

IMMIGRATION, POLITICS, SOCIAL DISCORD  
AND CRIMINALITY IN ITALY

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## ABSTRACT

The initial studies concerned with immigration in modern Italy emerged in the 1970s. They provided basic statistical information regarding the national origins, gender, religious identity, and racial and ethnic make-up of the migrants. As such immigration studies were commonly written within the framework of human rights, they were politicized in ways which often unveiled the political slant of researchers. Italian studies which touched upon immigration's relationship to criminality similarly demonstrated that questions regarding crime and migration are intertwined with contemporary Italian politics. Thus published studies which analyze immigration, crime and imprisonment often reflect the political bias of the researchers. By looking directly at Parliamentary laws and regulations, as well as analyzing government reports on immigration, crime and prisons, however, this study seeks to provide a non-partisan summary of immigration's true impact on law and crime in Italy. Key to the unbiased assessment of the relationship of immigration to social discord is the objective analysis of the statistical evidence provided in government reports on penitentiaries, crime and immigration. Therefore, though fully reviewing scholarly publications, this study depends in a fundamental way on statistical evidence regarding crimes and criminals as provided by the Italian Ministry of the Interior, Ministry of Justice and Department of Penitentiaries. In particular, to further explore the link between immigration and crime on a macro-level, this study seeks the aggregate impact of immigration on criminality by paying particular attention to the Italian government's statistical reports covering the period from the early 1990s through January 2012. While scholarly

literature has not provided definitive proof linking immigration to increased crime rates, this study suggests that statistical evidence clearly demonstrates that immigrants do in fact constitute an alarmingly high percentage of those incarcerated in the Italian penitentiary system. Increased immigration has thus led to the imprisonment of large numbers of immigrants who have turned to criminality. A preliminary explanation offered herein suggests the significantly high immigration incarceration rates result from: the continued flow of massive numbers of immigrants into a nation socially and economy unprepared to deal with massive migration; governmental inability (largely due to a polarized national debate over whether it is necessary to stem massive immigration or not) to forge a comprehensive immigration policy which seeks to rationalize immigration laws; lack of legal jobs available to illegal immigrants and the concomitant existence of ample criminal opportunities to meet immigrants' daily needs.

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## CHAPTER ONE

### INTRODUCTION

#### Emigration from Italy

Throughout the twentieth century, scholars have studied the phenomenon of European emigration and immigration. Many of these studies focused on Italians because of the many nations which experienced large-scale emigration at the end of the nineteenth century and at the start of the twentieth century, Italy provided among the largest numbers of migrants to the world's growing economies. As this period evidenced that Italians had established a pattern of immigrating to the United States of America and its sister republics in South America, as well as Africa and Australia, those interested in Italian migrants had virtually the entire globe as the terrain for their inquiries. The latest scholarship highlights this pattern by suggesting that from the formal unification of Italy in 1861 to the mid-1970s, approximately 26 million Italians emigrated to varied locations throughout the globe (Colombo, 2007). Keeping in mind that at unification significantly populated regions would not be united with the new Italian kingdom for over a decade, such a number is particularly significant considering that the population of Italy at the time of national unification was circa 21 million. Yet, emigration from Italy can only be properly understood by noting that many who emigrated eventually returned to their native country. Considering this factor, during this epic period of mass migration from Italy, net

emigration from Italy was between 8 to 9 million (Allievi, 2010, p. 147). This large-scale migration was mostly particular to the end of the nineteenth century and early twentieth century. During the first three quarters of the nineteenth century, only small numbers of Italians from northern Italy had migrated out of Italy in search of better opportunities. However, technological advances which modernized methods of communication and transportation soon brought monumental changes. For the first time in history, quick and easy communications at great distances became possible. Governmental aid and encouragement in the development of sophisticated and inter-laced postal, telegraph and telephone systems helped connect the smallest European hamlets with towns as distant as those in the American “Far West” or as remote as those in the “Far East”. Better roads, new rail lines and swift steamships helped connect the economies of Western Europe to a good part of the Americas and much of the world by enabling the speedy movement of countless goods, letters and people, through national borders, over deep oceanic waters and across imposing continents. As a result, from the final three decades of the nineteenth century through the first two decades of the twentieth century, the number of Italian emigrants increased exponentially. During this period, millions of Italians mostly choose to migrate to the Americas (Bell, 1979, p. 178-209; and Cinel, 1991, p.15-34). From the 1880s through the 1930s, countless numbers of Italians had left their native towns and villages and went southward seeking employment in Argentina, Brazil, and Uruguay. Overall, emigrating Italians came from both northern and southern Italy. Emigration was highest in the Veneto region where about 3 million went overseas and the nearby Friuli region saw nearly 2.2 million emigrants. Other northern Italian regions which saw sizeable emigration included Lombardy (about 2.3 million), and Piedmont (nearly 2.2). Meanwhile southern Italy gave great numbers over to emigration. Campania and Calabria contributed millions to emigration with the former

reaching about 2.7 million and the latter nearly 2 million. Meanwhile, approximately 2.5 Sicilians left their island home for foreign lands (Allievi, 2010, p. 148).

Most of the Italian emigrants who went to South American nations were from the northern Italian regions such as Lombardy, Venetia, Piedmont, Liguria, Tuscany and Reggio-Emilia. Meanwhile, other Italians went northward to the states of the American union. These migrants were predominantly southern Italians who had left farms in Campania, Basilicata, Puglia and Sicily for New Jersey, New York, Pennsylvania, West Virginia, Michigan, Illinois, Missouri, Louisiana, Montana, and California (Gabaccia, *Militants and Migrants*, p. 98-148; and Schneider, 1998, p. 1-21). The overall migrations of immigrants from around the world to the United States ensured that by the turn of the nineteenth century and the start of the new century, approximately fifteen percent of the population of the United States was born outside of that nation's borders (Scheffer, 2011, p. 35). Italian migrants often settled permanently in agrarian and urban areas. Many others, instead, chose to earn enough money to return to their homeland and start their lives anew with the hard-earned savings they had amassed during their migrant sojourns (Cinel, 1991). Whether they chose to remain in foreign lands or to return to ancestral homes, these migrants and their descendants did their part to help create a new, industrial global economy (Hatton & Williamson, 1998).

Industrial and economic modernization was not limited to the nations where Italian immigrants and their descendants lived and worked. Italy too entered into the modern industrial world as early as the nineteenth century. Yet, until the post-World War II era, incomplete Italian industrialization had meant that the nation's economy could not sustain the steady employment of large percentages of the peninsula's working and agrarian classes (Mori, 1997; Ispen, 1996). Moreover, Italy's steadily increasing population in the nineteenth century and first half of the

twentieth century had promoted unemployment, under-employment, poverty and want among large numbers in the peninsula. For a significant part of the late nineteenth and early twentieth centuries the all too narrow and limited modernization of the Italian economy thus ensured that migration would continue to be understood as a necessary and reasonable survival strategy for many Italians (Clark, 1996). Yet this survival strategy was only valid while the economies of industrialized nations and non-industrial states still needed foreign labor. Anti-immigration sentiments soon achieved official sanction in the United States when the American Congress passed laws which sought to curtail immigration after World War One. While such officially sanctioned xenophobia significantly reduced the migration of aliens to the United States, immigration's American death knell had not yet heard. Both need for alien labor and interest in welcoming foreigners to American shores all but vanished under the dual impact of the Great Depression and Second World War.

The end of World War II would herald a great change for Italy and its people. After recovering from the devastation of a war which caused the deaths of hundreds of thousands of Italians and the destruction of countless homes, farms and industries, the nation began to rebuild. The advantages of a large and skilled labor force willing to work hard for a living wage ensured that the nation would take its place in the post-war economic and industrial expansion which characterized the economies of the United States and America's Western European allies. Building on its earlier industrial base, Italian industry in northern Italy began to manufacture consumer goods on a massive scale (Carocci, 1981). The purchase of countless Italian made automobiles, trucks, tractors, refrigerators, washing machines, radios and television sets, produced for both export and internal consumption, radically altered the life style of Italians and their European neighbors (Gabaccia, 2000). This new and massive industrial output also meant

that millions of Italians now needed in the nation's modernizing factories, warehouses, shops and farms would no longer be forced to emigrate as generations of their ancestors and relatives had done. Southern Italy, which had historically always provided the lion's share of emigrants, was particularly affected by the labor needs of the new Italian economy. In southern Italy, where for decades countless numbers of both urban and agrarian folk had sought to escape a grinding poverty by emigrating to foreign lands, many poor, unemployed and underemployed people now turned northward and found jobs in myriad northern Italian factories, shops, and in innumerable small companies, all of which made strong the burgeoning economies of such northern cities as Milan, Turin and Genoa.

#### Nascent Immigration to Italy

By the end of the twentieth century, the success of Italy's burgeoning industrial economy faced new challenges. Emerging from Asian manufacturers, some of these challenges were expected as an intrinsic part of an increasingly globalized industrial economy. However, other threats to the Italian economy were less expected. While increased industrial output and consumer consumption had raised the Italian standard of living to among the highest levels of any industrialized nation, the creation of an ever larger Italian middle class was accompanied with a decrease in the size of the average family. No longer would the typical Italian family include the four or more children which had been so commonplace in the pre-war era. Whether urban or rural, the post-war, average Italian family was reduced to the parents and a child or two. Although the causes for reduction are not fully understood, it is clear that economic reasons which had spawned the large nuclear families in agricultural societies no longer existed. The free labor provided by the many children of the typical Italian farming family was no longer required

in the modern economy. Now, the more children in a family, the greater the difficulties presented in the family's quest to achieve that higher standard of living promised by the consumerism created by the new industrial age. Nevertheless, whatever caused Italians to have fewer children, the impact of smaller nuclear families on both urban and rural industries was significant, if not immediate. However, the long-term impact of an ever decreasing percentage of youths in the Italian population would eventually become clear. In order to produce for the home market and continue to be globally competitive, the Italian economy would soon need many more hands to maintain high levels of production.

Starting in the early 1970s, Italy underwent a subtle yet major change. For the first time in modern history, Italy became a nation of immigration. In these early years, for instance, thousands of Tunisians flooded into Sicily to work as day laborers in agriculture and fishing. The sea change in ethnic demography could also be witnessed along Italy's coastline. Along seemingly endless stretches of public and private beaches, foreigners, mostly Arab men and males from sub-Saharan Africa, strolled through hot beach sands and rocky soil, hawking summertime beachwear of knockoff sunglasses, sandals, beach towels and sunblock to sunbathers who flocked to the nation's sunlit seaside for weekend revelries or for relaxing vacations. These vendors from underdeveloped nations in the Near East and Africa managed to insert themselves into a niche economy where the cheaply made and inexpensive items they carried from beach to beach were bought by Italians and other Europeans who seemed not bothered by the noticeably counterfeit beachwear nor by the equally obvious non-documented status of the vendors who often could be seen scurrying away as authorities came into view.

Italian cities also experienced rapid changes in these decades. Now the upper-middle classes, who sought household domestic servants or baby-sitters, came to rely on the large influx

of women from distant lands with place names Italians of just a generation earlier barely recognized. Thousands of women from Sri Lanka and the Philippines found work in the increasingly affluent households of urban Italy. The migration of students from Africa, Latin America and from Islamic nations throughout the Mediterranean rim added to this influx of migrants from the Far East. Most all of these immigrants had either illegally entered the country, or their initial legal entry permit had lapsed and they thus became illegal with the expiration of their limited visas. The foreign student who stopped attending university, or the tourist who did not leave at the end of her tourist visa's time-period, to name but two common examples, entered a new clandestine culture which permeated the peninsula from the Alps to Sicily. The life they would lead, however, was not truly hidden. Given the characteristics of the peninsula's Italian population, foreigners from Latin America, Africa and Asia often plainly stood out. Thus, for example, even the most sheltered Italian driving down certain roadways in Rome or walking through particular neighborhoods in the nation's capital, could easily recognize that the many Afro-Brazilian transvestites who aggressively offered sexual encounters for low prices were not native prostitutes. In a similar fashion, native Italians using Rome's public bus and rail transportation to shuttle around the capital in their daily travels, could easily see that an ever growing number of their fellow commuters were not Italian nor European. And while the Italian commuters could not understand the Tagalog, Senegalese, Arabic, Mandarin and many of the other foreign languages spoken by the new residents of Rome, they could nevertheless come to conclude that their Eternal City once again was host to peoples from distant corners of the earth.

From the formal end of the Roman Empire in 476 AD to the invasion of Allied armies during World War II, Italy has seen its fair share of invaders. Yet throughout the long history of Italy, the peninsula's population has remained largely homogeneous. Nevertheless, a significant

number of identifiable ethnic and religious minorities have been firmly planted on the peninsula's soil. Historically mixed into the population of Italy are small numbers of people who speak non-Italian languages such as Germanic and Slavic speakers in those northeastern parts of the country which border Slovenia, Croatia and Austria, Greek speakers in Sicily and speakers of Catalan in parts of Sardinia. Moreover, small groups of French speakers are counted in the northwest. Similar small numbers of Albanians and Greek speakers have long been rooted in southern Italian soil. In addition, while the Jewish presence in Italy reaches back to ancient Roman times, it has remained historically very small. Yet, with the infusion of great numbers of foreigners into Italy in recent decades, a radically momentous change in the composition of the peninsula's population has taken place.

## CHAPTER TWO

### CHANGING DEMOGRAPHICS

#### Early Legalization of Immigrant Workers

During the 1960s a number of European nations experienced significant migrations of peoples from former colonial possessions. As the economies of Britain, Belgium, France and the Netherlands grew, a need for more workers to meet the requirements of the growing economies of these respective states attracted a good number of non-European immigrants. Initially, male migrants came to man the work stations of expanding industries. In the 1970s, foreign woman and children joined the migration to these European states. By the 1980s, the global regions which suffered extreme political conflict and economic chaos added to the rush of migrants now settling across Europe (Johnson, 2009, p. 26). However, the ever more forceful impact of globalization is most directly responsible for the more contemporary groundswell of immigrants to Europe. Much as a magnet held near a cluster of individual sewing pins draws those metal objects until they attach to the magnet, European labor needs and concomitant high living standards lured people away from a myriad of underdeveloped and developing nations with the promise that they could enjoy the benefits provided by the new societies they now joined.

Globalization has had a revolutionary impact across the world. Economic globalization has reduced the traditional barriers to trade and commerce which national borders had erected.

Globalization has also brought an unprecedented migration of people from one European state another (Crawford, 2007) and, as noted, it has set in motion a tidal wave of immigrants from developing and underdeveloped nations to the advanced industrialized states of the European Union. While the dismantling of the national borders of the European Union's members is warmly welcomed by many, an increasingly large number of European citizens are alarmed by the waves of immigrants entering the new union (LaQueur, 2007; Pipes, 2007). The resulting immigration policies which have developed in the European Union and in the member states are varied and complex. However, what they have in common is that while they outwardly welcome immigration and stress integration, these laws in fact often promote the exclusion of immigrants. This paradox is evident in a number of European Union nations. Whether the laws are German (Abraham, 1998; Lemke, 2001) or Spanish (Calavita, 2003), to name but two, the statutes reflect a European-wide political and cultural struggle (Albrecht, 2002) for which promises to continue to define the politics of the most modern nations in Europe as it has come to define much of the politics of nations as diverse as the United States, Canada Australia and New Zealand (Alba, 2006; Times Digest, 2007).

As immigration increased in modern Italy, debates over immigration have become more and more heated. The rancorous nature of these debates is exacerbated by political, cultural, criminal and economic issues. Many of the immigrants who came to Italy during late twentieth century and early twenty-first century entered legally. Other immigrants came legally but then violated visa conditions, and still others entered the country illegally. Early sizable migration of foreigners to Italy was slow. Though statistical errors concerning the number of foreign residence permits issued to foreigners in 1970 provides a somewhat distorted picture of the number of foreigners who immigrated to Italy, the number of permits issued to those who wished

to live in the Italian Republic at least offers a partial view of the start of the modern phenomenon of immigration to Italy. In 1970, for example, the number of permits allowing foreigners the legal right to live in Italy numbered 146,989 and by the end of that decade 298,749 permits were issued (Allievi, 2010). In 1991 the number of foreigners granted legal residence in Italy was 356,159 (Ministero degli Affari Esteri, 2007). In 2002, that number surpassed 1.3 million. While the actual number of foreigners seeking a legal right to live in Italy is hard to discern because different government departments provide conflicting numbers, the overall picture speaks of a huge wave of immigration to Italy. The statistics provided by the Italian government's official statistical office, for example, kept on recording sizable growth for the next six years with reports of 1.7 million in 2003, 2.1 million in 2004, and 2.3 million in 2005. These numbers reached 3.9 million by 2008 (Allievi, 2010, p. 150). A more detailed picture of the number of legal resident liens can be seen in a Ministry of Foreign Affairs report. This office noted that by the end of 2006, the number of legal resident aliens was estimated to be 2,938,922. Of these, males numbered 1,473,073 and the number of women was listed at 1,465,849. In that same year, 398,205 foreigners were reported as being born in Italy and a total of 665,625 were listed as minors (Ministero degli Affari Esteri, 2007) However, the number of non-Italian citizens who filed requests for legal residence in Italy does not, of course, speak to the true numbers of foreigners in the nation. Various private organizations concerned with immigration issues have offered estimates of illegal or undocumented aliens in Italy. Caritas, a Roman Catholic organization concerned with poverty and human rights, estimated that there were 500,000 undocumented aliens residing in Italy in 2005. Another non-government organization, the Fondazione Iniziative e Studi sulla Multietnicita [The Foundation for Initiatives and Study of Multi-ethnicity], a group concerned with promoting multicultural acceptance and with

immigrants' rights, estimated that by 2006 there were 760,000 non-official residents in Italy (Allievi, 2010, p. 150).

From the start of the migration phenomenon to present times, statistical compilations of legal immigrants who came to fill vacant jobs clearly indicate that official Italian governmental policy favored the employment of legal aliens in particular sectors of the national economy. In 1992, for example, the Italian government authorized 648,935 *permessi di soggiorno* (residence permits) visas specifically designed for employment purposes. To this day, these particular visas are given to those who have employment contracts or firm promises of employment. In theory, these work visas would only be granted if employers were unable to find Italian citizens willing to do specific jobs. Since aliens are more easily controlled and accepted harsher working conditions and lower wages, foreigners came to be the preferred workers in certain sectors of the economy. Many employers were thus all too willing to officially affirm their inability to find Italians willing to work certain low, paid jobs or unskilled tasks. In 2000, the number of foreigners who had been granted *permessi di soggiorno* had risen to 1,340,655. Soon that number reached unprecedented heights. By January 1<sup>st</sup>, 2005, the highly valued *permessi di soggiorno* had been granted to 2,245,548 aliens (ISTAT, *altridati/permessi* [other data/permits], 2005) and by 2007 that much prized visa has been granted to a total of 2,414,972 foreigners, with 1,198,452 going to males and 1,216,520 to females (ISAT, *altridati/permessi*, 2007).

Government immigration statistics reveal that continued mass immigration portends significant demographic changes and, concomitantly, augurs profound societal changes. Statistical evidence provided between 1992 and 2005 is particularly interestingly. At the start of this period, 60.1% of those given *permessi di soggiorno* were men, but by 2005 only 50.8% were male. In large part, the increased number of foreign women acquiring the legal right to enter or

to stay in the nation reflected a maturation of immigration in Italy. Foreign males in Italy were now in an economic position which allowed them to reunite with distant family members or, for those who wished, to start new families of their own. The decrease in the number of men and increase in the number of women also indicated that the economy, though still drawing men to labor in construction, agriculture and industry, now drew more and more women to work as housekeepers, maids, babysitters and health care providers. Increased requests for *permessi di soggiorno* for admission to the country based on *ragioni familiari*, family reasons, plainly demonstrates the shift towards more foreign women entering Italy. Government records also show that the end of the 1990s and start of the new century brought about an increase of immigrants who sought *permessi di soggiorno* visas to enter the country, or stay in the nation, based on *ragioni familiari*. In 2000, out of a total of 1,340,655 immigrants who were given *permessi di soggiorno*, 827,618 (61.7%) were granted legal status based on employment requests, and 334,129 (24.9%) acquired *permessi di soggiorno* due to family reunification requests. This trend would continue to 2005. At the start of 2005 the *Istituto Nazionale di Statistica* (National Institute of Statistics) reported that 2,320,000 foreigners held the *permessi di soggiorno*. Of this number, 1,466,000 (63.2%) were legalized based on employment status and 641,000 (27.6%) had been given legal status due to family unification pleas (ISTAT, *salastampa*, [printing office], 2005). Government interest in immigration continued to be evidenced by statistical studies which sought to highlight changing migration imperatives by recording the gender of immigrants as well as the principle reasons for their migration to Italy. In 2000, male immigrants granted *permessi di soggiorno* based employment status numbered 575,095 (78.5%) and those who entered for family reunification were 72,153 (9.8%). The number of women, on the other hand, who were granted *permessi di soggiorno* for employment reasons was 252,523

(41.5%) and those women granted legal status for family reunification number some 261,967 (43.1%). By 2005, the numbers and percentages had changed. In that year, 931,000 (79%) male immigrants were given legal status because of employment reasons and only 143,000 (12.1%) were legalized due to family needs. The number of women who recognized as having legal status that very year based on employment was 535,000 (46.8%) and those who were legalized due to family reunification needs were 498,000 (43.6%) (ISTAT, *salastampa*, 2005).

Whether masculine or feminine, these immigrants came from many nations and various cultures. In the period from 1992 to 2004, overall immigration from Africa started at a high of 35.1%, but within twelve years African immigration to Italy decreased to a low of 23%. Meanwhile, the percentage of Asian immigrants provided with *permessi di soggiorno* went from a high of 18.0% to a low of 17.1%. A similar decrease may be seen in the number of *permessi di soggiorno* granted to immigrants from the Americas. The number of work visas given to immigrants from the Americas in the 1992 to 2004 period went from 14.5% to 11.3%. The lower percentages of *permessi di soggiorno* granted to immigrants from the African, Asian and American continents, was more than made-up by those granted to migrants from Europe. Starting in 1992, with only 31.8% *permessi di soggiorno* granted to European migrants, by 2004 European migrants to Italy were issued 47.7% of all *permessi di soggiorno* visas (ISTAT, *salastampi*, 2005). To no small degree, the greater numbers of *permessi di soggiorno* granted to Europeans testify to demographic migrations which eventually were sparked by the collapse of the Communist regimes in Eastern Europe.

The increased migration of Eastern Europeans to Italy also speaks to the overall integration of the European economy. The emergence of an ever stronger European Union has created a transnational economy where formal national borders no longer hinder the movement

of tourists or block the movement of capital and labor. Deeply immersed in the politics and economy of modern Europe, Italy has experienced the movement of Western Europeans in search of vacations and holiday homes, as well as the migration of Eastern Europeans who seek work. The relationship between immigration to Italy and Italian labor demands also reflects the needs of a modernizing Italy, a nation with affluent upper and middle classes and an increasingly aging population (Financial Times, Czech News Service, 2006). Continued mass immigration underscores Italian economic imperatives while hinting at the social trajectory of this wealthy but rapidly evolving economy. Given the promise of economic rewards and the serious political turmoil in North Africa which came about with the fall of the Tunisian and Libyan governments between 2009 and 2011, the lure of a better life to be found in Italy and in the European Union continued to lure thousands of migrants to Italian shores. By 2011, the Financial Times reported that Italy had become the main gateway for illegal migration into the European Union (Financial Times, 2011).

Evidence of a society's evolution may be found in many places. The discerning eye may observe, for instance, the evolutionary process in modern Italy as it is displayed on Italian television. The regular inclusion of actors of African and Muslim characters on Italian television programs, for example, began in earnest in the late 1990s. As if to underscore the welcoming of foreigners to Italy, Denny Mendez, an eighteen year old woman who self-identified as a woman of color and had emigrated from Santo Domingo seven years earlier, was chosen "Miss Italia" in 1996. Today, foreign actors commonly play roles on some of the most popular television programs. The leading Italian day-time television soap opera, *Un Posto al Sole* (A Place in the Sun), is a typical example. Popular for over a decade, *Un Posto al Sole*, has had a good number of non-native Italian actors play central characters through its many seasons. Similarly, the most

widely-viewed political and social “talk show” on Italian television, *Porta a Porta* (Door to Door), regularly invites guests from the Muslim and African communities in Italy.

### Continued Legalization of Aliens

Government records formally testify to the importance of foreign migration. Statistics provided by official government records indicate that by the start of the current century, legal and illegal immigrants combined made up 2.2% of the Italian population. Needless to say, this statistic reflects only a small percentage of the migrant population in Italy. Since many aliens are illegal, census records can offer only a limited view of the true picture of the immigrant population in the peninsula. Nevertheless, Italian government records provide the best available statistics concerning immigration to Italy. Hence official government statistics provide an important, albeit limited, picture of immigration and criminality in Italy. The records for 2000 show, for example, that most immigrants had settled in the main urban centers of central or northern Italy. By that year, the percentage of foreigners in northern Italian cities varied from a low of 2.7% in Genoa to a high of 7.3% in Milan, the commercial and industrial center of the nation. In that same year, in central Italy, Florence had an immigrant population which reached a large sum of 17,782, or 4.7% of the total urban population of the Tuscan capital. Meanwhile, across the Apennine mountain border which separates the regions of Tuscany and Emilia-Romagna, immigrants accounted for 3.6% of the population of Bologna, one of the leading commercial, industrial and educational centers in northern Italy. By the start of the twentieth century, however, it had become clear that while the largest percentage of migrants were attracted by the employment opportunities, wealth and general the affluence found in the nation’s north, alien residents of Italy were also to be found in the less industrially developed

parts of the peninsula. As if to underscore the essential fluidity of the immigration phenomenon and immigration's significance to modern Italy, Rome, the nation's capital, had an immigrant population of 134,866, or 5.1% of the urban population in 2000 (ISTAT, dati/catalogo (cataloged data), 2004).

Immigration in Southern Italy is in many ways different. Historically underdeveloped, Italy's *Mezzogiorno*, as the region south of Rome is called, has traditionally drawn fewer immigrants. Many of Italy's illegal immigrants have entered Italy by crossing the Mediterranean on all sorts of watercraft, but, paradoxically, few have set down roots south of Rome. Nevertheless, immigration is as familiar to southern Italians as it is to their co-nationals to the north. This is largely a result of the fact that immigration is regularly reported on in the nation's media. In fact, the national television media fills Italians homes with daily news' footage depicting scores of poor and weather-beaten aliens who have crossed over the Mediterranean only to be met by Italian law enforcement, military personnel and social welfare agents, all wearing surgical masks and rubber gloves. While a good number of illegal aliens who step ashore on the peninsula's southern coasts are initially detained by Italian authorities, many in this human tide of economic refugees come from underdeveloped nations remain undetected and eventually make their way inland.

Though the number of illegal aliens who have disappeared into the overall population cannot be fully measured, the immigration phenomenon is generally recorded, albeit incompletely, with some concern for statistical precision in the Italian government's demographic studies. For instance, the largest southern Italian city, Naples, has 11,428 immigrants registered in its commune. This number equals 1.1% of the Neapolitan population. Further to the south is Bari, a leading seaport on the southeastern coast of southern Italy. Bari's

warm waters also wash the shores of Albania, an impoverished Balkan state just a short sail to the east. Not surprisingly, 1.2% of that city's population is composed of immigrants. Meanwhile, the island of Sicily has also seen a considerable rise in alien immigrants. Its two major cities, Palermo and Catania reflect this immigrant growth. Palermo's population of foreigners is 15,158, or 2.2% of the Sicilian capital's population and 2.1% of Catania's population is composed of aliens. The migration of large numbers of immigrants to major Italian cities, however, speaks only to a part of the contemporary migration story. Immigration, after all, is by its very nature inherently fluid and thus subject to constant changes. In the last nine years, for example, more and more immigrants have settled in smaller urban centers and rural towns in northern, central and even southern Italy (Barbagli, 1998).

The ethnic, racial and gender composition of immigrants in Italy has also seen notable changes in the last thirty years. Historically, many early immigrants to Italy came from the nations of North Africa. Some of the North African Muslim states which share the Mediterranean waters with Italy and other Southern and Eastern European countries, however, saw a greater number of their respective nationals migrate to the Italian peninsula than did others. Those who migrated to Italy from Morocco, for example, increased fourfold in number between 1990 and 2000. Moreover, the gender composition of immigrants to Italy also has varied. While Latin America primarily sends female immigrants to Italy, males are the dominate migrants from North Africa. Similar gender differences are apparent when one considers migration to Italy from Eastern and Southeastern Europe and Asia. Migrants from Thailand, China and the Philippines tend to be male. On the other hand, immigrants from Poland, Russia, Albania and the states of the former Yugoslavia (Slovenia, Croatia, Bosnia, Macedonia and Serbia) are predominantly female (Barbagli, 1998). However, the one feature which all these

varied ethnic and racial migrant groups have in common, is that immigration has primarily been a migration of the young. Factors such as the numbers of recent immigrants, and gender and age of migrants play a role in cultural assimilation or lack of assimilation. Additionally, such factors also have an impact on criminality.

## CHAPTER 3

### MIGRATION AND CRIMINALITY

#### Immigrants and Crime

The relationship of economic, cultural, ethnic and social realities to criminality has long been studied. While the scholarly positions vary to a considerable degree as to the weight any particular factor need be given, any assessment of long-term criminality necessarily must consider a wide time-line. Given the importance of a long-term view to addressing the relationship between immigration and criminality in modern Italy, a proper study of statistical evidence, scholarly assessments, legal responses and public debates concerning immigration and crime would necessarily start when immigration to Italy was a minor phenomenon and continue to the period when large-scale immigration became an important reality in modern Italian state. During the period covering the late 1960s to the present, Italy has experienced considerable changes in the number of criminal activities reported to the authorities. From theft to homicide, official statistics record broad variations of change over time. In general, records from 1969 to 1986, for example, indicate that there was a considerable expansion of arrests for criminal activity. The picture from 1987 to the present is more complicated as it at first manifested a downward cycle only to be followed by an increase in the last decade. It is noteworthy that this

increase seems to parallel the influx of legal and illegal immigrants onto the peninsula (Barbagli, 1998).

The illegal status of immigrants may be due to a number of reasons. One of the very names given to illegal immigrants in Italy, *clandestini*, [clandestine] meaning those who are among us clandestinely, speaks to the nature of criminalization of immigration. Statistical compilations provided by major government sources such as ISTAT and the Ministry of Justice suggest that most illegal aliens in Italy are “overstayers”. This term was created to describe foreigners who had been given limited stay visas, but at the expiration of their respective visas, they refused to return to their homelands. In 2005, the state reported that 60% of illegal immigrants were “overstayers”, and in the first six months of the following year, the percentage had increased to 63%.

Italy’s airports function as one of the principle entry ports to the peninsula for many illegal immigrants. Yet, the ways to enter Italy remain numerous. The representation of hundreds of weak and frightened immigrants entering the state by disembarking from sailing craft is still a regular staple of Italian evening television news and internet news links. Most of these migrating seafarers disembark in Sicily or the island of Lampedusa, an island which is an administrative part of Sicily and lies between Sicily and the coast of North Africa. As has been shown in the recent past, political and or economic disruption in North African nations is almost certain to result in waves of illegal immigrants landing on Italy’s southern island harbors and shores. The Tunisian revolt which ousted the 23 year long regime of President Zine el-Abidine Ben Ali, only to be replaced by successive coalition governments first under Mohamed Ghannouchi and then Beji Caid Essebi, is an example (New York Times, 2011). Less than four weeks after the rebellion which resulted in the reshuffling of weak coalition governments in Tunis some 4000

North Africans, mostly Tunisians, landed in Lampedusa and quickly asked for political asylum. Not only did Lampedusa's Harbor Master, Antonio Morana, have a difficult time deciding how to deal with the new unexpected arrivals, but Roberto Maroni, Italy's Interior Minister, and Franco Frattini, the Foreign Minister, voiced the national government's concern to the seemingly never ending flood of immigrants who sailed from North African coast to Italy's southern island territories to the European Union. This latest Tunisian crossing caused Rome to official request that Frontex, the European Union's chief agency charged with boarder security, act quickly to patrol the seas between Italy and North Africa and, if necessary, stop intercept illegal migrants (EuBusiness, 2011). Rome's request succeeded only in inspiring an even more heated debate about how to react to an immigration cycle which, though it seemed to ebb and flow, remained constant challenge to European authorities.

The undulating nature of waves of immigration into Europe can be seen in Italy's experience with migration cycles. Though the overall numbers of illegal entries into Italy via the sea, for example, fell from a high of 14% of all illegal entries into the peninsula in 2005 to a low of 13% in the first six months of 2006, sailing across Mediterranean waters still remains the preferred low cost method of North Africans seeking to migrate to Italy. Between January and the end of July in 2006, for example, 12,102 aliens illegally entered Italy by sea. Of these, 10,414 first stepped ashore in Lampedusa. These illegal immigrants risked life and limb considering they sailed aboard some 237 small to medium sized vessels which often were barley seaworthy. But the risks faced by illegal immigrants who wished to reach Italy have not always paid off. In the first half of 2006 alone some 24,125 foreigners had been caught trying to illegally enter the country. In the previous year, 10,470 had been detained at the nation's frontiers and denied entry. This number increased to 10,790 in 2006. Meanwhile, the number of illegal aliens

formally expelled from the country after judicial review when from 8,228 in 2005 to 6,840 in 2006. Italian government sources explain that this reduction largely resulted from the refusals to cooperate by Morocco and other nations from which migrants originated. In addition, the 2005-2006 reduction was also due to an increase in exile status requests from Eritreans seeking to escape political persecution (Ministero della Giustizia, 2011).

### Immigrants and Prisons

Large scale immigration onto the peninsula has also has made itself felt in the nation's prison system. Between 1985 and 1990 the percentage of immigrants imprisoned in Italy increased from 8.9% to 11.6%. Between 1991 and 2000 incarcerated immigrant percentages increased from 15.2% to 28.5%. In fact, the increase in immigration to Italy since the beginning of the present century is forcefully documented by noting the large number of aliens in Italian prisons. While immigrants represented only circa 4% of the nation's population in 2001, foreigners made up approximately 30% of the approximate 57,000 inmates in Italian prisons in that year (Calavita, 2003). Later statistics continue to show the major impact of increased immigration on the prison system. By June 30<sup>th</sup>, 2006 the Ministry of Justice reported that the total number of aliens condemned to incarceration in the Italian prison system was 20,221 (Ministero della Giustizia, 2011). While the general amnesty decreed by the government which went into effect in 2007 makes precise comparisons difficult, the prison population statistics from June 2006 do provide a point of comparison which helps achieve good picture of the impact of immigration on the criminality in Italy. In June of 2010, the Dipartimento Amministrazione Penitenziaria (Italian Penitentiary Department) reported that there were 61,264 people imprisoned in the nation's penitentiary system and of that number 24,966 were aliens (Ministero

della Giustizia, 2010). By December of 2010, the total number of incarcerated persons had been reduced to 43,957, yet of that number 24,954 were foreigners. According to statistics provided by the Ministry of Justice and the Penitentiary Department, it can be seen that in 2010, 56.7% of those incarcerated in Italian prison system are aliens (Ministero della Giustizia, 2010).

While this number is revealing, a more complete picture of aliens and their relationship to criminality in Italy may be found by looking to the countries of origin of those incarcerated in the Italian prison system. Immigrant prisoners housed in the Italian prison system include 48.1% from Africa; 5.9% from the Americas; 4.4% from Asia; 40.9% from Europe and .2% from territories not otherwise described. The Penitentiary Department continues with its picture of foreigners under its control by noting that those from Africa comprised: Moroccans 21.2%; Tunisians 10%; Algerians 5.8%; and 11.0% from other Africans states. Of those jailed from Asia, 1.6% were from the Middle East and 3.2% were described as being from other Asian nations. Meanwhile, of those imprisoned from the Americas, 4.4% were from South American states, 1.1% from Central American countries and .01% from North America. While the above noted statistics show that the largest number of aliens imprisoned in Italian penitentiaries in 2007 were from African nations (48.1%), European countries hold the distinction of providing the second largest percentage (40.9%) of non-Italian citizens housed in the nation's prison system. Those holding citizenship in member states of the European Union represent 20.2% of the prisoners in Italian penitentiaries. The largest single national European group, however, is Albanian. Albanians prisoners comprise 12.3% of those in prison. Other Balkan and southeastern European states have provided large numbers of prisoners as well. Prisoners from Romania and the states which have emerged from the former Yugoslavia (Slovenia, Croatia, Bosnia and

Serbia) number 5.5% and, in turn, 2.9% of aliens imprisoned from other European states number 2.9% of the total (Ministero della Giustizia, 2012).

Questions concerning the relationship between aliens and criminality are largely incomplete unless they include an assessment of the crimes for which immigrants were imprisoned. The crimes which typically resulted in imprisonment have varied and they have included forms of criminality such as homicide, rape, drug sales, robbery, theft, illegal arms possession and prostitution. Focusing on the picture provided by one single year may be instructive. In 1998, the percentages of immigrants arrested for specific crimes out of the total national arrest statistics for the same crimes were: 22.1% for homicide; 25.5% for rape; 31.9% for theft; 29.5% for armed robbery; and 35.3% for illegal drug sales. A relatively recent study, however, takes issue with the notion that immigrants are particularly active varied criminal activities. In 2008, Milo Bianchi, Paolo Buonanno and Paolo Pinotti wrote a working paper for the Paris School of Economics which assesses the relationship between immigration and crime in Italy from 1990 to 2003. Their study was based on assessments of police records and national government's statistics which reported the number of immigrants who had been issued residency permits. Once issued to an immigrant, such a permit would grant an immigrant the legal right to reside in Italy. The authors concluded that there was a relationship between increased burglaries and higher immigration numbers, but no connection between such immigration and other crimes. (Bianchi, Buonanno, & Pinotti, 2008). This study is valuable, but incomplete and perhaps flawed. While the study posits an interesting thesis has yet to be confirmed by other research studies. Moreover, the use of statistical information reflecting issued residency permits is inconclusive at best. While there is little tangible evidence which speaks to the true number of immigrants in Italy, surely the number of immigrants who have been granted residency permits

can only be a small percentage of overall immigration to Italy. This is rather self-evident, considering immigration into Italy is mostly illegal and thus, by definition, clandestine. Still, a study which documents a relationship between increased immigration and burglaries does provide a piece of the much larger picture of crime and immigration into the modern Italian republic.

The most thorough assessment of the relationship between crime and immigration needs to recognize the immigration phenomenon in its broadest sense. Any such study must, for example, take notice of the particular national origin of the migrants. What is clear is immigrants come from many different countries and thus national origin of immigrants detained in Italy's prisons varies greatly. Taking illegal drug sales in 1998 as an example, at 80% the vast majority of those jailed and/or convicted in Italy were Moroccans and the next largest percentage were Algerians at 6%. Yet, interestingly, Moroccans, Tunisians and Algerians account for 70% of all those accused of illegal drug dealing. Two years later, on another level of comparison of imprisonment and/or convictions for criminal acts, the majority of jailed and/or convicted prostitutes were from Albania and Nigeria. Those holding nationality in the former numbered 54% of those jailed and/or convicted for prostitution, while 7% of those imprisoned and/or convicted for prostitution came from Nigeria. As far as arrests for theft, during the first half of the 1990s, up to 50% of those formally accused of were from the states which had emerged from ex-Yugoslavia. During the same period, Moroccans accused of theft numbered 10 to 12% as did Algerians similarly accused (Barbagli, 1998). Some three years later, Calavita (2003), sighting arrest statistics compiled by the Ministry of the Interior notes a similarly disproportional, and high, immigrant arrest rate. Aliens made up 56% of those accused of prostitution, 44% of those of accused of having contraband, 40% of those accused of theft, 29% of those accused of drug

offenses, 28% of those accused of robbery, and 21% of those accused of sexual violence.

Noteworthy as well is that the Italian government's Commission for Immigrant Integration noted in 2001 that in northern Italy immigrant criminal activity appears to be higher than for the native born Italians (Calavita, 2003).

Any assessment of the relationship of immigrants' ethnicity, race and religion to criminality in Italy must underscore that different ethnic, racial and religious groups are uniquely represented at varied levels for specific criminal acts. Though not explained or understood, this phenomenon is indeed apparent at all levels. While official government statistics do not always clearly indicate the relationship between ethnicity, religion and race and criminality, they do nevertheless offer a picture of crime and law enforcement in Italy. Thus for example, while the religion of prisoners from Morocco or Tunisia is not always recorded in governments' statistical compilation tables, prisoners from both countries are clearly best identified as being, at least formally, Muslim. All in all, the statistical evidence taken from governmental studies offer a picture helps depict the relationship between the ethnicity, race and religion of detained immigrants and the varied types of crime in modern Italy. Hence government studies have shown that by the end of the 1990s, high percentages of purse snatchers were Algerians. In addition, those who are arrested for burglary were most often from the former Yugoslavia. Meanwhile, store robberies were often done by Romanians, car theft seemed to have become an Algerian specialty; and Albanians and Moroccans had the dubious distinction of having the highest number of homicide arrests (Barbagli, 1998).

The numbers of immigrant arrested has continued up to present times. In 2006, for example, of the 31,460 people arrested for drug crimes, 8,865 were foreigners. Thus, a little more than 28% of those accused of drug crimes were aliens. This percentage represented an

increase of 1.1% over the previous year. In 2007, a more recent depiction of immigrant criminality posted by the Department of Penitentiaries provided a detailed statistical list which reflects the number of foreigners incarcerated in national penitentiaries for the commission of specific crimes. The following is a partial listing of the crimes in which immigrants were represented in high numbers: Crimes Against Property, 28.6%; Drug Crimes, 25.0%; Crimes Against Persons, 19.7%; Violations of Foreign Laws, 4.6%; Illegal Arms Possession: 4.5%; *Fede Pubblica* Crimes (e.g., Counterfeiting, False Weights and Measures), 0.4%; Prostitution, 2.1%; Crimes Against Public Order, 1.7%; and Organized Crime, .03% (Ministero della Giustizia, 2012).

By January 2012, the Italy's Department of Justice reported that of the 24,231 foreign nationals detained, the countries with the largest number of citizens imprisoned were Morocco, Romania, Tunisia, and Albania. The overall numbers show that Moroccan nationals are the most represented in Italian penitentiaries with 20.1% of the overall imprisoned population of 24,231 (1,190 of whom are women) and they are followed by Romanians (14.8%), Tunisians (13.1%) and Albanians (11.6%). The disproportion of male and female prisoners among alien inmates is notable. While more Italian males are incarcerated than Italian females, the significant gender disparities among imprisoned immigrants results from the fact that greater numbers of alien males chose to emigrate and enter Italy as immigrants. Moreover, the same cultural traditions which largely kept immigrant women out of the public space in their respective homelands work to keep them similarly isolated in their adopted country and thus immigrant women have fewer opportunities to commit crimes in their new place of European residence. A more complete picture is shown by the following table of selected foreign nationals in Italy's penitentiaries in 2012 obtained from the Italian Department of Justice statistics.

<b>Table 1</b>				
<b>Title: Countries with Highest Number of Citizens Imprisoned in Italy</b>				
<b>Nations</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>Percentage of Imprisoned</b>
Albania	29	2,780	2,809	11.6
Bosnia	53	172	225	0.09
Algeria	2	728	730	3.0
Bulgaria	51	255	306	1.3
China	33	318	351	1.4
Columbia	19	119	138	0.6
Croatia	26	97	123	0.5
Dominican Republic	28	211	239	1.0
Egypt	1	521	522	2.2
Morocco	44	4,835	4,879	20.1
Nigeria	170	1,006	1,176	4.9
Romania	272	3,307	3,579	14.8
Tunisia	20	3,151	3,171	13.1
Yugoslavia	53	415	468	1.9

The relationship between immigration and crime in Italy perhaps can best be seen by looking at some two decades of government statistics. However, while recognizing the importance of listing the numbers of those imprisoned and their particular characteristics such as gender and nationality, one must also recognize that statistical compilations of the number of people in prison are, of course, only a part of the overall picture of criminality in any given society.

Nevertheless, whatever weaknesses are inherent in lists of those imprisoned, issues concerning the relationship between immigration and crime in Italy must first acknowledge the realities which such lists document. The relationship connecting crime and immigration perhaps can best be seen by looking at the following table which represents some two decades of government statistics compiled by the Italian Department of Penitentiaries and published under the authority of the country's Department of Justice.

<b>Table 2</b>			
<b>Title: Italians and Foreign Nationals Charged, Convicted and Imprisoned Each Year between 1991 and 2011</b>			
<b>Year</b>	<b>Charged, Convicted &amp; Imprisoned</b>	<b>Foreigners</b>	<b>Percentage of Foreigners</b>
1991	35,469	5,365	15.13
1992	47,316	7,237	15.30
1993	50,348	7,892	15.76
1994	51,165	8,481	16.58
1995	46,908	8,334	17.77
1996	47,709	9,373	19.65
1997	48,495	10,825	22.32
1998	47,811	11,973	25.04
1999	51,814	14,057	27.13
2000	53,165	15,582	29.31
2001	55,275	16,294	29.48
2002	55,670	16,788	30.16
2003	54,237	17,007	31.36
2004	56,068	17,819	31.78
2005	59,523	19,836	33.32
2006	39,005	13,152	33.72
2007	48,693	18,252	37.48
2008	58,126	21,556	37.09
2009	64,791	24,067	37.15
2010	67,961	24,954	36.72
2011	66,897	24,174	36.14

The total number of persons detained in Italian penal institutions and the high rates of immigrant detention is evidenced in the statistics shown in Table Two. It should be noted, however, Italian government documents concerned with incarcerated inmates often present different statistics. This fact works to undermine an overall picture which definitively represents the total number of foreigners in Italian penitentiaries. However, statistical differences which result from a cursory comparison of Table Two and Table Three may be explained by noting while the first of these two tables was compiled by the Department of Penitentiaries the latter table presents a Ministry of Justice compilation reflecting the total of all those detained in regional and national prison facilities. Thus the total number of persons shown as detained is

larger in Table Three than in Table Two in part because while the former table shows those charged, convicted and imprisoned in a given year, the later table reflects all those in Italian detention facilities.

<b>Table 3</b>			
<b>Title: List of Total Number of Imprisoned Italians and Foreign Nationals from 1991 through 2011</b>			
<b>Year</b>	<b>Total Prisoner</b>	<b>Foreigners</b>	<b>Percent of Foreigners</b>
1991	75,786	13,142	17.34
1992	93,328	15,719	16.84
1993	98,119	20,723	21.12
1994	98,245	24,715	25.15
1995	88,415	23,723	26.83
1996	87,649	24,652	29.95
1997	88,305	26,976	30.55
1998	87,134	28,731	32.97
1999	87,862	29,361	33.42
2000	81,397	28,621	35.16
2001	78,649	28,114	35.75
2002	81,185	30,150	37.14
2003	81,790	31,852	38.94
2004	82,275	32,249	39.20
2005	89,887	40,606	45.17
2006	90,714	43,288	47.72
2007	90,441	43,860	48.50
2008	92,800	43,009	46.35
2009	88,066	40,073	45.50
2010	84,641	37,298	44.06
2011	76,982	33,305	43.26

Scholarly attempts at explaining these disturbing numbers have been largely dismissive of concerns over large scale immigration and its relationship to the criminality of aliens. Indeed, these critics hold that a closer look at the workings of the Italian criminal justice system explains, in part, the high rates of immigrant imprisonment. Many prison inmates in Italy are held under preventative detention. As immigrants are more likely to lack those community connections and

family ties which are seen to better ensure that a defendant will return for trial, aliens are more likely to be committed to pre-trial imprisonment thus increasing their statistical count.

Furthermore, prominent social scientists such as Dal Lago (1999) contend that high immigrant incarceration rates are the result of open hostility to foreigners reflected in Italian culture, as well as in law enforcement and in the judicial system. Meanwhile, a noted scholar such as Dario Melossi reported in 2003 that foreigners are more likely to be stopped, questioned and detained. In addition, since most foreigner immigrants are young males, one should expect that they would be all too highly represented in the prison population as the combined stigma of their youth, gender, foreign status and conspicuous look draws disproportionate and unwelcome attention from the forces of order. Melossi would go on to show that the statistics showed that for every 1000 additional immigrants between 1970 and 1998, the state reported 860 recorded crimes while the number of Italians imprisoned for every 1000 Italian citizens was 320. He also noted that for every 1000 citizens there were 20 convictions but for every 1000 immigrants there were 168 convictions. To Melossi, this significant difference can best be understood when recognizing that the immigrant arrivals are in large part young males (Melossi, 2003) Thus, he contended, as the higher percentage of criminality among aliens in Italy is consistent with the well-known nexus between criminality and youthful males, assessments of immigrant criminality is related to the immigrant status and age of those arrested convicted and imprisoned. As a result of the recent scholarly interest in the motivations of deviant behavior among immigrant communities in Italy, few today question that fact that marginalization of immigrants and the desperate economic conditions with which many foreigners are confronted causes some of their number to turn to criminal endeavors. When considering the economic difficulties and the cultural hardships and alienation imposed on foreigners by the dominant culture, some suggest that it is little wonder

that many immigrants become social deviants. Devoid of hope and denied dignity, the argument continues, all too many immigrants retaliate by striking out at that hostile society which at best has designated them as outcasts.

Though the linkage between crime and the undocumented migrants remains clear, that nexus seems to have produced varied attempts at redirecting fault, or at least to minimize the responsibilities of those accused of crimes. That is to say, to some scholarly observers, the fact that undocumented immigrants are incarcerated in such large numbers is the result of a complex merging of factors in which the actions of those incarcerated are less significant than the wrongs committed against them. These wrongs include the xenophobic and even racist attitudes against migrants held by Italians which makes immigrants social outcasts; the greater visibility of immigrants who have replaced native Italians in criminal endeavors make them more vulnerable to law enforcement efforts energized by biased against aliens; and an almost instinct-like quest for survival which produces a criminal behavior among some immigrants best explained as the residual effects of the extreme poverty of their origins as well as the brutalities inflicted by their native governments. In addition, many scholars have pointed out that the crimes in which high percentages of immigrants participate are activities which provide for services which Italian natives require. Thus, enabling Italian natives to acquire drugs and the services of prostitutes underscores that the criminal behavior of immigrants is inextricably intertwined with the acquired tastes and needs of many Italians. For Melossi, the relationship to deviance and immigration, for example, creates an opportunity for many Italians to hypocritically scapegoat immigrants for transgressions which are driven by desires of native Italians who cannot meet the behavioral standards set by their own society (Melossi, 2003).

Though explanations of societal causes for immigrants' criminal behavior are important and necessary, this writer would contend that scholarly studies which focus primarily on what may have helped produced such high numbers of incarcerated immigrants diminishes the significance of the violation of the social responsibilities which those who have voluntarily chosen to migrate were justifiably required to accept once present in their chosen destination. A basic acknowledgment of the wrongs committed against both native and non-native Italian residents is violated no matter who committed the transgressions and no matter what social or economic factors may have gone into the transgressors' motivations. The person whose suffers a burglary or who losses a loved one to drugs suffers no matter what inspired the antisocial behavior.

In the end, Italy's large-scale immigration phenomenon and its relationship to social and economic issues associated with jobs and to criminality would eventually emerge as a significant concern in nation's households and, as such, as a central issue in Parliament. However, as immigration would not reach extremely high levels until the end of the 1990s, the first major immigration legislation which came out of the political debate in Parliament was primarily concerned with the Italian economy and immigrants as needed workers. At this early juncture, the key for many political leaders was simply to ensure a controlled immigration which would provide the economy with immigrants' labor services and, concomitantly, continue to ensure social order.

## CHAPTER FOUR

### ATTEMPTS AT REGULATING IMMIGRATION

#### Early Attempts at Regulation

The first government attempts concerned with the status of foreign citizens within the Italian state reach back to the earliest days of Italian unification in the 1860s. By the Fascist era, regulation of foreigners within the nation took on a special importance and in 1931 a law was promulgated which placed strict regulations on non-Italian residents of Italy. This law would remain in force until the 1980s a period when the start of large-scale migrations of aliens called for official attention. While those who demanded immigration reform had varied motives, a major impetus behind the call for a new law was the perceived need to protect native Italian labor against what many believed to be the unfair competition provided by low wage immigrant workers. In the end, support for a new law caused the Italian Parliament to enact Statute Number 943, an immigration act known as the *Legge Foschi* [Foschi Law], which was to go into effect on the last day of 1986. This law was as officially concerned about jobs and employment as it was with native Italian workers and their relationship to the immigrants who sought to work in Italy. Under this regulation, foreign migrants would only be allowed to legally enter the country as workers when the particular jobs which the immigrants sought could not be filled by Italian

citizens. However, since the passage of this statute was the result of a compromise between the nation's more conservative forces and Italy's traditional left-wing political parties, the law also asserted that certain basic rights were held by both native and foreign workers. For example, for the first time, at least on paper, aliens working in Italy were eligible for public housing. They and their children were also to be allowed access to the national health care system. The Italian Parliament had thus publicly pronounced itself in favor of defending immigrant labor's basic rights within the framework of statutory law (*Ministero Dell' Interno, Decreto Legislativo 25 luglio 1998, 2012*).

The legislation, however, often proved less than effective in protecting foreign workers. This disjuncture between pronounced goals and reality was, in part, the result of the striking inequities inherent in the employment of illegal aliens. In addition, the statute also failed to live up to its acclaimed goals because no monies were allocated for the law's enforcement. (Zincone, 2006) That is, while it was relatively easy for politicians to proclaim that the immigrants laboring in Sicilian fields to bring in the tomato harvest and those working urban streets and the peninsula's beaches as vendors had the right to public housing, health care and education for their children, improvement of alien workers' standard of living through legislation was nearly impossible. Even the least politically sophisticated Italian knew, after all, that the nation's public resources could barely meet the most basic needs of native Italians. For many Italians, therefore, the limited resources of national, regional and local governments should first be used to address the immediate needs of disadvantaged Calabrian fishermen, Sicilian farmers and other co-nationals and their families. Then, if anything remained, national and local authorities could attend to the basic needs of these new immigrant workers who, it seemed to many average Italians, often came to Italy from distant countries and exotic cultures.

Only three days after the Legge Foschi legislation was enacted, the general anti-foreign sentiment and distrust of aliens which could be found throughout Italy was intensified by terrorist activities. The bloody Palestinian extremist attacks at Rome's Leonardo Da Vinci di Fiumicino International Airport and Vienna's Schwechat International Airport exacerbated attempts to rationally deal with the challenges and problems which came with increased immigration (Allievi, 2010, p. 152). Needless to say, the overall responses of Italians to immigration were as complex as the reasons which had caused large-scale immigration to Italy. In truth, Italians reacted to the continuing waves of immigrants in a myriad of ways (Sniderman et al., 2000). While at first many Italians took scant interest in immigration, many of their co-nationals, on the other hand, looked at the great masses of immigrants who continued to enter the peninsula with grave concern. The fact that large numbers of immigrants were now to be found from the major northern industrial centers down to the small towns and communities in southern Italy was seen by some as a threat to Italy's age-old culture and to traditional, religious values. The presence of ever larger numbers of immigrants willing to work in the harshest of conditions and for the lowest salaries was also seen by a growing number of Italians as a real threat to the maintenance of good wages in those jobs which required manual labor. In addition, since large-scale immigration proved to be a heavy burden on local and regional governments, many began to openly question whether the generous welfare and health programs which had been long provided by the state could continue under what some saw as the insatiable needs of this tidal wave of migrants.

Studies of Italian public opinion provide insight into attitudes regarding immigration held by common folk and also suggest reasons behind Italian immigrant legislation. In addition, they may also shed some light onto notions of immigrant criminality. Public opinion in the Region of

Emilia-Romagna is of particular interest because the region's industries and farmers are among the most productive in the nation. Moreover, the area is of special interest because its cities and countryside have drawn large numbers of foreigners and it is among the most historically "Red" (Marxist and Left-wing) regions of Italy. A leading public opinion poll taken at the start of the present century, shows that when citizens were asked if illegal immigrants contributed significantly to increases in crime or whether their contribution to crime's increase was only limited, 28% believed immigrants were significantly responsible for increased criminality. The vast percentage of the remaining respondents answered that immigrants were less responsible for increases in criminality. Yet, almost 3% thought immigrants in the region lived solely on crime. A similarly small percentage believed there was little or no nexus between increased crime and immigration (Colombo, 2007). A good number of respondents, however, viewed the growing immigration phenomenon much more positively. Many of these recognized immigration's relationship with workplace demands.

Those seeking cheap and regular labor have always been heartily in favor of continued immigration. As early as the 1980s, immigration was fast becoming the favored solution of directors of large corporations who sought to use foreign workers to fill vacant factory jobs. Similarly, small-scale employers seeking to find workers for cottage industries and agrarian landlords who demanded a steady source of agricultural day laborers understood that immigration could provide them with necessary workers who would labor cheaply and without complaint. Meanwhile, those Italians who had traditionally been partial to Left-wing political parties and movements saw immigration as an inextricable aspect of evolving global capitalism. Immigrants thus transformed into migrating proletarians were therefore welcomed with affectionate solidarity by those who still identified with socialist and Marxist ideologies.

Paradoxically, on the issue of supporting migrants' rights and continued immigration, there was a union of interest among those who identified with radical political ideology and those who were inspired by traditional theology. While Left-wing parties and organizations included migrants in their proletarian struggles, the Roman Pontiff and various Catholic groups, however, welcomed suffering immigrants as a Christian imperative. Dictated by the Christian doctrines of charity and brotherly-love, now a central key to many modern Gospel interpretations, *Caritas* and other religiously inspired associations and organizations warmly greeted immigrants with open arms and offers of material aid. Immigration and immigrants thus found wide support in a strange alliance of disparate forces. While some defenders of immigrants loudly recited Marxian maxims of global camaraderie in the nation's *piazze* [public plazas], others repeatedly preached homilies from the country's countless pulpits calling for Christian compassion. Meanwhile, the most ardent supporters of modern capitalism firmly insisted that by encouraging immigration and employing aliens the laws of the market-place would eventually produce ever greater wealth for both Italian natives and immigrants.

The myriad sentiments concerning immigration voiced in people's homes and in the nation's public squares and churches were mirrored at the highest and lowest levels of local and regional government throughout the peninsula. The dissonant views expressed by those outside the circles of political power also were reflected in the national Parliament sitting Rome. Paradoxically, even in the nation's capital, where the human face of large-scale immigration could be seen on its commuter buses and trains and streets and squares, Italian government authorities responded only slowly to the new realities. Italy had had become a magnet which continuously attracted countless numbers of migrants across international borders in search of better material rewards than could be found in their respective homelands. Those sweeping

demographic changes which increased immigration brought about during the 1990s would become even more dramatic during the early years of the new century. Just as this seeming endless flow of immigrants into Italy had spawned reactions among the native population which ranged from concern over the negative impact of immigration to compassion and camaraderie for immigrants, the Italian Parliament would be forced to direct more of its attention and energies to immigration issues.

When the Italy's national leaders did address immigration during the last two decades of the twentieth century, however, the best they could offer was a string of laws which seemed all too hurriedly improvised and lacking a coherent long-term strategy. During the last quarter of the twentieth century, parliament's initial attempts to address immigration into Italy since Mussolini's government proved piecemeal and in effective. The waves of immigrants which made their presence felt from the Alps to Sicily between the 1970s and the turn of the century had created a sense of urgency in Parliament but they had not yet instigated national laws or decrees which were capable of addressing the challenges caused by century's most major economic and demographic transformations. Until the last decades of the twentieth century, Italian immigration law was singularly driven by Law 943/86 and the implementing regulations which followed *Legge 30 Dicembre 1986* [The Law of December 30<sup>th</sup>]. This law had been enacted in 1931 by the Fascist government of Benito Mussolini and it reflected the regime's political concern with identifying and keeping close tabs on foreigners present on the peninsula. Since very few aliens resided in Italy before World War II, nor in the immediate decades after that war, the provisions of the law and of the regulations which followed sufficiently accomplished the laws' goals by simply requiring that aliens declare their presence to local police within three days of entry into Italy. Local Police could then issue *permessi di soggiorno*,

allowing foreigners to legally stay in the country under certain conditions. Foreigners were required to notify the authorities if residence was changed and aliens engaged in criminal activities could be deported. Those who became public charges would also face deportation. In addition, employers who employed, or wish to employ, aliens were required to inform the local police of the employment or discharge of aliens (Christiansen, 1997). The Fascist law would remain in force long after the demise of the regime. After the death of Mussolini and the collapse of his government only a distant memory, the Fascist law would eventually be replaced only after radical demographic, economic and political changes revolutionized Europe's relationship with peoples from developing and underdeveloped nations who were on the move.

With the fall of Communism in Eastern Europe, countless numbers of immigrants from Albania, Moldova, Poland, Romania, Ukraine and the former states of Yugoslavia became more mobile than the regimes of their native lands had ever allowed. Now free to leave, millions of Eastern Europeans voted with their feet. Like a relentless tidal wave, they flooded into the labor markets of leading Western European states such as the Netherlands, France, Britain, Belgium and Germany. Similarly, thousands upon thousands poured into Italy with increasing force. Added to the immigration to Italy from Morocco and Tunisia and the more recent migrations from Eastern Europe was a new ethnic and racial mix of people from Chile, Ecuador, Peru, Bangladesh, India, Sri Lanka, China and the Philippines (Brogi, 2006). Faced with mounting numbers of immigrants from such diverse regions, action was required at the highest national level. Rome did take some action in this period. Law 943/86 was passed in 1986, for example, but in the end it failed to address the problem of continued illegal immigration due to a lack of funding and little cooperation between local and national authorities (Ragan, 2006). During the

1980s, it seemed that the best national Parliament could manage was passage of laws which ameliorated some of the worst health and housing conditions immigrants faced. However, tantamount to officially recognizing the irreversibility of recent migrations, the Italian government did award legal status to over 600,000 illegal aliens (Zincone, 2006).

The legalization of hundreds of thousands of undocumented aliens and continued growth in the numbers of illegal immigrants who entered the country, did little to curb heightened concerns about immigration's overall impact. Moreover, rising tension between native Italians and non-native migrants, as well as increased public perceptions associating illegal immigration with crime, underscored the need for more effective government policies. Responding to an upsurge of public displeasure with the dramatic rise of immigrants and widely held notions of immigrant criminality, Parliament enacted into Law 39/90, better known as the Martelli Law. The statute was named after the then Vice-Prime Minister, Claudio Martelli. The law, which Martelli had helped sponsor, had provisions which ostensibly would result in implementation of more rationale immigration entry rules, sanctions on employers who hired undocumented foreigners and deportation of illegal aliens (Ragan, 2006, p. 9). At the same time, however, the statute also expanded amnesty for illegal aliens (ISTAT, "*Gli stranieri*" [Foreigners], 2005, p 5). The Martelli Law was a compromise which continued to reflect those ideological differences which divided both the Italian public and Italy's political leadership into two polar opposite camps. On the one hand were growing numbers of citizens and political leaders who demanded effective and vigorous enforcement of more restrictive immigration laws and policies. Those who were concerned with unrestricted immigration were restless about the impact on Italian culture made by millions of non-European newcomers and were also worried about the strain that wave after wave of immigrants would put on the nation's social welfare services. However,

the fear that countless numbers of impoverished immigrants could turn to criminality raised the gravest alarm in this camp. Such sentiments produced pressure on the government to police the borders more effectively and to deal with illegal aliens and those who employed them with the full severity of the law. On the other hand the people and politicians who accepted immigration as part of the inevitable results of globalization and extolled the phenomenon as beneficial to the nation. Those who proclaimed the inevitability of immigration and praised its benefits were in support of laws and the efforts of charitable organizations which sought to ameliorate the harsh conditions which undocumented immigration status imposed. In short, on the issue of how to deal with immigration, the nation was divided into two antagonistic camps. Given that the Martelli Law reflected the disparate views which were held by much of the Italian public; it is not surprising that Parliament's attempt to compromise and find a middle course was bound to fail.

As if the conflicting goals of the Martelli Law and poor enforcement of its provisions were not enough to weaken the law's effectiveness, the continued flow of countless immigrants into Italy ensured the statute would fail to address the challenges of immigration. The reality was that the prospect of employment, and the material wealth such jobs promised, continued to act as a magnet which yearly drew hundreds of thousands of migrants for all over the under-developed world to Italy no matter how precarious their legal status would be. Nevertheless, though Parliament had been unable to definitively address the problems and challenges which resulted from the immigration phenomenon, the unrelenting waves of new immigrants, would continue to force the nation's political leaders to work to find solutions which were made ever more evasive by traditional political ideologies and the gulf that divided those who would rebuff immigrants and those who would embrace them.

## Continued Attempts at Regulation

In the first half of the 1990s, legislation concerning immigration and immigrants would still prove woefully ineffective at addressing the immigration phenomena and violations of Italian immigration laws. In early 1990s, for example, a new immigration solution, the Dini Decree, was proposed (ISTAT, “Gli Stranieri” [Foreigners], 2005, p 5). Named after Prime Minister Lamberto Dini, this law was the most significant attempt to address the immigration phenomenon thus far. However, the law once again displayed a political attempt to reach a working compromise which sought to meet the demands of those concerned with continued immigration as well as those whose concern was more focused on immigrants’ rights. While the Dini Decree, for example, treated violations of the law’s provisions against smuggling in immigrants more seriously, it also increased immigrants’ welfare, health and educational rights (ISTAT, “Gli Stranieri” [Foreigners], 2005).

The first thorough attempt at full immigration law reform came in 1998 under a loosely united Center-Left Parliamentary coalition of varied political parties. The numerous political parties which formed this coalition were inspired by different ideologies which were deeply rooted in traditional Italian Catholic, Socialist or Marxist intellectual movements. However, the fall of Eastern European communist states and the resulting ideological crisis had a profound impact on traditional intellectual and political divisions in Italy. As a result of fall of the communist states of Eastern Europe, new Italian political parties emerged on both the Left and the Right. In less than a decade after the end of Eastern European communist regimes, many of the major Italian political parties had dissolved only to reemerge with different names and a new willingness to reform political alliances. The Center-Left Parliamentary coalition which emerged seemed ready to tackle immigration and other difficult issues from a radical perspective.

The result of this new found radicalism was the 1998 immigration reform law. In that year the Italian Minister of Social Solidarity, Livia Turco, and powerful Minister of the Interior, Giorgio Napolitano, brought forth a statute popularly known as the Turco-Napolitano Law (Mazzitelli, 2002). The act, associated with these two leading neo-Marxist politicians, was novel in its scope as the announced intent of its sponsors was to radically alter how government handled immigration and immigrants. Ostensibly, the Turco-Napolitano Act was meant to prevent illegal immigration and control the influx of new legal immigrants. On paper, at least, this legislation seemed to be aimed at these twin goals. The law, for example, established that foreigners who were caught trying to illegally enter Italy at its frontiers, or who were caught immediately after entering, would be expelled for violation of immigration law. According to some scholarly assessments of statistical information provided by the Minister of Interior in 2001, the Turco-Napolitano Law resulted in stopping the illegal entry and terminating the illegal presence of hundreds of thousands of illegal aliens (ISTAT, “Gli stranieri” [Foreigners], 2005).

Attempting to address the social and political problems which resulted from the massive violation of Italian immigration law, Turco-Napolitano also established *Centri di Permanenza Temporanea* (Temporary Accommodation Centers), which were to be detention centers where illegal immigrants were to be temporarily housed, ostensibly until the proper paper work was obtained for compulsory expulsion. Yet, in the end, the main change the law brought about was a more formal encouragement of the integration of legal immigrants into Italian society and the promotion of greater immigrant rights. The most significant feature of the new law thus fully reflected its left-wing sponsorship. This can be seen by comparing Italy’s approach under the Turco-Napolitano Law to that of other European states during the second half of the 1990s. During this period, in many European countries, illegal entry itself was a crime which was

significantly punished under law. While illegal entry in the United Kingdom Ireland, France, Germany and Finland was punished by imprisonment up to one year, incarceration for such entry into Belgium and Greece could not exceed more than three months. On the other hand, illegal entry into Italy, under Turco-Napolitano was handled less harshly as that legislation provided that detained illegal immigrants would be housed in the *Centri di Permanenza Temporanea* centers for only a limited period. Illegal aliens were to be held at these centers for no more than 30 days. Detention of undocumented aliens in these centers for such limited duration was perceived necessary and adequate, especially in cases where the aliens had no documentation and, thus their national identity could not be definitively established.

During this all too brief period of detention, Italian authorities were to attempt to discover the immigrants' nationality and then work to get supporting documentation from their respective homelands which would thereby enable to the Italian government to repatriate the aliens home. In light of varied law enforcement and political realities, such as the fact that the detained aliens often refused to identify their true nationality, and that nations which provided Italy with most of its illegal immigrants refused to cooperate with the Italian government, the required detention period proved woefully inadequate. Once the maximum detention period was over, the Turco-Napolitano Law required the release of those detained. Needless to say, those released now were able to enter the peninsula's clandestine, illegal population. Hence one might reasonably argue that the law was not only bound to fail but was also designed to be a less than serious and effective attempt to impede the continued violation of Italian immigration law. In fact, given the ideologically hostility of the Center-Left towards any real attempt to fully stop illegal immigration, stopping illegal immigration under the Turco-Napolitano Law was never politically possible.

In the late 1990s, any sincere attempt at enforcing Italian immigration law and better controlling immigration and the concomitant social disorders which accompanied the unlimited migration of countless numbers of foreigners into Italy was dealt blow by political leaders. Such a final result was due to the fact that implementation of Turco-Napolitano provisions required the political and fiscal cooperation of un-cooperative regional and local governments. In northern Italy, many of these local and regional governmental bodies were controlled by radicalized leaders of local Center-Left parties, the very parties which made up the national Center-Left coalition government which had crafted Turco-Napolitano. It was no secret that many most radical local leaders of the Center-Left were openly hostile to the Temporary Permanent Centers. Therefore, as funds necessary to establish and run the Centers were either inadequate from the start or were never even assigned, the actual number of Centers which had been established was few. In any case, those which had in fact been established could house only limited numbers of persons or soon closed their doors.

Nevertheless, the Centers which had been established now made legal status for immigrants more possible because temporary entry permits could be issued to foreigners who wished to work in Italy. What the immigrants needed to do was to find sponsors. Such sponsorship was theoretically more possible as it now could be provided by Italian citizens, legal resident aliens, unions, social organizations, and regional or local authorities. In addition, the Turco-Napolitano pro-immigration stance was evident for the statute's provisions allowed legal resident aliens the right to apply for permanent residence as long as they lived in the country for a minimum of five years. The law also established that immigrants would be entitled to significant health care services. Yet, as has been noted, while the Turco-Napolitano Act included radical alterations to Italian immigration law such as the promise to supply national funds to

local and regional authorities in order to integrate immigrants into the country, the statute fell far short of its goals. This failure was in large part a result of political struggles inherent in the Italian parliamentary system.

Coalition politics as practiced in Italy gives Italians a wide array of political choices, but it also creates Parliamentary political instability. Italian citizens choose candidates from Catholic, Communist, Socialist, Neo-Marxist, Libertarian, Monarchist, Liberal, Republican, Neo-fascist, or Green parties. Given the nature of Italian voting history, it is extremely unlikely that a single party will gain majority control of Parliament. Therefore, in order to achieve Parliamentary majorities, political parties have traditionally sought to form coalitions with other political parties. Such coalitions have been notoriously unstable. Since the end of World War II in 1945, for example, most coalition governments lasted a little more than one year. Considering the polar opposite goals of parties as diverse as those inspired by Catholic, Liberal, Socialist, Communist or Green ideals, even the smallest change in Parliamentary coalitions may inaugurate grave fluctuations in the direction of government policies.

Italian Center-Right parties have long called for a radical shift in immigration policies (Sniderman et al., 2000, p. 111). The opportunity to achieve that goal came with the election of Silvio Berlusconi (Gilbert, 1998). As the Leader of *Forza Italia* [Forward Italy], a new political party which Berlusconi formed in 1994, he was able to forge a fresh coalition which not only led him to the office of Prime Minister but also enabled his government to turn its attention to immigration. Since many Parliamentarians in his coalition believed that immigration had reached a crisis of national proportions, they were determined to pass new legislation. The resulting legislation eventually emerged out of the demands of two of Berlusconi's most vociferous coalition partners, Umberto Bossi, leader of the *Lega Nord* [Northern League] Party and

Gianfranco Fini, head of *Alleanza Nazionale* [National Alliance] Party (Gilbert, 1995, p. 46-63). The former party had begun as a northern Italian regional political movement which sought independence from the Italian state. Eventually the political demands of *Lega Nord* had become more federalist and matured into a call to amend the Italian constitution to allow for greater regional autonomy. Bossi's party also came to express the anti-immigration sentiments of many northern Italians who saw their region inundated with an unceasing influx of foreigners who sought employment, housing and health care. For his part, Fini had managed to reform his ultra-patriotic party, which had its origins in a neo-fascist past, into a modern conservative movement (Ter Wal, 2000). Expressing the immigration concerns of a primarily agrarian, blue collar and middle class constituency in Southern Italy, Fini used his proven political skills to work with Bossi and forge an innovative approach to immigration problem. The Bossi-Fini Law of 2002 was a serious attempt to limit illegal immigration and, some have argued, immigration as well (Totah, 2003). It also tried to discourage permanent residency by favoring temporary work residence permits. Limiting immigration was to be accomplished through a variety of ways, some of which included a reduction of funding devoted to immigrants' integration. The new law had a get-tough attitude against illegal immigration. Bossi-Fini mandated the arrest, imprisonment and, once judicially reviewed, mandatory expulsion of individual illegal aliens. By 2004, the toughest anti-illegal immigration aspects of the law had to be restructured, however, after key provisions were ruled unconstitutional. Moreover, as if to underscore the dilution of anti-illegal immigration demands which had inspired the Bossi-Fini Law, over 600,000 illegal immigrants were granted amnesty (Mazzitelli, 2002). Given the necessary compromises required by Italian Parliamentary coalition politics and the highly politicized and polarized judiciary, the Bossi-Fini Law fell short of the most conservative goals of the *Lega Nord* and

*Alleanza Nazionale*. Managing immigration rationally and combating illegal immigration had proved to be, as yet, illusory goals.

## CHAPTER FIVE

## SUMMARY

Paradoxically, the migration phenomenon of a century and more ago which had transported millions of people from Europe to the United States has some similar features to the current mass movement of people into the European continent. Oscar Handlin, one of the earliest scholars to seriously study immigration into the United States provided some ideas which may be useful in assessing the recent migrations into Europe. In his book, *The Uprooted*, Handlin (1951) suggested that immigration is simply about alienation and the consequences of large scale estrangement of populations. Handlin and many other scholars who studied immigration to the United States were especially concerned with the immigrant themselves. Yet, past immigration is best understood as having had an impact on numerous levels. Similarly contemporary immigration affects varied societies in multiple ways. Surely the immigrants themselves experience the challenges of migration most directly. However, the impact of migration is also felt by both those left behind as well as those native to the host countries. Most broadly, this study's focus on immigration to Italy and on the relationship between immigration and crime is necessarily less concerned with how migration affects those left behind and more focused on the immigration experience in Italy as experienced by migrants and the indigenous people of the host nation.

With large scale immigration to Italy starting only in the last decades of the twentieth century, analysis of the impact of immigration in Italy is essentially a recent endeavor. As has been observed, initial studies concerned with the effect of immigration in modern Italy began to emerge in the latter quarter of the twentieth century, the very time when migrations made themselves felt. Most of these early studies were primarily interested in assessments of demographic changes caused by mass migration and immigration's impact on the labor market. The very first studies were thus particularly interested in assessing why the Italian labor market drew workers from outside the nation. Much of the scholarly immigration research soon became absorbed with governmental immigration policies. Inevitably, assessments concerning which interest and voting groups influenced the direction taken by Italy's major political parties soon became more commonplace. Whatever the particular focus of these studies, collectively they provided revealing information on the politics of immigration legislation and as well as foundational statistical information regarding the national origins, gender, religious identity, and racial and ethnic make-up of the migrants.

Studies on immigration, often framed in concepts such as human rights and political rights, were highly politicized in ways which frequently revealed the political slant of the researchers themselves (Melossi, 2003). Unfortunately, since the period of mass migration to Italy began, relatively few have focused exclusively on the examples of social discord, such as criminality, which resulted from mass migration. The serious published studies concerned with the relationship of immigration to criminality in Italy demonstrate that they too are not devoid of the influence of political bias or of particular philosophical preconceptions. Therefore, questions regarding crime and migration are inextricably intertwined with contemporary life as mirrored by Italian morals, politics and religion. Thus scholarly analysis of the evidence provided in

government statistics concerning immigration, crime and imprisonment more often reflects the social, political and religious agendas of the researchers than an unbiased analysis of such phenomena.

Since the early 1990s when government documentation clearly began to indicate that the number of arrested and convicted immigrants was very large and also in disproportion to their percentage of the overall population, the attention of scholars identified with the Italian political Left and Right was necessarily drawn to immigrant criminality. Faced with government statistics, general schools of thought soon emerged. On one hand, some argued that uncontrolled and unregulated immigration tended to favor the migration into Italy of larger numbers of people who were more likely to commit crimes. Inherent to this argument, it seems, was the belief that what was needed was a rational immigration policy which, once implemented, would seek to meet the needs of the nation's labor market by admitting only a limited number of migrants willing to work to fill the nation's employment needs. Implicit in this view was the notion that such a policy would screen out those who were less willing to work as well as those who had no intention of finding gainful employment. Limiting the influx of those who would not seek or keep gainful employment would, it was believed, reduce the likelihood that such persons would turn to crime. However, critics of immigration law and immigration restrictions argued that the elevated presence of foreigners who were arrested and incarcerated in Italy's prisons was nothing less than the fruit of discrimination policies against aliens wielded by the forces of order and effectively supported by the xenophobic attitudes of all too many Italians. In this view, the large scale imprisonment of immigrants reflected a discriminatory culture where bias was public and structural as well. Thus, the contention held that the inequitable treatment of aliens and discriminatory actions against foreigners on the part of the Italian police forces, prosecutors and

judiciary resulted in thousands of improper arrests and unjust sentences. Adding to this initial and rather simplistic attempt to explain the high numbers of arrests and imprisoned aliens, a more recent assessment suggests that the disproportion of immigrants among the ranks of those arrested and incarcerated in Italy is the result of complex social realities wherein immigrants who suffer discrimination in employment, housing and jobs may become immersed in an emerging culture where one has little reason to respect law. Such a culture helps engender criminal and anti-social behaviors (Colombo, 2007).

This study has attempted to provide a fair and unbiased assessment of the immigration in Italy and its impact on Italian society by summarizing the varied views reflected in Italy's laws and political debates, as well as those expressed in Italian scholarship. Seeking to fully understand the relationship between immigration, politics, law and crime in contemporary Italy, this study also reviews the latest statistical records provided in government data. By looking at government records as exemplified in Parliamentary laws and regulations, as well as analyzing formal government reports concerning immigration, crime and prisons, an attempt has been made to summarize immigrations' true impact on the varied levels of modern Italian society. After all, an assessment of what Italian political leaders said and what Italy's Parliament did may be vital to any serious immigration study, but a fundamental requirement to the scientific study of the relationship of immigration to social discord in Italy is the objective analysis of the statistical evidence provided in Italian government's studies of penitentiaries, crime and immigration. Therefore, while this study looks to traditional sources such as published monographs, books and journal articles, it also utilized statistical evidence provided by varied internet sources and the Italian Ministry of the Interior and Ministry of Justice, as well as statistical assessments of crimes and prisoners provided by Italy's Department of Penitentiaries.

Accessing the latest academic research and political and social sources, allows for further exploration of the link between immigration and crime on a macro-level. As a result, a more complete picture of the aggregate impact of immigration on criminality from the 1990s through 2012 is provided through the analysis of statistical reports of the various Italian government Ministries and departments.

After assessing information provided by scholars, as well as analyzing varied governmental sources, this study affirms that immigrants do in fact constitute an alarmingly high percentage of the Italian penitentiary system. Further study of the crime-immigration nexus shows that immigrants are often linked to prostitution, drug dealing and the illegal selling of goods. In 1996, for example, immigrants accounted for circa 2% to 3% of the population but they accounted for 9% of those charged with criminal behavior and 13% of those convicted. By 1998, 49.2% of those sent to prison were immigrants and of these 90% were illegal aliens. The number of incarcerated aliens reached alarming heights in 2000 when foreigners accounted for half of the prison population in northern Italy's largest prisons. These high numbers may be misleading, however, as many immigrants counted in the prison population were held for pre-trial detention (Melossi, 2003, p. 379).

The resulting arrest and eventual imprisonment of large numbers of aliens in Italian prisons, while worrisome should not be surprising. An unfortunate but inevitable reality associated with immigration is the sense of alienation experienced by the newcomers. This sense of alienation felt by migrants in a new land produces a climate among immigrants which weakens those cultural norms and societal bonds which normally inhibit criminality (Melossi, 2003, p 373). Scholars have also argued that the high rates of immigrant imprisonment point to an anti-immigrant sentiment dominant in Italian culture and institutions. According to this view,

as immigration continues to grow so too does the hostility demonstrated by the police and judiciary. The resulting “institutional” and “structural” discrimination ensures that police use their discretionary powers to stop, arrest, and imprison greater numbers of foreigners who are more visible and, concomitantly more vulnerable, than native Italians (Amnesty, 1998).

Concern about the relationship between immigration and crime is surely justified by the high numbers of incarcerated immigrants. These numbers have been cited by those Italians who demand for forceful government policies which would work to keep migrants from coming into Italy. Yet, considering that many Italians favor immigration and also considering that it is not probable that even the most ardent anti-immigration efforts would likely fail to stop the movement of people from underdeveloped nations to Italy, government policies must be based in rational assessments about the nexus between crime and immigration. The fact is that the number of foreigners imprisoned in Italy has more than doubled in the last twenty years. And the numbers of immigrants in prison are much higher than their proportional share of the overall Italian population. The number of foreigners in Italian prisons is even more significant when one recognizes that immigrants cannot be imprisoned in Italy for not having legal status. While some might contend Italian society’s bias against immigrants has resulted in the incarceration of migrants, the high numbers of foreigners in Italian prisons can hardly be explained by such a simple assertion. Even though statistical information is often unavailable or incomplete, documentation proves that by 2006 the vast majority of foreigners in prison were undocumented aliens. This has led to the speculation that because there is a direct correlation between illegal status and criminal, policies which result in the legalization of undocumented aliens will likely result in a reduction of criminal activity committed by foreigners (Mastrobuoni & Pinotti, 2011).

In short, the causes of immigrant crime are said to include economic and cultural desperation,

disappointment of once held dreams, the combined effects of social alienation and structural discrimination, and failure to achieve material goals (Calavita, 2003).

While immigrants may indeed have become easily identifiable targets of a xenophobic social malaise which is exacerbated by the economic difficulties faced many native Italians, it nevertheless remains true that shockingly high levels of immigrants are involved in criminal endeavors. To not acknowledge this tangible reality or to simply dismiss it as simply evidence of structural discrimination is disingenuous at best. Given the fact that mass immigration to Italy will likely continue into the foreseeable future (Giordano, 2006) the fact that all too many immigrants have been involved in crime is a serious challenge to Italian society. In the past, Italy's scholars and political leaders were not unfamiliar with the obligation to query why certain groups were more associated with high levels of criminal behavior than other groups. Answers to that question have been illusive when the focus was on particular groups in Sicily and southern Italy. Yet, the question remains even more significant today for the present Italian state is faced with continued waves of immigrants whose large numbers will not only radically alter the demographic and cultural face of the Italian peninsula but the ever growing number of immigrants to Italy will also be reflected in the numbers of people arrested and imprisoned.

Aware of the cultural, political and social challenges promised by continued mass immigration, this study offers an historical summary of the cultural and political impact of immigration to Italy and it also provides an objective assessment of the connection between immigration and crime in Italy. This study focuses on the overall cultural impact of immigration and on the concomitant impact of the imprisonment of foreign criminals on Italian society by summarizing the varied views reflected in Italy's laws and political debates, as well as those expressed in Italian scholarship. More specifically, this study sheds light onto the relationship

between crime and immigration by assessing Italian government statistical information relating to immigration, crime and incarceration. The study concludes that the extremely high percentages of immigrants incarcerated in Italy's prisons are not simply explained by presumed cultural xenophobia and alleged bias against immigrants held by the forces of order. Instead, it has been demonstrated herein that: many imprisoned foreigners seem drawn to crime because the illegal status of countless aliens preclude their legitimate employment; many immigrants recognize the seemingly unending demand by Italians for illegal goods, drugs and prostitution; and many aliens understand that illegal activities can provide quick and significant profits with minimum risk of detection and punishment.

Considering the fact that so many of Italy's immigrants have ended up in Italian prisons for committing criminal offenses presents Italian society with noteworthy challenges. These challenges are made even tougher because there seems to be no end in sight to the mass migration of foreigners to the Italian peninsula. Therefore, understanding the complex relationship between immigration and crime and why immigrants are so highly represented in the Italian prison population is a pressing imperative for Italy's government, police forces and people. The suggestion is thus made that the social discord and criminal activity which is bound to result from continued mass immigration can best be managed if answers to the query concerned with why so many immigrants seem to have embraced criminal behavior are sought. Objectively searching for the causes behind immigrants' criminality may influence the proper course of Italy's immigration policies. Understanding the relationship between crime and immigration may also provide much needed answers to Italian government and law enforcement agencies in their attempts to deal with the imprisonment of ever larger numbers of people who come to Italy with the highest expectations.

## REFERENCES

- Abraham, D. (1998). "Analisi Costi/Benefici e Proporzionalita nel Tratamento Degli Stranieri Negli Stati Uniti e in Germania", in *Acoma: Rivista Internazionale di Studi Nord Americani*, ["Cost-Benefit and Proportionality Analysis of the Treatment of Foreigners in the United States and Germany", in *Acoma: International Journal of North American Studies*]. Retrieved from <http://www.westerni.unibg.it/siti-esterni/Acoma/13/2.pdf>
- Alba, R. (2006). *Border Battles: The US Immigration Debates: Looking Beyond the Moment: American Immigration Seen from Historically and Internationally Comparative Perspectives*. *Social Science Research Council*. Retrieved from <http://borderbattles.ssrc.org/Alba>
- Albrecht, H. (2002). *Fortress Europe? Controlling Illegal Immigration*. *European Journal of Crime, Criminal Law and Criminal Justice*, 10 (1), 1-22.
- Allievi, S. (2010). *Multiculturalism in Italy: the missing model*. In Silj, Alessandro (Ed.), *European Multiculturalism Revisited*. London, England: Zed Books.
- Amnesty International (1998). *Concerns in Europe: July-December, 1997, Italy, Alleged Torture and Ill-treatment by Law Enforcement and Prison Officers*. Retrieved from <http://web.amnesty.org/library/Index/engEuro010011998?OPENDocument#ITA>
- Barbagli, M. (1998). *Immigrazione e Reati in Italia*. [*Immigration and Crime in Italy*]. Bologna: Societa Editrice Il Mulino.
- Bell, R. M. (1979). *Fate and honor, family and village: Demographic and cultural change in rural Italy since 1800*. Chicago, IL: University of Chicago Press.
- Bianchi, M., Buonanno, P., & Pinotti, P. (2008). *Do Immigrants Cause Crime?* Retrieved from <http://www.pse.ens.fr/document/wp200805.pdf>.
- Brogi, M. (2006). *I Flussi Migratori Verso L' Europa: Il Caso Italiano e La Diaspora Cinese in Toscana*. [*The Migration Flows Towards Europe: Italy and the Chinese Diaspora to Tuscany*]. MigRoma: Libera Universita delgi Studi Santo Pio V.

- Calavita, K. (2003). A Reserve Army of Delinquents: The Criminalization and Economic Punishment of Immigration in Spain. *Punishment and Society*, 5 (4), 399-413.
- Carocci, G. (1981). *Storia d' Italia dall' Unita ad Oggi*. [History of Italy from Unification to Today]. Milano: Feltrinelli Editore.
- Christiansen, D. (1997). Leaving the Back Door Open: Italy's Response to Illegal Immigration. *Geo. Immigration. L.J.*, 11, 461.
- Cinèl, D. (1982). *From Italy to San Francisco: The Immigrant experience*. Stanford, CA: Stanford University Press
- Cinèl, D. (1991). *The national integration of Italian return migration*. New York, NY: Cambridge University Press.
- Clark, M. (1996). *Modern Italy 1871-1995*. New York, NY: Longman Limited.
- Colombo, A. (2007). *Gli Stranieri e Noi: Immigrazione e Opinione Pubblica in Emilia-Romagna*. [Foreigners and Us: Immigration and Public Opinion in Emilia-Romania]. Bologna: Societa Editrice Il Mulino.
- Consiglio Italiano per le Scienze Sociali, Center for Migration and Ethnic Studies, Ethnobarometer Programme Working Paper Numero 1, (1998). "Migration and Criminality: the Case of Albanians in Italy", By Alison Jamieson and Alessandro Sily. Retrieved from <http://www.ethnobarometer.org/pdf/wp01.pdf>  
<http://www.ethnobarometer.org/pdf/rep01.pdf>
- Consiglio Italiano per le Scienze Sociali, Center for Migration and Ethnic Studies, The Ethnobarometer Reports. (1999). "Ethnic Conflict and Migration in Europe", Retrieved from <http://www.ethnobarometer.org/pdf/rep01.pdf>
- Consiglio Italiano per le Scienze Sociali, Center for Migration and Ethnic Studies, The Ethnobarometer Reports. (2003). "Migration Integration in European Cities", By Maria Caldeira, Angela Lostia et al. Retrieved from <http://www.ethnobarometer.org/pdf/rep02.pdf>
- Crawford, L. (2007, March 25). All in the Mix. *Financial Times*, pp. 9-10.

- Dal Lago. (1999). *Non-persone: l' esclusione dei migranti in una societa globale*. [Non-persons: the exclusion of migrants in a global society]. Milano: Feltrinelli.
- EUbusiness. (2011). Tunisia. Retrieved from <http://www.eubusiness.com/news-eu/ialy-tunisia.8k2/>
- Financial Times. (2006). Police Detain Alleged Organizers of Illegal Migration to Italy. Retrieved from <http://accessorylibrary.com/comsite5/bin/comsite5.p1>
- Gabaccia, D. R. (1988). *Militants and migrants: Rural Sicilians become American workers*. New Brunswick, NJ: Rutgers University Press.
- Gabaccia, D. R. (2000). *Italy's Many Diasporas*. Seattle, WA: University of Washington Press.
- Gibson, M. (1998). *Race and southern "deviancy" in the writings of Italian Criminologists, 1880-1920*. In Schneider, Jane (Ed.), *Italy's "Southern Question": Orientalism in One Country*. (1998). New York, NY: Berg.
- Gilbert, M. (1995). *The Italian revolution: The end of politics, Italian style?* Boulder, CO: Westview Press.
- Giordano, M. (2006). L Invasione Annunciata: Un Traghetto Senza Controllo. [The Announced Invasion: Ferryboat without Control]. In *Il Giornale* p. 1.
- Goodwin-Gil, G. S. (1999). *The refugee in international law*. New York, NY: Oxford University Press.
- Guazzaloca, B. & Pavarini, M. (1995). *L' Esecuzione Penitenziaria*. [The Performance of the Penitentiary]. Torino: UTET.
- Guazzaloca, B. & Pavarini, M. (2002). *Codice Commentato Dell' Esecuzione Penale*. [Comment on the Performance of the Penal Code]. Torino: UTET
- Handlin, O. (1951). *The uprooted: the epic story of the great migrations that made the American people*. Boston, MA: Little, Brown and Company.
- Hatton, T. J., & Williamson, J. G. (1998). *The age of mass migration: Causes and economic impact*. New York, NY: Oxford University Press.

- Horniel, I. M. (1986). *Condizioni Degli Immigranti Stranieri in Italia*. [The Condition of Foreign Immigrants in Italy]. Milano: F. Angeli.
- Hsu, R. (Ed.). (2010). *Ethnic Europe: mobility, identity, and conflict in a globalized world*. Stanford, CA: Stanford University Press.
- Ipsen, C. (1996). *Dictating demography: The problem of population in fascist Italy*. Cambridge, MA: Cambridge University Press.
- Istituto Nazionale di Statistica [National Institute of Statistics]. (2005). “*Gli stranieri in Italia: gli effetti dell’ultima regolarizzazione; Stima al gennaio 2005*” [An Assessment of the Foreigners in Italy: the impact of the latest Regularization as of January 2005]. Retrieved from [http://www3.istat.it/salastampa/comunicati/non\\_calendario/20051215\\_00/tesointegrale.pdf](http://www3.istat.it/salastampa/comunicati/non_calendario/20051215_00/tesointegrale.pdf)
- Istituto Nazionale di Statistica [National Institute of Statistics] (2006). “*Cittadini stranieri: Popolazione residente per sesso e cittadinanza al 31 Dicembre 2006*” [Citizenship and Sex of Foreign Nationals as of December 31, 2006], Retrieved from <http://demo.istat.it/str2006>
- Istituto Nazionale di Statistica [National Institute of Statistics]. (2005). “*Permessi di Soggiorno per stato civile, sesso e regione al 1 gennaio 2005*” [Residence Permits according to marital status, sex and region as of January 1<sup>st</sup>, 2005]. Retrieved from <http://demo.istat.it/altridati/permessi/2005/tav5.12.pdf>
- Istituto Nazionale di Statistica [National Institute of Statistics]. (2007). “*Permessi di Soggiorno per sesso, area geografica e singolo paese di cittadinanza al 1 Gennaio 2007*” [Residence Permits According to Sex, Geographic Area and National Origin as of January 1, 2007]. Retrieved from <http://demo.istat.it/altridati/permessi/2007/tav7.14pdf>
- Istituto Nazionale di Statistica [National Institute of Statistics]. (2004). “*Permessi di Soggiorno per classes di eta, sesso e regione al 1 gennaio 2001*” [Residence Permits According to Age, Sex, and Region as of January 1, 2001], Retrieved from [http://www3.istat.it/dati/catalogo/20040621\\_01/volume3.pdf](http://www3.istat.it/dati/catalogo/20040621_01/volume3.pdf)
- Istituto Nazionale di Statistica [National Institute of Statistics]. (2007). “*Popolazione residente al Gennaio 2007 per eta, sesso e stato civile*” [“Age, Sex and Status of the Foreign Resident Population as of January 1, 2007”], Retrieved from <http://demo.istat.it/pop2007/index.html>

- Istituto Nazionale di Statistica [National Institute of Statistics]. (2007). “*Popolazione straniera residente al 1 Gennaio 2007 per eta e sesso*” [Age and Sex of the Foreign Resident Population as of January 1, 2007]. Retrieved from <http://demo.istat.it/strasa2007/index.html>
- Johnson, M. (2009). New developments for the welfare of migrants in Europe . In Howson, Carlton and Momodou Sallah, *Europe’s Established and Emerging Immigrant Communities: assimilation, multiculturalism or integration*. Stoke on Trent, UK: Trentham Books.
- Laqueur, W. (2007, May 11). So Much for the European Century. *The Chronicle of Higher Education: The Chronicle Review*, pp. B 6 – B 9.
- Lemke, C. (2001). Citizenship Law in Germany: Traditional Concepts and Pressures to Modernize in the Context of European Integration. Retrieved from <http://www.sociology.su.se/cgs/LemkePaper>.
- Mastrobuoni, Giovanni, Pinotti, Paolo. (2011). Banca D’ Italia, Termini di Discussione, Numero 813, “Legal Status of Immigrants and Criminal Behavior: evidence from a natural experiment”, Retrieved from [www.bancaditalia.it/pubblicazione/econo/temidi/td11/td813\\_11en\\_td813/en\\_tema\\_813pdf](http://www.bancaditalia.it/pubblicazione/econo/temidi/td11/td813_11en_td813/en_tema_813pdf)
- Mazzitelli, Maria Teresa. (2002). *Diritto Penale ed Immigrazione tra tecniche di Tutela ed Esigenze di Riforma*. [Criminal Law: from Guardianship rules to Reform needs]. Napoli: Universita di Napoli, Federico II.
- Melossi, D. (2003). In a Peaceful Life: Migration and Crime of Modernity in Europe/Italy. *Punishment and Society*, 5(4), pp. 371-397.
- Melossi, D., & Pavarini, M. (1981). *Prison and the factory: Origins of the penitentiary system*. Translated by Glynis Cousin, Totowa, NJ: Barnes and Noble Books.
- Migration News. (2007). Turkey, Spain, Italy. Retrieved from [http://migration.ucdavis.edu/mn/comments.php?id=3326\\_0\\_4\\_0](http://migration.ucdavis.edu/mn/comments.php?id=3326_0_4_0)
- Ministero degli Affari Esteri [Ministry of Foreign Affairs]. (2007). “Popolazione legale” [Legal Population], Retrieved from [http://www.esteri.it/MAE/IT/Benvenuti\\_in\\_Italia/conoscere\\_Italia/Geograf\\_Storia\\_Popolazione.html](http://www.esteri.it/MAE/IT/Benvenuti_in_Italia/conoscere_Italia/Geograf_Storia_Popolazione.html)

Ministero Dell' Interno [Ministry of the Interior]. (2012). "Decreto Legislativo 25 luglio 1998, n. 286 (Legge Turco-Napolitano)" [Legislative Decree of July 25, 1998 n. 286 (Turco-Napolitano Law)]. Retrieved from <http://www.iinterno.it/mininterno/export/sites/default/it/sezioni/servizi/legislazione/immigrazione/legislazione-200.html>

Ministero della Giustizia [Ministry of Foreign]. (2011). [Ministry of Foreign Affairs] "Detenuti stranieri distribuiti per nazionalita e sesso, Situazione al 31 gennaio, 2012" [Nationality and Sex of Detained Foreigners]. Retrieved from [www.giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?previousPage=mg\\_1.14&contentID=SST729184](http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?previousPage=mg_1.14&contentID=SST729184)

Ministero della Giustizia [Ministry of Foreign Affairs]. (2011). "Ingressi in carcere della liberta – anni 1991-2011, Ingressi della liberta negli istituti penitenziari per adulti, Serie Storica degli anni 1991-2011" [Adults Imprisoned in Penitentiaries, Historical Series – 1991 to 2011], Retrieved from [www.giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?facetNode\\_1\\_3\\_1\\_6&previousPage=mg1\\_14&contentId=SST165653](http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?facetNode_1_3_1_6&previousPage=mg1_14&contentId=SST165653)

Ministero della Giustizia [Ministry of Justice]. (2011). "Detenuti presenti per posizione giuridica, sesso e nazionalita, Serie Storica semestrale degli anni 1991-2011" [Nationality and Sex of Persons Detained by the Courts, Historical Series by Semester 1991-2011], Retrieved February from [www.giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?facetNode\\_1=0\\_28\\_facetNode2=1\\_5\\_10&previousPage=mg\\_1\\_14&contentId=SS1](http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?facetNode_1=0_28_facetNode2=1_5_10&previousPage=mg_1_14&contentId=SS1)

Ministero della Giustizia [Ministry of Justice]. (2011). "Detenuti stranieri presenti – Aggiornamento al 30 giugno 2010" [Incarcerated foreigners as of June 30, 2010], Retrieved from [http://www.giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?facetNode\\_1=1&facetNode\\_3=1\\_0\(2007\)&facetNode\\_2=1\\_0&previousPage=mg\\_1](http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?facetNode_1=1&facetNode_3=1_0(2007)&facetNode_2=1_0&previousPage=mg_1)

Ministero della Giustizia [Ministry of Justice]. (2010). "Detenuti stranieri presenti – Aggiornamento al 30 dicembre 2010" [Imprisoned Foreigners]. Retrieved from [http://www.giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?facetNode\\_1=&facetNode\\_3=1\\_0\(2007\)&facetNode\\_2=1\\_0&previousPage=mg\\_1](http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?facetNode_1=&facetNode_3=1_0(2007)&facetNode_2=1_0&previousPage=mg_1)

- Ministero della Giustizia [Ministry of Justice]. (2012). “Detentuti presenti – Aggiornamento al 29 febbraio 2012” [Imprisoned Persons]. Retrieved from [http://www.giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?previousPage=mg\\_1\\_14&contentId=SST735805](http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?previousPage=mg_1_14&contentId=SST735805)
- Ministero della Giustizia [Ministry of Justice]. (2012). “Detenuti presenti italiani e stranieri – Anni 1991 – 2011 [Imprisoned Italians and Foreigners – Years 1991 – 2011]. Retrieved from [http://giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?previousPage=mg\\_1\\_14\\_&contentId=SST165666](http://giustizia.it/giustizia/it/mg_1_14_1.wp?previousPage=mg_1_14_&contentId=SST165666)
- Ministero della Giustizia [Ministry of Justice]. (2012). “Detenuti stranieri presenti – Aggiornamento al 31 gennaio 2012: detenuti stranieri distribuite per nazionalità e sesso situazione al 31 gennaio 2012” [Nationality and Sex of Foreigners Detained and Present as of January 31, 2012]. Retrieved from [www.giustizia.it/giustizia/it/mg\\_1\\_14\\_1.wp?facetNode\\_1=3\\_1\\_6&facetNode\\_2=1\\_5\\_29&previousPage=mg\\_1\\_14&contentId=S](http://www.giustizia.it/giustizia/it/mg_1_14_1.wp?facetNode_1=3_1_6&facetNode_2=1_5_29&previousPage=mg_1_14&contentId=S)
- Mori, Giorgio. (1977). *Il Capitalismo Industriale in Italia* [Industrial Capitalism in Italy]. Roma: Editori Riuniti.
- New York Times (January 30 2011). “Tunisia”. Retrieved from <http://topics.nytimes.com/top/news/international/countriesandterritories/tunisia/index.html?scp=2&sq=Tunisia+++2011&st=cse>
- Pignatelli, S. and K. Hope. (2011). Italy main gateway for illegal migration to the European Union. <http://www.ft.com/intl/cms/s/0/8df0d02c-96bb-11e0-baca-00144feab49a.html>
- Palidà, S. (2000). *Società e Inserimento Degli Immigranti a Milano: Una Ricerca per il Comune di Milano* [Society and the Integration of Immigrants]. Milano: F. Angeli.
- Parati, G. (2005). *Migration Italy: The art of talking back in a destination culture*. Toronto, Canada: University of Toronto Press.
- Pipes, D. (2007). EurAsian Nights. *The National Interest*. Retrieved from <http://www.nationalinterest.org/Article.aspx?id=13710>
- Radio Televisione Italiana (RAI) International, (2007). Immigrazione e rapporti fra lingue” [“Immigration and Relations between Languages]. Retrieved from [http://www.italica.rai.it/principali/lingua/bruni/lezioni/f\\_II2.htm](http://www.italica.rai.it/principali/lingua/bruni/lezioni/f_II2.htm)

- Radio Televisione Italiana (RAI) International, (2007). Due modelli per l'immigrazione: integrazione o sviluppo separate? [Two models for Immigration: Integration or Separate Development?]. Retrieved May from [http://www.italica.rai.it/principali/lingua/bruni/lezioni/f\\_II3.htm](http://www.italica.rai.it/principali/lingua/bruni/lezioni/f_II3.htm)
- Radio Televisione Italiana (RAI) International, (2007). "Gli Insediamenti Albanesi in Italia" ["The Settlement of Albanians I Italy"]. Retrieved from [http://www.itlica.rai.it/principali/lingua/bruni/lezioni/f\\_1v3.htm](http://www.itlica.rai.it/principali/lingua/bruni/lezioni/f_1v3.htm)
- Radio Televisione Italiana (RAI) International, (2007). Invasioni albanesi in Italia? ["Invasion of Albanians in Italy?"]. Retrieved from [http://www.italica.rai.it/principali/lingua/bruni/lezioni/f\\_III1.htm](http://www.italica.rai.it/principali/lingua/bruni/lezioni/f_III1.htm)
- Radio Televisione Italiana (RAI) International, (2007). "Italia ed Emigrazione" [Italy and Emigration]. Retrieved from [http://www.italica.rai.it/principali/lingua/bruni/lezioni/f\\_III1.htm](http://www.italica.rai.it/principali/lingua/bruni/lezioni/f_III1.htm)
- Ragan, C. & Laura J. (2006). Note: Educating the Undocumented: Providing Legal Status for Undocumented Students in the United States and Italy Through Higher Education. *Georgia. J. International and Comparative Law*, 34.
- Santoro, E. (2004). *Carcere e Societa Libera* [*Liberal Society and Imprisonment*]. 2nd Edition. Torino: G. Giappichelli.
- Scheffer, P. (2011), *Immigrant nations*. Cambridge, UK: Polity Press.
- Schneider, J. (Ed). (1998). The dynamics of neo-orientalism in Italy. *Italy's "Southern Question": Orientalism in One Country*. New York: Berg.
- Shimmel, N. (2006). "Welcome to Europe, but Please Stay Out: Freedom of Movement and the May 2004 Expansion of the European Union". *Berkeley Journal of International Law*, 24, p. 760.
- Sniderman, P. M., et al., (2000). *The Outsider: Prejudice and Politics in Italy*. Princeton, NJ: Princeton University Press.
- Solivetti, L. M. (2004). *Immigrazione Integrazione e Crimine in Europa* [*Crime and The Integration of Immigrants in Europe*]. Bologna: Societa Editrice Il Mulino.

Ter Wal, J. (2000). The Discourse of the Extreme Right and Its Ideological Implications: The Case of the Alleanza Nazionale on Immigration. *Patterns of Prejudice*, 34 (4) pp. 37-51.

Times Digest, Editorial. (2007, July 7). "Immigration Malpractice", *Times Digest*, p. 7.

Totah, M. (2003). Fortress Italy: Racial Politics and the New Immigration Amendment in Italy. *26 Fordham International Law Journal.*, 26, p. 1438.

Vassali, G. (2006). *Diritto Penale e Giurisprudenza Costituzionale. [Rights Under the Criminal Law and Constitutional Jurisprudence]*. Napoli: Edizioni Scientifiche Italiane.

Zanardi, C. (2001). *L' Esecuzione Penitenziaria Nei Confronti Dei Condannati Stranieri. [Penitentiary Performance in Relation to Foreigners Condemned to Imprisonment]*. Bologna: Universita Degli Studi di Bologna.

Zanchetta, P. L. (1991). *Essere Stranieri in Italia. [Being Foreigners in Italy]*. Milano: F. Angeli.

Zanfrini, L. (1998). *Leggere le Migrazioni: I Risultati Della Ricerca Empirica, Le Categorie Interpretative, I Problemi Aperti. [Assessing the Migrations: Results of Empirical Research Regarding Interpretive Categories and Open Problems]*. Milano: F. Angeli.

Zanfrini, L. (2004). *Sociologia Della Migrazioni. [The Sociology of Migrations]*. Roma: Editori Laterza.

Zincone, G. (2006). International Migration, Integration and Social Cohesion (IMISCOE), Working Paper 12, "Italian immigrants, migration policy making: structure, actors and practices", Retrieved March 4, 2012 from <http://dare.uva.nl/document/39856>