated that he was one of the politicians who discursively formulated a clear linkage between immigration and insecurity, and thereby, securitized immigration (not all of them link the two phenomena as directly as Mr. Mugnai).

Moreover, it is noteworthy that even though the Senator used negative adjectives to describe the migratory phenomenon as a whole (“uncontrolled”, “savage”, “clandestine”), in the end of the textual extract, he states that the “serious consequences” (note the vagueness) brought about by immigration are likely to be detrimental also to foreigners living regularly in Italy. The inconsistency of this formulation (he is afraid of

⁵⁹⁹ Original in Italian: “[...] il ripristino delle condizioni di legalità nel nostro Paese non poteva prescindere da un'equazione: quella per cui il venire meno delle condizioni di legalità era fortemente connesso ad un altro fenomeno che dovevamo affrontare. [...] Mi riferisco al fenomeno dell'immigrazione incontrollata, selvaggia e clandestina, che purtroppo nel nostro Paese ha raggiunto livelli tali da non poter essere più sopportata senza gravi conseguenze, anche a danno di coloro che sono venuti in Italia e hanno trovato regolari condizioni di vita”. Franco Mugnai, People of Freedom, Session no.89, Senate of the Republic, 12/11/2008.

immigration, but concerned for the outsiders) may sound strange, as if the speaker had made a mistake, but surprisingly, the same confusing message is found in other speeches of the majority. This ambiguous posture in respect to the migratory phenomenon is a pervasive characteristic of the Bill (it simultaneously promotes the criminalization of immigrants, the integration of foreigners, and the entry of highly-skilled workers), and it is frequently replicated in the discursive contributions of the parliamentarians of the center-right group. However, this posture makes sense if we remember that, even though politicians of the center-right have a hard time recognizing it, immigration is a multifarious phenomenon that factually entails challenges and benefits both to countries of origin and of destination. On the top of that, as seen in the third chapter, Italy cannot do without immigrants, and this means that the political authorities of the country must somehow find a way to fulfill economic and demographic needs, without however, adopting a lax, undisciplined regulatory framework. It is here that the state's rules of belonging and membership seem to play an important role in qualifying the security narrative – even when such narratives are articulated by the most radical politicians. The center-right, in order to conciliate these contrasting positions, operates with a very clear classificatory scheme of migrants: if one is not regular, one is illegal, clandestine, and thus, dangerous. The statement below expresses this division:

After that, we are a welcoming nation [*Nazione di grande accoglienza*]; thousands of foreigners live in our country, contribute to the lives of our families, of our industries, are in the schools next to our children and we consider them people who live with plenitude of their rights in our country. It is against illegality, against clandestinity, against the traffic of slaves that this Law clearly positions itself [...].⁶⁰⁰

Senator Gasparri (Pdl) presents the classificatory scheme quite clearly: on the one hand, there is a class of foreigners in Italy that deserves to enjoy the rights of the state for its members live normal lives and contribute to the development of the society; on the other hand, there is a class of illegal, clandestine individuals, who are involved in criminal and deplorable activities, as the traffic of slaves. In this regard, it is noteworthy that the legislative measures that criminalize irregular immigration work within the boundaries of this scheme. For one, the “crime of irregular entry and stay” in the

⁶⁰⁰Original in Italian: “Dopo di che noi siamo una Nazione di grande accoglienza; milioni di stranieri vivono nel nostro Paese, contribuiscono alla vita delle nostre famiglie, delle nostre industrie, sono nelle scuole accanto ai nostri figli e noi li consideriamo persone che vivono in pienezza di diritti nel nostro Paese. È contro la illegalità, è contro la clandestinità, è contro il traffico di schiavi che questa legge si posiziona in maniera molto chiara [...]”. Maurizio Gasparri, People of Freedoms, Session no.143, Senate of the Republic, 05/02/2009.

country – one of the most debated topics of the sessions concerning the Security Bill – is always explained along these lines. For example: “Who, in fact, comes into our territory without possessing a regular permit or a visa (thus, all the instruments that provide for a legal entry) places himself beyond law”.⁶⁰¹ The rights narrative seems to respect these lines as well, but its conciliation with the security discourse goes beyond this scheme, and therefore, its relations to legal statuses and to the security narrative are going to be further explained later on.

In practice, the differentiation promoted by the aforesaid categorization of immigrants advances the notion that irregular foreigners are, or will eventually become criminals, terrorists, drug dealers, and – at best – deviants, as prostitutes. The words used by the majority to designate these individuals corroborate this view: they are mostly referred to as “clandestine”, a harmful term that is occasionally replaced by other negatively charged terms, as “extracommunitarian” or “illegal”. Intertextual references to external texts and reports help to support this view, and also help to give authority to the security discourse. For example, a number of Senators and Deputies use criminal statistics to validate their ideas (especially the ones concerning the inmate population). What's more, several discourses establish direct connections between human mobility and this set of problematic phenomena. A couple examples are:

What perspective will the clandestine have of surviving (because everyone needs to survive)? Either he is going to steal, or to push [drugs], or maybe there will be more women who need to prostitute themselves, or there will be even more rapes.⁶⁰²

An authentic and complete parallel banking system. The money transfer agencies, used above all by immigrants to send their remittances home, are already widely spread and in all shapes, particularly in the big cities, and this [fact] further corroborates that such a complex network of agencies specialized in the transfer of money does not fulfill exclusively the demands of immigrants, but functions rather as a privileged means not only to money-laundering activities, but also and above all to finance international terrorism.⁶⁰³

⁶⁰¹Original in Italian: “Chi, infatti, viene oggi sul nostro territorio senza avere un regolare permesso o un visto (quindi tutti gli strumenti che consentono un ingresso legale) si pone al di là della legalità”. Jole Santelli, People of Freedom, Session no.169, Chamber of Deputies, 11/11/2008.

⁶⁰²Original in Italian: “Quale futuro avrà il clandestino per poter campare (perché tutti devono campare)? O andrà a rubare, o a spacciare, o magari ci saranno ulteriori donne che si dovranno prostituire o ci saranno ancora più stupri”. Gianluca Buonanno, Northern League, Session no.169, Chamber of Deputies, 11/11/2008.

⁶⁰³Original in Italian: “Un vero e proprio sistema bancario parallelo. Le agenzie di money transfer, utilizzate soprattutto dagli immigrati per le loro rimesse in patria, sono ormai diffuse capillarmente e in tutte le loro forme, soprattutto nelle grandi città, e ciò fa ulteriormente ritenere che una rete così complessa di agenzie specializzate nel trasferimento di denaro non risponda soltanto alla esigenze degli immigrati, ma piuttosto che funzioni come canale privilegiato oltre che del riciclaggio di danaro sporco anche e soprattutto per il finanziamento del terrorismo internazionale”. Piergiorgio Stiffoni, Northern League, Session no.142, Senate of the Republic, 04/02/2009.

Both citations link immigration more or less directly to criminal activities. From a textual viewpoint, what is particularly interesting to observe in these extracts is the modality of the sentences that connect immigrants to criminal and deviant actions: instead of using verb tenses that express conditionality – which would be the obvious choice, given that both speakers are talking about events that might take place –, these politicians prefer to rely on the simple future and simple present tenses, which are normally used to narrate/describe a process/action that is to happen, and an undergoing process/action. Hence, unlike the center-left coalition, whose members chose to depict a *possible* future when exposing the potential consequences of the Security Bill (remember: they often used conditional verb tenses in their discourses), components of the majority claim the authenticity of their assertions (apart, of course, from the second part of the first text, which includes a modifier, “maybe”). From an ideological viewpoint, the expressive value of these sentences' modality is relevant because it supports a straightforward, transparent view of the world, as if the “*clandestini*” were unavoidably going to follow one of the ways enumerated in the first speech, and as if money transfer agencies could only exist and succeed in case they had links with terrorist groups and criminal organizations. Put differently, Deputy Buonanno (LNP) and Senator Stiffoni (LNP) are not suggesting that these scenarios might be or become reality, they are asserting that if they are not yet real, they ought to be eventually. Given these prospects, it is not at all surprising that immigrants are considered security threats in Italy.

This securitized understanding of immigration is closely related to the main frames used by the majority group to approach the migratory phenomenon and the presence of foreign-born residents in Italy. Concerning the dominant image of immigrants, for example, the negative perspectives presented by Mr. Buonanno (LNP) above (criminality, drug traffic, prostitution) only make sense if text interpreters assume that the so-called *clandestini* are the poor and destitute of the world. Therefore, once again, the “vision of pauperism” may be identified as one of the dominant ways to describe the migrant, especially undocumented ones. What's more, illegal entry through Italy's sea borders seems to be a part of this frame, with other types of irregular immigration rarely being mentioned. Another crucial representation of immigration has also been partly introduced before, namely: the idea that immigration is an uncontrolled,

savage “invasion”, as described by Senator Vallardi (LNP)⁶⁰⁴ and a few others. Senator Rizzi (LNP), for instance, states that:

I believe that the epoch to think about an immigration controlled and controllable is over [...] an immigration that is really bringing us to our knees, particularly from the security standpoint, because the uncontrolled and uncontrollable immigration, at last, is translated into the impossibility of these extracommunitarian citizens to come to our country to create in it a future and, thus, into being absolutely and progressively pushed to enter the criminality circle.⁶⁰⁵

In this passage, immigration – this epochal and global problem, as some parliamentarians describe it – is presented as a phenomenon that can no longer be contained, that is to say, as a harmful invasion, a modern-days colonization (the latter terms are not used by the text producer, but by his colleges). Interestingly, when describing this process (first part of the quotation), Senator Rizzi does not differentiate between regular and irregular forms of entry in the country. This is because, even though Italy is considered a “great welcoming nation”, the “savage”, “uncontrolled”, “indiscriminate” and “unmanageable” “forced globalization of peoples”⁶⁰⁶ has already become a force beyond the control of any state, and thus, a danger to Italians and to foreign-born nationals residing in the country. It is interesting to note that underlying this line of argumentation is the traditional conception of the nation-state, according to which this political unit has three constitutive parts, the government, the people and the territory. In fact, the notion of invasion only makes complete sense if supported by this framework in that only a bounded unit, isolated from the outside world, may be intruded upon.

In light of this framework, indiscriminate cross-border movements of people are said to pose three serious challenges to the Italian state. First, immigration “undermines the foundations of this state [...] because its limits and its borders are no longer consistent, and its territorial sovereignty disappears, and the state itself starts to lapse”.⁶⁰⁷ Second, immigration allegedly threatens the government itself because

⁶⁰⁴Gianpaolo Vallardi, Northern League, Session no.90, 12/11/2008.

⁶⁰⁵Original in Italian: “Credo che sia finita l'epoca di pensare ad una immigrazione controllata e controllabile e che non vi sia davvero un'emergenza legata all'immigrazione clandestina [...] una immigrazione che ci sta veramente mettendo in ginocchio, soprattutto dal punto di vista della sicurezza, perché l'immigrazione incontrollata ed incontrollabile, alla fine, si traduce in una impossibilità da parte di questi cittadini extracomunitari di venire in nostro Paese a crearsi in esso un futuro e quindi nell'essere assolutamente spinti progressivamente ad entrare nel giro della delinquenza”. Fabio Rizzi, Northern League, Session no.94, Senate of the Republic, 18/11/2008.

⁶⁰⁶Original in Italian: “forzata globalizzazione dei popoli”. Gianpaolo Vallardi, Northern League, Session no.90, 12/11/2008.

⁶⁰⁷Original in Italian: “[...] mina le fondamenta di questo stato [...] perché i suoi confini e le sue frontiere

foreigners, especially irregular ones, disregard the rule of the law, and because, according to radical components of the center-right coalition, aliens are engaged in an attempt to become numerical majority in the country in order to take over the government. Third, several traditions and customs brought to Italy by these individuals are considered to be incompatible with the national culture (some examples mentioned throughout the debates are the usage of headscarfs, different wedding ceremonies, and polygamous marriages). Due to these inconsistencies, the practice of alien customs is said to be dangerous, after all, they may undermine the traditional principles and values upon which Italy is founded. In this respect, marriage is a case to note: since Italy is known to be a family-centered society, different ways to celebrate these unions, and diverse family models are deemed to be unacceptable, for they directly challenge one of the most basic pillars of the Italian culture, the family institute. What is particularly interesting about the last couple of challenges mentioned is that they are not necessarily related to the presence of irregular individuals in Italy, but to the presence of immigrants as such – a point that is going to be returned to later on.

In light of these multifaceted challenges to the Italian state, it is the government's obligation to take action (remember Senator Mugnai's intervention: “we could not, we should not and we did not remain apathetic”) in order to make sure that the citizenry and their rights are safeguarded. Needless to say, the immigrant-oriented “security package” aims at fulfilling precisely this duty, which is moreover, said to be the ultimate responsibility of every advanced and civil state. Regarding the latter statement, it is noteworthy that, similarly to the center-left group, members of the majority base their discourses on a sort of developmental *hierarchy* of countries and societies, according to which Italy stands side by side with France, Germany, the United Kingdom, amongst other “advanced and civil” societies. This classification is important here because, as indicated by Senator Saltamartini (PDL) in two different occasions, in the constitutional system of such advanced states, “the idea and the principle of liberty and democracy are always connected, as hendiadys, to the principle of the right of citizens to security”⁶⁰⁸. Based on this understanding, it is clear that liberal democratic states must introduce security measures whenever necessary to assure the safety of their People. In another parliamentary session, he further explores this relationship between liberty, democracy and security by saying the following:

non hanno più alcuna consistenza, e la sua sovranità territoriale scomparse, viene meno lo stato stesso”. Sandro Mazzatorta, Northern League, Session no.230, 01/07/2009.

⁶⁰⁸Original in Italian: “l’idea e il principio di libertà e di democrazia siano sempre legati, in termini di endiadi, al principio del diritto alla sicurezza dei cittadini”. Filippo Saltamartini, People of Liberties, Session no.230, Senate of the Republic, 01/07/2009.

To begin with a forerunner, that is with Thomas Hobbes, author of *Leviathan*, we may say that the state is born to defend the citizens and the transfer of sovereignty and of natural liberties occurs – exactly – in the moment in which the modern state is formed.⁶⁰⁹

In this passage, the intertextual reference to Thomas Hobbes is suggestive of the center-right's actual approach to immigration for it indirectly (and perhaps, involuntarily) suggests that the prevalent element in the aforesaid liberty-security dyad is the latter one, and therefore, that it is acceptable to sacrifice the first in the name of second. In more detail: although Hobbes is the first theoretician to point out that the State is an artificial, human creation, in his conception of the political world, the state is an entity endowed with absolute power that, albeit assuring the maintenance of a *civil* society, charges a high price for it, namely: the liberty of the citizenry. It is only with John Locke that the People becomes the prevailing political actor in the post-contractual world, and the *Stato di Diritto* (rule of law) finally comes into being.⁶¹⁰ In sum, what is being argued here is that Senator Saltamartini (PdL) could be suggesting that a certain degree of sacrifice, in terms of freedoms and rights, is acceptable in the face of modern security challenges, such as immigration. From this viewpoint, the restrictive and repressive turn taken by immigration policy is fair, after all, as mentioned in the second chapter of this study, “security is the first freedom”. Indeed, it is interesting to notice that this position corresponds perfectly to the scenario delineated in the theoretical part of this work: the Italian state, threatened by a phenomenon that it can no longer control, insists on relying on the out-dated national apparatus in order to safeguard its population and territory. In this context, freedoms and rights are progressively sacrificed in the name of security. Despite this correspondence, generally speaking, politicians of the center-right coalition do not openly recognize that rights are being sacrificed in the name of security, and this means that the research question of this study remains unanswered.

Yet, some elements conducive to an answer were provided along this subsection. To start with, it was demonstrated that the Bill's repressive approach to immigration was considered absolutely necessary in light of this phenomenon's threatening character. If irregular immigrants are directly and indirectly connected to criminal activities, and if immigration is an uncontrollable, invasive phenomenon, Italy cannot allow everyone to

⁶⁰⁹Original in Italian: “Partendo da un antesignano, cioè da Thomas Hobbes, autore del “Leviatano”, possiamo affermare che lo Stato nasce proprio per difendere i cittadini e la cessione di sovranità e delle libertà naturali avviene - appunto - nel momento in cui si conforma lo Stato moderno”. Filippo Saltamartini, People of Liberties, Session no.230, Senate of the Republic, 01/07/2009.

⁶¹⁰Marco Mondaini. O Respeito aos Direitos dos Indivíduos. In: Jaime Pinsky and Carla Pinsky (org.). História da cidadania. 2.ed. São Paulo: Contexto, 2003. p.115-133.

come in; it must do its best to strengthen its border controls, and to improve its capacity to sort out between good and bad migrants. Besides that, given the state's economic and demographic needs, it must be able to effectively welcome the outsiders who are accepted into its society, while making sure that they do not become either a burden or a threat. In sum, the main message of the discourses of center-right coalition seems to be the following: the compulsion to accept immigration cannot mean to succumb to criminality and to the “other”, as it has happened hitherto. A good summary of these arguments is provided by Ms. Sbai (PdL):

Being an Italian woman with Moroccan origins, I would say that the time has come to those who aspire to a better life here to arrive legally in Italy, to contribute to its economic, social, and institutional development without falling victim to organized criminality. It is dangerous to let in clandestine individuals who augment the pockets of social marginality, in a context of crisis as the one we are living. It is even more dangerous that do-gooder multiculturalism that, secure to act in the name of the respect for differences and of habits and customs, is ready to understand and justify anything. [...] Those who live in Italy cannot live following traditions that are incompatible with the Italian regulatory framework: they must know and respect the laws of this country, studying the language and the Italian Constitution.⁶¹¹

In this passage, Ms. Sbai (PdL) seems to be doing more than simply justifying the novel repressive immigration and immigrant provisions contained in the Security Bill; the Deputy is also delineating the picture of the good/ideal immigrant: he/she should enter and stay in the country legally, he/she should contribute to the society, he/she should adapt herself to local habits and customs, he/she should abandon traditions that are not in conformity with Italian values, he/she should learn Italian, and he/she should know and respect the Constitution. In this respect, it is interesting to remark that Ms. Sbai (PdL) introduces herself as an “Italian woman with Moroccan origins”, reminding her fellow Deputies of her past as an immigrant in the country where now she is a representative of the people. On the significance of this personal memory, one may say that she speaks about immigration from a unique *position of authority*: she is not only a representative of both worlds, but also the embodiment of the ideal immigrant she describes. She is the living proof that the message put forth by the center-right is correct:

⁶¹¹Original in Italian: “Da donna italiana di origine marocchina, mi sento di dire che è giunta l'ora che chi aspira ad una vita migliore qui da noi debba giungere legalmente in Italia, per concorrere al suo sviluppo economico, sociale e istituzionale senza cadere vittima della criminalità organizzata. È pericoloso far entrare clandestini che vanno ad ingrossare le sacche di marginalità sociale, in un contesto di crisi come quello che stiamo vivendo. È ancor più pericoloso quel multiculturalismo di stampo buonista che, convinto di agire nel nome del rispetto delle differenze e di usi e costumi, è pronto a comprendere e a giustificare qualsiasi cosa. [...] Chi vive in Italia non può vivere seguendo tradizioni incompatibili con l'ordinamento italiano: deve conoscere e rispettare le leggi di questo Paese, studiando la lingua e la Costituzione italiana”. Souad Sbai, People of Freedoms, Session no.176, Chamber of Deputies, 13/05/2009.

she is not dangerous for she is, she became Italian – and not only on paper. This latter consideration also alludes to what the center-right bloc considered one of the main problems of Italy when it came to immigration, that is: because most foreigners had been allowed to live in the country according to their own rules and customs, and thus, allegedly disregarding those of the Italian state (as if Italy was a “no man's land”), a basic right of the native population had been compromised, the right to be free from fear.

It is in this pressing context that Ms. Sbai (PDL) states that the time has come for the Italian state to take control of the situation and to set the record straight; otherwise, Italy will succumb to immigration – at least according to the catastrophic scenario depicted by the center-right. Thus, the government must not only fight the irregular/illegal/clandestine immigration that threatens its borders and sovereignty, but also re-establish the equilibrium between the rights and the duties of foreign residents in order to guarantee a proper integration of these individuals into the society. In this sense, the Security Bill and its repressive provisions, including those that apparently have nothing to do with security, are justifiable. More specifically, according to this discourse, the logic underlying the Bill is the following:

Irregulars: it seems to me that in this Parliament, at least for a part of it, only irregulars should have rights in this country and the Italian citizens, instead, should not have them.⁶¹²

We are trying to modify some norms respecting the famous equilibrium that must exist between rights and duties that we ask both from our citizens [...] and from those who enter the territory of our country, legally or illegally.⁶¹³

Other than racism, this is justice!⁶¹⁴

Alongside the previous one, these quotations summarize most of the arguments raised by the components of the center-right coalition to support the exclusionary and oppressive measures of the Security Law, as well as to refute the innumerable accusations of racism, discrimination and violation of freedoms and rights made against them by the center-left group. Looking at the content of these excerpts, it is surprising to find out that terms like “rights”, “rights and duties” and “justice” are so comfortably

⁶¹²Original in Italian: “Irregolari: mi sembra che in questo Parlamento, per lo meno per una parte, i diritti in questo Paese dovrebbero averli solo gli irregolari e non dovrebbero invece averli i cittadini italiani”. Manuela Dal Lago, Northern League, Session no. 176, Chamber of Deputies, 13/05/2009.

⁶¹³Original in Italian: “Cerchiamo di modificare alcune norme rispettando il famoso equilibrio che deve esserci tra i diritti e i doveri che chiediamo sia ai nostri cittadini [...] sia a chi entra nel nostro Paese, che lo faccia legalmente o illegalmente”. Luciano Dussin, Northern League, Session no. 176, Chamber of Deputies, 13/05/2009.

⁶¹⁴Original in Italian: “Altro che razzismo, questa è giustizia!”. Roberto Cota, Northern League, Session no. 177, Chamber of Deputies, 14/05/2009.

(and frequently, we may add) used to defend the center-right's repressive legislative piece. What's more, as seen in the speech delivered by Senator Sbai (PdL), the idea of legal residence status and the image of a regularized and perfectly integrated foreigner are oftentimes drawn upon for the same purpose. The usage of these terms/image is puzzling because first, the Bill is clearly a securitized and repressive legislative piece that does not promote any of these goals, and second, because not only moderates, but also radical politicians and members of parties founded upon regional identities strongly rely on this vocabulary in their interventions. As seen in the previous subsection, it is normal to hear parliamentarians from the center-left advancing such inclusive ideas (remember: they fight the security discourse with a discourse based on rights), but it is not as common to have the center-right advocating for regular inflows of migration, for the establishment of rights and duties to immigrants and for equality between these individuals and citizens (especially given that their opponents rely on the same discourse to undermine the Security Bill). Another surprising, yet common example of these arguments may be found below:

The guests must be respected, but the same must be expected from them. From now on, there will no longer be place in this country for the immigrants that do not want to be integrated, that violate our laws, and that live on criminality, as those who do not respect our history, our culture, and our traditions will not be welcome. Integration does not mean to renounce one's own identity and roots, as the center-left would have wanted it. Integration, as far as we are concerned, means that those who come to our house (because this is our house) must respect our laws and must adequate themselves to our ways of living. This is integration as we understand it.⁶¹⁵

In this passage, as in the previous ones, it is stunning to observe that a parliamentarian from the anti-immigration Northern League is drawing on the notion of immigrant integration to support his contentions. Again, regardless of how surprising this may sound, this discourse has been, alongside the discourses on legality, rights and duties, extensively used by the majority to justify the Security Bill. But, aren't these discourses in contrast with the securitarian one? How can these politicians criminalize irregular immigrants and treat foreign residents as suspects, for instance, and at the same time use a rights-based narrative to justify such practices?

⁶¹⁵Original in Italian: “Gli ospiti vanno rispettati, ma altrettanto si deve pretendere da loro. D'ora in poi, non ci sarà più posto in questo Paese per gli immigrati che non si vogliono integrare, che infrangono le nostre leggi e che vivono di criminalità, come non saranno benvenuti coloro che non rispettano la nostra storia, la nostra cultura e le nostre tradizioni. Integrazione non vuol dire rinunciare alla propria identità e alle proprie radici, come vorrebbe il centrosinistra. Integrazione, per quanto ci riguarda, vuol dire che chi viene a casa nostra (perché questa è casa nostra) deve rispettare le nostre leggi e si deve adeguare al nostro modo di vivere. Questa è l'integrazione che intendiamo noi.” Federico Bricolo, Northern League, Session no.232, Senate of the Republic, 02/07/2009.

The previous chapter of this work, as well as the beginning of the present chapter have attempted to demonstrate the extent to which immigration has been securitized in Italy, as well as how the legislative piece no.94 has managed to take the security-oriented view of the migratory phenomenon to an extreme. What's more, the conceptual part (second chapter) presented securitization as a process that sets in motion an exclusionary and oppressive logic, one that, in order to safeguard referent objects, endeavors either to annihilate or to push the threatening entity – in this case the migrant/the Other – away. In light of these factual and theoretical inputs, how could a discourse based on rights, duties, equality, integration, in sum, a discourse that is ultimately based on the notion of inclusion, be used to justify the Security Bill? It is precisely in this apparent contradiction that the answer to the research question of this study seems to lie. The speeches delivered by the center-right coalition in the Italian Parliament – site of political struggle wherein the exclusionary security discourse was directly contested by the inclusive “rights-based” – indicate that the components of this group could defend a Bill that treats migrants as security threats, without (apparently) violating the liberal and democratic character of the Italian Republic because they relied: first, on the legal categorization of immigrants that results from the country's rules of membership and belonging; second, and more importantly, on a distorted speech on inclusion, which allowed them to incorporate into their vocabulary notions that traditionally belong to a pro-immigrant discourse type, such as rights, equality, and integration. Obviously, this strategy is dependent upon the ways in which these parliamentarians approached the migratory phenomenon and the security emergency. In what follows, these statements are further explained.

In the passages quoted above, it is noticeable that immigration is not represented in its multiplicity; rather, one unique view stands out: that of immigration as an uncontrolled and uncontrollable modern phenomenon triggered mainly by the developmental disparities between the Northern and the Southern hemispheres. In this context, Italy is introduced as a great welcoming, humanitarian nation, but one that cannot possibly receive everyone. Note that, from this viewpoint, the origin of the problem of “clandestinity” is transferred from the state to the globe, that is to say, irregular migration is presented as neither a result of the nonavailability of legal doors into the country nor of the difficulties foreigners face in maintaining their legal statuses; rather, it is the numerical disequilibrium between the amount of desperate and/or poor people in the world and Italy's capacity of receiving these people that generates “illegality” and therefore, criminality. As for legal migrants, they contend that, since the

previous governments were incapable to regulate their presence, many of them could simply take advantage of the Italian state and economy, while living a life of non-integration, often of marginality, and thereby, creating situations that endanger the cohesion of the society, as well as its foundations. All of this means that while certain types of immigration may be praised, owing to the lack of stricter and down-to-earth regulations, immigrants are practically “above the law”. Needless to say, this situation has supposedly originated a number of threats to the security of the state and society. In sum, according to this view, foreigners come into Italy, legally and illegally, benefit from the rights guaranteed to them by the Italian liberal and democratic state, but, unlike citizens, do not have to fulfill any duties. They are disrespectful guests.

This argumentative structure succeeds in turning around all the arguments advanced by the center-left government against the Security Bill: from the rightist standpoint, there is indeed discrimination and racism in Italy, but not against immigrants. On the contrary, these individuals are portrayed as privileged guests, who proceed as they will, whereas the right to security of native citizens is relegated to a second plane. Hence, Italians are the ones being discriminated against: since the center-left government, in its do-gooder position, did not regulate immigration, the native population is now suffering the consequences of having a class of residents that is beyond the rule of law. It is from this perspective that foreign citizens must be included; their statuses must be equated to the one the Italian citizens, they must be given duties, and they must behave as respectful guests. However, since there is an imbalance between the number of those looking for a better life in Italy, and the state's capacity to absorb these people, not everyone is welcome: if they want in, immigrants have to prove that they are worth the effort made by the Italian state and society, that is to say, they must attempt to conform to the image of the ideal migrant presented above. Irregular migrants, on the other hand, are to be treated according to their choices, that is, as criminals. So it seems that if the Italian state wants to guarantee the security of its residents, it must measure the worthiness and the dangerousness of the potential mover, and the repressive measures of the Security Law go precisely in this direction.

The parliamentary speeches, too, reflect this view: if one is in Italy irregularly, he/she is dangerous; if one uses a *burqa* or a headscarf, she is dangerous; if one did not learn Italian, he/she is not worth; if one has taken a PhD in the country, he/she is welcome, and so on. Note, however, that the notions of inclusion and integration with which the center-right group works are twisted versions of their original conceptions. Senator Bricolo (LNP), for example, puts forth an idea of integration as a one-way

process, according to which the foreigner has to adapt himself if he wants to be an accepted part of the society. Besides this, in the Security Bill itself, the measures allegedly aimed at equating migrants to nationals and at promoting their integration do nothing to assure the fulfillment of these goals, apart from imposing burdens on migrants, and worsening their legal condition in the country. This twisted discourse on immigrant integration resembles the arguments advanced by Doty⁶¹⁶ and mentioned in the second chapter of this study, that is: securitization does not need to be directly exclusionary; it may take the form of identity politics, and if this case, policies designed to assimilate the “other” may be used as an alternative way to control the threat (even though they incorporate a logic that is different from the one conventionally resorted to by securitizing actors). All in all, it seems that the putative inclusion advanced by the center-right majority is actually aimed at promoting a spectrum of exclusion: the closer a foreigner gets to possessing some sort of “Italianess” – no longer representing a “non-I” – , or to possessing skills and resources that are valuable to the country, the more included he/she is, and the more rights he/she gets. As for those who are not worth, they are automatically deemed to be dangerous, and should be kept outside of the national borders. In this spectrum, citizenship seems indeed to be the “ultimate status privilege”, as Marco Ferrero⁶¹⁷ described it. What's more, this conclusion seems to be in tune with Alessandro Dal Lago's⁶¹⁸ following argument:

When nationalism is no longer in its formative phase, but is already consolidated, the hyperbolic forms of racism will be substituted by the procedural, democratic, legal and scientific forms of racism. These forms don't need to declare hatred against the other, but limit themselves to actually treating the other as an enemy.⁶¹⁹

⁶¹⁶Roxanne Lynn Doty. *Immigration and the Politics of Security*, 1998.

⁶¹⁷Marco Ferrero. *Straniero e Diritti Umani*, 2009.

⁶¹⁸Alessandro Dal Lago, *Non-Persons*, 2005.

⁶¹⁹Alessandro Dal Lago, *Non-Persons*, 2005, p.54.

5 Conclusion

In 2008, following the electoral triumph of the center-right coalition, immigration policy in Italy took a decisive turn for the worse: the inclusion of several migration-related provisions into the so-called “security package” – whose alleged aim was to redress the country's pressing security troubles – resulted in more than tighter border controls; it actually criminalized thousands of irregular migrants, turned other thousands into permanent suspects, and worsened the legal condition of all foreign-born nationals residing legally in the country.⁶²⁰ More than that, the provisions of this package were accused of discriminating against, and of violating individual freedoms and human rights of immigrants and of vulnerable sections of the Italian population.

In light of the negative consequences of the new legislation over the rights of migrants, the main purpose of the present work was to investigate how the predominant securitarian discourse on immigration managed to suppress and to silence the necessary presence of human rights considerations in immigration policy. This inquiry was considered particularly interesting because, regardless of how threatening migration and immigrants are said to be, in liberal democratic states, the exclusionary and oppressive logic of security should find its limits in the individual freedoms and human rights of movers. This means that somehow, components of the center-right political force – the main proposers and defenders of the “security package” – were compelled to negotiate the contradictions of the exclusionary security narrative with the inclusive “rights-based” discourse in order to justify the adoption of migration-related policies that, according to many, did not comply with domestic and international human rights laws. Since securitization is a socially constructed process, and taking into consideration that contemporary political battles mostly take place in and over language, the methodology chosen to conduct the proposed investigation was discourse analysis. More specifically, the idea was to carry out a critical discourse analysis of the parliamentary debates that led to the approval of the main legislative piece of the “security package”, Law no.94.

As mentioned in the first chapters, the movement of people across national borders brings about both positive and negative consequences for the societies involved. Due to this uncertainty, most contemporary states adopt an ambivalent position in relation to the migratory phenomenon. Economically developed states, in particular, albeit needing the extra manpower provided by foreigners, are reluctant to open their borders for what is apparently an ever-increasing mass of international movers. On the

⁶²⁰ Massimo Merlino. *The Italian (In)Security Package*, 2009.

consequences of this ambivalence, we have a somewhat contradictory situation: whereas most people are free to leave the territories of their states, the majority of the states around the globe have put in place restrictive immigration policies, which not only regulate who is allowed into the country, but also under what conditions, for how long, for which purposes and so forth. As Joppke⁶²¹ highlights, the current plurality of legal statuses reflects precisely these conflicting interests of states when it comes to the handling of immigration. Since states' norms and rules of membership and belonging determine a spectrum of inclusion and exclusion of outsiders according to the receiving state's needs, duties, international agreements, etc, the present paper advanced the hypothesis that in order to discursively conciliate an exclusionary security discourse with an inclusive “rights-based” one, parliamentarians of the center-right coalition would instrumentally use the Italian state's legal categorization of migrants. In more detail, the hypotheses put forth in the beginning of this study were the following:

- The “rights-based” discourse on immigration is instrumentally appropriated by the actors advancing a security logic;
- The antagonistic aspects of these discourses are brought together in the rules and procedures of membership and belonging of the country. Put differently, the articulation of a legal and institutional framework that transcends the notion of foreigners as a “non-I”, as an “Other”, allows politicians to formulate a spectrum of inclusion and exclusion against which the worthiness and dangerousness of the immigrant may be gauged.
- This framework provides the government with the power of discretion to:
 - translate security concerns into policies that target specific, “dangerous” groups;
 - maintain a “rights-based” facade to migration regulation; and
 - advance national economic interests related to the inflow of particular categories of foreign-born individuals (e.g. high-skilled and seasonal migrants).

The analysis of the speeches delivered by the components of the center-left and center-right parliamentary groups demonstrated that legal status does play an important role in qualifying the security narrative. The division of foreign-born nationals into regular and irregular is particularly relevant in this respect: it featured prominently in the discourses of both the rightist and leftist blocs, and it was identified as one of the most basic classificatory schemes upon which politicians rely to make sense of inward movements of people. In fact, the slash between regular/irregular is quite

⁶²¹Christian Joppke. *Immigration and the Nation-State*, 2003.

straightforwardly drawn upon, especially by parliamentarians of the majority – even though these politicians often disregard that, in Italy, “status” mobility⁶²² is a widespread phenomenon. The reliance on this division shows that, although the security narrative is moved by a logic of exclusion (states wish to get rid of menaces, and thus, of migrants), this oppressive logic finds a limit in the legal separation between those who have the right to be in and those who should be kept out.

In spite of being a prominent classification in the speeches of both political groupings, the meaning attributed to the regular/irregular division by each is quite different. Needless to say, such differences help to explain why these groups support different sets of immigration policies. To be sure: regardless of where a politician is placed on the political spectrum, irregular immigration is a phenomenon to be curbed, and regular migration one to be carefully controlled. However, while the center-left opposition defends the development of immigration policies that respect the humanity of unauthorized movers, and in some cases, supports their regularization, the majority coalition adopts a discourse guided by a security logic. According to this discourse, irregular movers are not “migrants” – a do-gooder word ascribed to the lax center-left approach to immigration –, they are “clandestine”, “illegal” individuals. Put differently, those who do not respect the entry regulations of the state and live irregularly in its territory are considered criminals, and, as such, represent security threats to the country. As shown, their threatening character is often related to the alleged challenges they impose to the territorial borders of the state, to its identity/culture and to the public order. Furthermore, immigrants have been included in the country's security spectrum as a menace that is closely related to other serious threats, both domestic, as drug traffic and micro-criminality, and external, as smuggling and terrorism. The relationship established between movers and these serious societal problems serves to exacerbate the securitization of immigration in the country.

Notwithstanding the differences between the speeches of the center-right and center-left, there are at least three commonalities between the former group's securitized understanding of irregularity and the latter group's approach to the same problem, namely: the main mental representation of migrants, the origin of their irregular/clandestine status, and the role Italy ought to play in this context. The “vision of pauperism”, as Colombo and Sciortino⁶²³ name it, is without a doubt the main frame used to describe immigrants throughout the debates, and this is as true for the center-left

⁶²²See more about status mobility at: Liza Schuster. *The Continuing Mobility of Migrants*, 2005.

⁶²³Asher Colombo and Giuseppe Sciortino. *Italian immigration*, 2004.

as it is for the center-right coalition. Nevertheless, as seen, poverty and despair are conducive to diverse conditions in each case: on the one hand, the opposition states that while irregularity may indeed be connected to a few security problems, as human smuggling, the lack of documents is not a criminal-maker; on the other hand, the center-right group contends that the combination of lack of financial resources and unauthorized entry and stay can only result in deviant and illegal behaviors on the part of irregular foreigners. In this respect, it is noteworthy that the latter group does not argue that foreigners are intrinsically bad, but rather that the nonexistence of opportunities for them in Italy, combined with the lack of support from the state – they are, after all, “invisible” residents –, allows criminal organizations and other malefactors to take advantage of their fragile situation. Therefore, the origin of illegality, according to the rightist force, is not on immigrants themselves, but on a state of affairs that unavoidably steers these people into criminality. The blame for this scenario, in turn, is directly attributed to the past center-left governments, which instead of taking a realistic and fierce stand against the phenomenon of irregular migration, have chosen to implement do-gooder and inefficient immigration policies. As for the center-left, according to its components, the origin of irregular immigration are the policies devised by the center-right government, in particular the 2002 Bossi-Fini Law, which virtually closed all the legal gateways into the country, with the consequence that migrants must resort to alternative means to access the state's territory.

What's more, both political groups relate the migratory phenomenon to the process of globalization and to the existing developmental gaps between the Western and Southern parts of the globe, a view that supports the representation of international movers as the world's poor and destitute. Yet, whereas the center-left coalition acknowledges that migration is a structural phenomenon, and that the presence of immigrants has already turned Italy into a multicultural society, the majority has a hard time conceiving immigrants as anything more than guests, and depicts the migratory phenomenon as an uncontrollable invasion. In both cases, the critical international juncture imposes a crucial role on Italy and on other developed and civil states: that of host nations. However, given the political groups' different understandings of immigration, this role is also approached differently. The PD-IdV-UDC alliance advocates that the state should establish legal entry points for those who would like to try their luck in Italy, and that it should create and improve international cooperation programs and agreements aimed at aiding and speeding up the developmental processes of countries of origin. Conversely, the rightist sections of the parliamentary houses,

relying on the understanding of immigration as an uncontrolled invasion, maintain that the welcoming capacity of the Italian state is practically exhausted, and that it is consequently, impossible for the country to meet the demand imposed on it by this savage phenomenon. In light of such difficulties, it is only reasonable to adopt tighter border controls, and to increase internal levels of surveillance, after all, those who come in irregularly are inevitably going to be added to the ranks of criminality and deviance.

From this standpoint, the criminalization of irregular entry and stay in the territory, the maintenance of unidentified individuals in CEIs, the obligation of civil servants to denounce unauthorized residents, amongst other measures of the Security Bill, are apparently justifiable: the state is simply fulfilling its role by attempting to safeguard its residents – citizens and migrants alike – from potential criminals, terrorists, drug dealers, etc. This also means that, according to this view, there is no discriminatory intention in the novel security provisions; on the contrary, they are aimed at bringing into law a section of the population which does not comply with the rules of the state. In this sense, center-right politicians contend that they are promoting a process of equalization rather than one of discrimination. Put differently, they argue that the migrant-related provisions of the draft law do not create a special right to unauthorized migrants; on the contrary, the new measures intent to make sure that everyone in the country is compliant with the rule of law, and that nobody is above it. In respect to this argument, it is interesting to highlight that the center-right bloc manages to instrumentally use the notion of equality – a central concept of the “rights-based” discourse – in order to advance its own securitized agenda and policies. As it is going to be explained ahead, the instrumental appropriation of parts of the “rights-based” discourse to advance an exclusionary, securitized logic is not limited to this argument.

In fact, although the legal categorization of foreigners does not provide for the securitization of regular movers, the instrumental usage of the democratic discourse on rights and duties and the adoption of a perverted notion of immigrant integration seem to fill this gap, thereby allowing for a restrictive treatment of documented migrants as well. In more detail, as mentioned throughout this study, the principles that traditionally define nation-states, namely sovereignty, authority, nationality, citizenship, and territory are said to be challenged by the migratory phenomenon as such (i.e. by all types of human mobility), and this means that regular migration, too, might be considered, if not a threat, at least a factor responsible for destabilizing the foundations of the Italian state. It is contended, for instance, that the diverse traditions, religions, and “ways of living” that migrants unavoidably carry with them may endanger the native culture of the

society of settlement, especially if they are incompatible with local customs. The politicians of center-right coalition strongly rely on these traditional arguments to justify the repressive character of the immigration policies contained in the Security Bill.

Based on this nationalistic framework, rightist exponents argue that migrants in Italy are no more than guests, and that, as such, they should behave respectfully towards the norms, customs and traditions of the country, trying to adapt their conventional “ways of living” to the ones of the society that welcomes them. Not to do so is not only considered disrespectful, but also potentially threatening in that, as said, some practices may endanger the social cohesion and public order of the country. Unfortunately – according to them –, the “do-gooder” governments of the past were unwilling to regulate these matters, and thus, have allowed foreigners to take advantage of a number of rights and opportunities, without asking anything in return. As a result of this governmental inaction, foreigners living in Italy are said to be privileged: they can enjoy all that the Italian state has to offer, but they are required neither to respect nor to contribute to the society. The “threatening privileges” supposedly held by foreigners living regularly in the country justify the adoption of restrictive security measures which touch upon their legal condition. Note, however, that unlike irregular immigrants, regular foreign-born residents are not directly presented as security treats to Italy.

In order to substantiate this view, center-right politicians put forth their contentions drawing upon the democratic notion of rights and duties, as though immigrants had been given the same rights of Italian citizens, but unlike them, did not have to fulfill any duties. All in all, this is said to have generated an unbalanced situation, one according to which migrants are favored, whereas native citizens are left in great disadvantage: they not only suffer from a pervasive feeling of unease brought about by the immigrant invasion, but are also asked to cover all the expenses associated to hosting outsiders, and to put up with diverse cultures and customs. In this apparently unfair context, the exclusionary and somewhat repressive handling of regular immigration is presented as an inclusive strategy: according to the exponents of the majority, it is in the name of equality and integration that restrictive measures, as the creation of a financial contribution for the issuance and renewal of the residence permit, and the establishment of an integration agreement for newcomers, were devised and implemented. In other words, the center-right discursively justified these laws by claiming that they would help to equate foreigners to native citizens, in that not only rights, but also duties would be assigned to them. From that moment onwards, they would be required to pay for their stay, to contribute to the society, and to learn the

Italian “ways of being”. Thereby, according to these politicians, these new measures would first, reestablish the balance between immigrants' rights and duties, and second, stimulate their integration into the Italian society. The final result would be the establishment of a society that is safer and more just to all, both migrants and Italians.

This narrative demonstrates once again that notions pertaining to the “rights-based” discourse were instrumentally appropriated by center-right actors in order to defend policies that violate movers' freedoms and rights. In fact, if an informed text interpreter compares the center-right's understanding of immigrant integration to the original conception of this term, it becomes clear that its usage is not appropriate. Historically, the notion of integration emerged during the 1970s and 1980s as a result of the combination of postwar liberal values and the human rights discourse – both of which opposed strategies of cultural assimilation.⁶²⁴ However, the notion of integration advanced by the center-right group resembles more old assimilation paradigms, than the two-way process of becoming an accepted part of the society.⁶²⁵ What's more, the measures allegedly aimed at promoting the integration of immigrants not only fail to engage the state in the process (no integration programs are provided for), but also help to worsen the legal condition of regularized foreign-born residents in the country (even though a secure legal status is a precondition for a successful process of integration⁶²⁶). The usage of the notion of rights and duties is also surprising for a number of reasons: firstly, because rightist parliamentarians do not take into consideration that most of the rights guaranteed to migrants in Italy are fundamental rights of human beings; secondly, because they deliberately ignore that foreigners do contribute to the Italian society and economy; and third, because these politicians seem to fall in contradiction when using a vocabulary derived from the traditional conception of citizenship to approach a group of individuals that they themselves define as guests. A last noteworthy aspect of the discourse on integration and duties is that, although it is based on a framework that problematizes immigration as such, it appears to apply only to certain categories of immigrants, notably to those who approach the image of poor and desperate. Highly-skilled workers and EU citizens, for instance, are not subjected to the same rules.

All in all, these inconsistencies and shortcomings unveil a powerful discursive

⁶²⁴Christian Joppke and Ewa Morawska. Integrating Immigrants in Liberal Nation-states: Policies and Practices. In: C. Joppke and E. Morawska (eds.). *Toward Assimilation and Citizenship: Immigrants in Liberal Nation-states*. New York: Palgrave MacMillan, 2003, pp.1-36.

⁶²⁵This basic definition of integration was conceived by Penninx. See more in: Rinus Penninx. Integration process of migrants: research findings and policy challenges. *Migracijske i etničke teme*, v. 23, n.1-2, 2007, p.7-32. Available at: <<<http://hrcak.srce.hr/file/22132>>>.

⁶²⁶Rinus Penninx. Integration process of migrants, 2007.

strategy. The majority coalition puts forth a creative and tactical narrative that instrumentally appropriates terms from the opposing “rights-based” discourse in order to justify the exclusionary and oppressive migration-related provisions of the Security Bill. This strategic usage of parts of the opposing, subaltern discourse on immigration allows these politicians to apparently conciliate the oppressive security narrative and the inclusive logic of human rights and freedoms. Nevertheless, in practice, the new regulations most certainly do not promote the inclusion and integration of migrants; on the contrary, they seem to create another spectrum of inclusion and exclusion, one according to which the most “normalized” foreign-born individuals – i.e. the ones that turn out to be more similar to Italians or instrumental for the country – are accepted in, whereas the others are to be either left out or expelled. In this regard, it is noteworthy that the novel regulations do not apply to all categories of migrants (only to those that are considered superfluous to the country's economy), and that, in order to be accepted in, these outsiders are asked to prove that they are willing to integrate and contribute to the society. Only then, i.e. once the immigrant has proved his/her worthiness, he/she may be accepted as a harmless guest into Italy.

Based on these considerations, the aforementioned speeches on equality, on rights and duties and on integration really stand out as a facade, as a means to cover the exclusionary, restrictive and repressive handling of immigration. It is based on this facade that the center-right parliamentary group could enact a set of security measures that, albeit violating human rights in practice, could be legitimately supported by political actors in a liberal and democratic state. Thus, all in all, the rationale behind the novel restrictive regulations does not appear to be the integration of immigrants into the host society, nor the restoration of a balance between rights and duties, but rather the expansion of the state's power of discretion to determine which foreigners are desirable, which are worth to welcome, and which are dangerous or burdensome.

These conclusions should, however, be partly qualified. To begin with reservations mentioned in the methodological note, discourse analysis is an interpretative way of analyzing linguistic interactions, and this means that researchers may reach different conclusions, even when they work with the same primary sources. This is because discourse analysts may, for instance, observe diverse sets of formal properties in the textual material, or interpret differently the same aspects of texts. What's more, the critical character of the type of discourse analysis used here adds to this deficiency in scientific objectivity, in that it requires the researcher to take a positive commitment against linguistic forms of oppression and power. From this

viewpoint, it is relevant to highlight a fact that should be clear by now: the author of this contribution is opposes the securitized understanding of the migratory phenomenon. This political position certainly influenced the investigation. Another qualification to the findings of this study has to do with the loose application of the methods described. Since the amount of discourses analyzed was very large (see Annex 2), it was neither possible to make a through examination of the material, nor to clearly divide between the three stages of analysis proposed by Fairclough⁶²⁷. Despite these shortcomings, an attempt was made to observe and to analyze the most general linguistic patterns found in the debate sessions, as well as to use a wide range of secondary literature to support the analysis. The strategies were expected to enrich the quality of the analysis delivered, and to downgrade the problems listed above.

⁶²⁷Norman Fairclough. *Language and Power*, 2001.

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⁶²⁸ A list of all the debates analyzed may be found, as said before, on “Annex 2: List of the Parliamentary Sessions devoted to the Discussion of the Security Bill”.

552>>.

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Annex 1: Timeline of the Italian “Security Package” (2008-2009)



- (1) 28.02.2008: Legislative Decree no.32, on the freedom of movement of Communitarian citizens (Directive 2004/38/EC), which was later on withdrawn.
- (2) 23.05.2008: Law Decree no.92, concerning “Urgent Measures in the Field of Public Security”, later on amended and converted into law by the Law no.125.
- (3) 24.07.2008: Law no.125, concerning the conversion of the Decree no.92 into Law.
- (4) 05.08.2008: Decree of the Interior Ministry, concerning “Public Safety and Urban Security: Interventions of Mayors” (GU no.186, 09.08.2008).
- (5) 02.10.2008: Decree Law no.151, on the usage of the Armed Forces in the fight against criminality and irregular migration, later on converted into law by the Law no.186.
- (6) 03.10.2008: Legislative Decree no.159, on the procedures to recognize and revoke the refugee status (Directive 2005/85/CE)
- (7) 03.10.2008: Legislative Decree no.160, on the right to family reunification (Directive 2003/86/CE);
- (8) 28.11.2008: Law n.186, concerning the conversion of the Decree no.151 into Law.

2009

- (9) 30.06.2009: Law no.85, with which Italy becomes a party in the Treaty of Prüm.
- (10) 15.07.2009: Law no.94, concerning “Provisions in the Field of Public Security” (Senate Act no.733 and Chamber Act no.2180).
- (11) 08.08.2009: Decree of the Interior Ministry no.183 (known as “Decreto Ronde”), on the citizens' patrolling groups.

Annex 2: List of the Parliamentary Sessions devoted to the Discussion of the Security Bill⁶²⁹

Senate of the Republic (Draft Law S 733)

Discussion in the Commission: from the 19th June 2008 to the 5th of November 2008

Discussion in the Assembly

Number of the Parliamentary session and date:

- 1) Session n.088, 11/11/2008
- 2) Session n.089, 12/11/2008
- 3) Session n.090, 12/11/2008
- 4) Session n.093, 18/11/2008
- 5) Session n.094, 18/11/2008
- 6) Session n.095, 19/11/2008
- 7) Session n.115, 16/12/2008
- 8) Session n.122, 13/01/2009
- 9) Session n.123, 14/01/2009
- 10) Session n.124, 14/01/2009
- 11) Session n.125, 15/01/2009
- 12) Session n.141, 04/02/2009
- 13) Session n.142, 04/02/2009
- 14) Session n.143, 05/02/2009

Source: Senato della Repubblica. Atto Senato n. 733. XVI Legislatura. All the discursive interventions of the Senators are available at: <<http://www.senato.it/leg/16/BGT/Schede/Ddliter/aula/31554_aula.htm>>.

Chamber of Deputies (Draft Law AC 2180)

Discussion in Commission: from the 10th of March 2009 to the 12th of May 2009

Discussion in the Assembly

Number of the Parliamentary session and date:

- 1) Session n.169, 30/04/2009
- 2) Session n. 171, 04/05/2009
- 3) Session n. 175, 12/05/2009
- 4) Session n. 176, 13/05/2009
- 5) Session n. 177, 14/05/2009

Source: Camera dei Deputati. Atto Camera: 2180. All the discursive interventions of the Deputies are available at: <<<http://www.camera.it/126?PDL=2180&leg=16&tab=5>>>.

⁶²⁹As mentioned previously, the Security Bill became the Law no.94, published in the *Gazzetta Ufficiale* on the 15th of July of 2009 (GU n.170 of July 24th 2009).

Senate of the Republic (Draft Law S 733-B)

Discussion in the Assembly

Number of the Parliamentary session and date:

- 1) Session n.218, 09/06/2009
- 2) Session n.221, 16/06/2009
- 3) Session n.224, 23/06/2009
- 4) Session n.229, 30/06/2009
- 5) Session n.230, 01/07/2009
- 6) Session n.231, 01/07/2009
- 7) Session n.232, 02/07/2009

Source: Senato della Repubblica. Atto Senato n. 733. XVI Legislatura. All the discursive interventions of the Senators are available at: <<http://www.senato.it/leg/16/BGT/Schede/Ddliter/aula/31554_aula.htm>>.

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Date of Birth	7th February 1986

Internships

Date (from – to)	Position and Institution
April/2010 – July/2010	Internship at the Chair of Social Sciences/ Centrum Studiów Niemieckich i Europejskich im. Willy'ego Brandta – University of Wrocław, Poland
March/2009 – July/2009 ⁽¹⁾ Sept./2007 – Nov./2007 ⁽¹⁾ March/2006 – June/2006 ⁽²⁾	Monitor of the courses “International Organizations” ⁽¹⁾ and “Introduction to International Relations” ⁽²⁾ / Pontifical Catholic University of Minas Gerais (PUC-Minas), Brazil
Feb./2008 – Dec./2008	Grantee of the “Programme of Scholarships for Scientific Initiation”/ PUC-Minas, Brazil

Education and Studies

Date (from – to)	Name of the Institute, Achieved Degree/Certificate, Additional Information
October/2009 – July/2011	University of Wrocław and University of Vienna – Erasmus Mundus European Master in Global Studies, Master of Arts in Global Studies (expected), Erasmus Mundus Scholarship 2010/2011
March/2004 – July/2009	Federal University of Minas Gerais (UFMG), Brazil, Bachelor's degree in Social Sciences
August/2004 – July/2009	PUC-Minas, Bachelor's degree in International Relations , Academic Distinction - 2 nd semester/2007, Participation in the Students' Representative Council (2005-2006)
October/2008 – Nov./2008	North Carolina State University (NCSU), United States – Global Training Initiative, Certificate of Completion from the Bureau of Educational and Cultural Affairs United States Department of State: US Political Institutions and 2008 US elections Certificate of Completion from NCSU, Scholarship (United States Department of State)
August/2006 – August/2007	Vrije Universiteit Amsterdam (VU), The Netherlands – Faculty of Social Sciences, Certificate of participation in the student mobility programme between UFMG and VU

Publication

Co-authorship	Bachmann, K., Bergman, T., Falci, P., De Luca, N., Campbell, M., Deng, J. (2010). Do Truth Commissions Make a Difference? When and How Truth Commissions Contribute to Reconciliation,
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		<i>The Review Of International Affairs</i> , Vol. LXII, no. 1138.
Language Skills		
Language	Level of Knowledge [Excellent, Good, Elementary], Certificates	
Portuguese	Mother Tongue	
English	Excellent, TOEFL Internet-based 115/120, Date: 05/12/2008	
Spanish	Excellent (reading/listening), Elementary (speaking/writing), FISK School Certificate of Completion of the Spanish Language Course	
Italian	Good (reading/listening/speaking/writing)	
Polish and French	Elementary knowledge – beginner level	
Technical Competences		
Computer	Microsoft Windows, Office (and similar), Latex (medium), SPSS (basic knowledge)	