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States of exception: securitisation and irregular migration in the Mediterranean

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Waiting for the Barbarians

What are we waiting for, assembled in the forum?
The barbarians are due here today...

Why are the streets and the squares emptying so rapidly,
everyone going home so lost in thought?

Because night has fallen and the barbarians have not come.
And some who have just returned from the border say
there are no barbarians any longer.

And now, what's going to happen to us without barbarians?
They were, those people, a kind of solution.

(Costantino Kavafis, 1904, translated by Edmund Keely¹)

Introduction

In this poem Kavafis offers a metaphor of any state which needs enemies, real or imaginary, as a perpetual reason and excuse for its own existence. *The barbarians are due here today*; normality is suspended and the *polis* is drawn in a state of emergency. The frontier is controlled with a mix of fear, anxiety and anticipation, but ironically *there are no barbarians any longer*. Suddenly, the border seems useless, and life itself loses its deep significance.

Also for Giovanni Drogo, the tenant assigned to the defence of Fortress Bastiani in Buzzati's "Il deserto dei Tartari", barbarians are a kind of solution. Their expected but always postponed invasion shapes days and routines, biographies and powers. Individuals and institutions find a purpose in the perpetual waiting for an enemy. Rather than being exceptional, emergency becomes permanent. Fortress Bastiani, built in a time shaped by the mythology of a war and now lost in the middle of nowhere resembles the borders of Fortress Europe after the end of the Cold War. Throughout the book, the event of the invasion is almost forgotten, but barbarians do not lose their function for the main character until the end.

Drawing from Kavafis' and Buzzati's images of barbarians, this paper analyses the process of securitisation of irregular migration from Sub-Saharan Africa ("SSA") to Italy, discusses a change in the meaning of security in the Mediterranean Sea and tries to understand what kind of solution is represented by our modern barbarians, the irregular migrants.

A third important coordinate for our argument can be found in an essay about the meaning of violence in contemporary civil wars in Africa, when, in order to provide a compass for his study, David Keen quotes Foucault's approach to the 'Gulag question':

If one begins asking for the "cause" of the Gulag (Russia's retarded development, the transformation of the party into a bureaucracy, the specific economic difficulties of the USSR), one makes the Gulag appear as a sort of disease or abscess, an infection, degeneration or involution.

This paper is a revised version of the author's dissertation submitted in September 2008 to the School of Oriental and African Studies of the University of London for the award of an MSc in Violence, Conflict and Development.

¹ In C.P. Cavafy. *Collected Poems*, Princeton: Princeton University Press, 1975.

This is to think of the Gulag only negatively, as an obstacle to be removed. [...] The Gulag question has to be posed in positive terms. The problem of causes must not be dissociated from that of function: what use is the Gulag, what functions does it assure, in what strategies is it integrated? (1997: 2)

In our case, rather than focusing on the causes of irregular migration, already explored by developed conventional, functionalist and Marxist literature, it is necessary to pose the securitisation question in its positive terms, analysing the problem of its functions: what use is the securitisation of irregular migration? What function does it fulfill? In what strategies is it integrated?

Therefore, this paper discusses irregular migration from the point of view of the development and the order of one destination country, Italy. In particular, it studies possible relations between a “greed for sovereignty” in a Northern state, associated with the production of tough laws on irregular migration, and the greed for “economic security” of its society. Thus, the aim is presenting an interpretation, rather than an extensive review of the legislative and empirical body on the subject.

This paper tries to fill a specific gap in security studies. Critical security studies usually discuss migration on the ground of concepts of surveillance, biopolitics and sovereignty, differently relying on, amongst others, the works of Weaver, Bigo, Huysmans and Duffield. What is strikingly interesting though is that these authors do not analyse the ways in which the securitisation of irregular migrants creates spaces for their exploitation inside the border.

It is argued here that these two aspects are integrated in the same strategy. A permanent state of exception is functional to the permanent state of exploitation of the irregular on the territory, which satisfies the economic security of some sectors of Italian society. Hence, the irregular migrant is in many ways similar to the Foucauldian interned or the Agambian encamped, yet different in that he is allowed to exist as long as he remains invisible and productive.

A problematic interpretation of state borders and economic and social boundaries is thus introduced. The relation described will also allow us to attempt some considerations of the role of the state and economic forces in Italian society, where an unequal and asymmetrical globalisation process legitimises both the state retreat and its reassertion from the frontier.

Within this theoretical framework, the paper is structured in three main sections, each one divided on three levels - theory, practice and data - in order to anchor the main argument on empirical evidence. In the first section, the ways in which Sub-Saharan African irregular migration into Italy has been securitised in the last decade are discussed. Starting from the concept of securitisation elaborated by the Copenhagen School, the expansion of policing practices is presented to demonstrate the militarization of borders.

The second section attempts to understand why migration has been securitised and what its functions are. According to a first interpretation, a greed for state sovereignty is satisfied from the border, where the norm is transcended by the exception and a friend/enemy distinction is drawn. The Agambian vision of the irregular migrant as *homo sacer* is adopted. Following the migrant beyond the border leads to a second analysis. Securitisation is presented as a continued technique of governmentality, which has constitutive effects upon the normal. Irregulars are inside a border, but still outside the boundaries of citizenship and visibility.

In the last section, the moment of the sovereign is integrated with the moment of exploitation. Barbarians are accepted as bare life, as long as they can be useful to specific sectors of the Italian economy. Citizenship justifies the establishment of a durable inequality.

As expressed in the paper's title, our argument starts from the concept of securitisation elaborated by the Copenhagen School. This concept refers to the production of danger and describes a shift in the realm of security from military to other issues, such as migration or the economy². According to Weaver, security is a "speech act" and it is therefore more about perceptions of vulnerabilities than objective threats (1995: 55). Therefore, there are no security issues in themselves, but only issues constructed in that way by certain actors and then accepted by the audience as such. More specifically,

[s]ecurity is about survival. It is when an issue is presented as posing an existential threat to a designated referent object [...]. The special nature of security threats justifies the use of extraordinary measures to handle them (Buzan, Weaver & De Wild, 1998: 21).

An extensive analysis of the strengths and the weaknesses of this concept is beyond the remit of our work. However, even if this perspective places constructivist approaches in a difficult dialogue with actual policy making, it has dramatically contributed to understand the widening of security practices after the end of the Cold War beyond a realist framework, allowing a fertile exploration of the merging between external and internal security in Europe.

It also offers us the chance to study security as a biographical or political solution for systemic crises and the uncertainty of everyday life. For the purpose of this work, it provides an invaluable tool for analysing the ways in which irregular migration from SSA has been increasingly seen in Italy through security lenses, to discuss how security has been used and to explore it as a field of practices.

Nevertheless, deconstructing the securitisation process of SSA irregular migration can be a challenge. A common strategy is to present changes in law provisions and media discourses and compare these findings with the numbers of arrivals, as the simple subtraction between these two dimensions could give the degree of securitisation. This exercise deserves closer attention. It is argued here that focusing on data is misleading. The next section justifies this statement, reviewing conventional approaches and proposing an alternative.

Conventional approaches and data

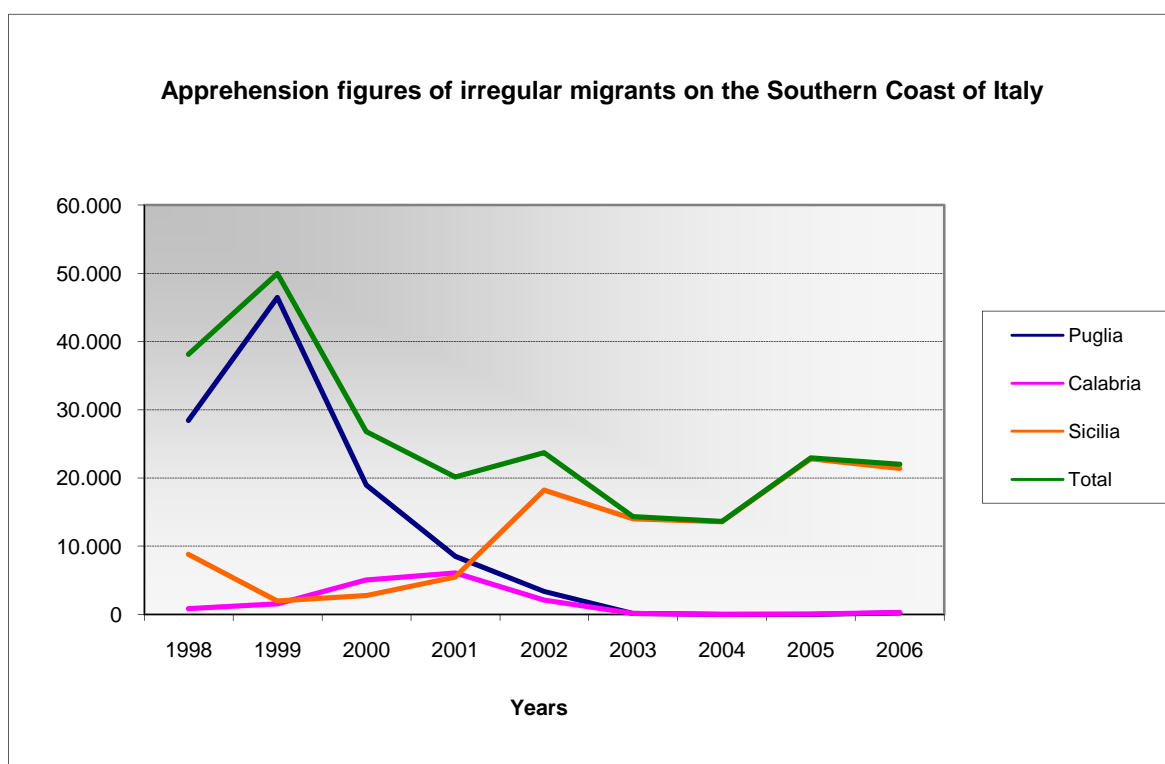
In support of the claim that SSA irregular migration has been securitised on a weak empirical basis, three conventional approaches have informed academic literature. It could be said that the first one affirms that migrants are few in absolute terms, the second one they are few in relative terms and the last one they are fewer than those needed.

The first approach tries to quantify the phenomenon. Table 1 and Figure I show the arrivals between 1998 and 2006, whilst Table 2 shows the same data for areas of origin.

² Also Wiener (1993) and Loescher (1992) study the "migration/security" nexus. However, the former is unable to provide a flexible definition of securitisation and the latter does not present any clarification of the political construction of security.

Region/Year	1998	1999	2000	2001	2002	2003	2004	2005	2006
Apulia	28,458	46,481	18,990	8,546	3,372	137	18	9	243
Calabria	873	1,545	5,045	6,093	2,122	177	23	88	282
Sardinia	-	-	-	-	-	-	-	8	91
Sicily	8,828	1,973	2,782	5,504	18,225	14,017	13,594	22,824	21,400
Total	38,159	49,999	26,817	20,143	23,179	14,331	13,635	22,939	22,016

Table 1: Apprehensions of Irregular Migrants on the Southern Coast of Italy for regions.
Source: Ministry of the Interior (2004; 2006)



Origin/Year	2001	2002	2003	2004	2005	2006
North Africa	2,398	4,017	1,676	-	15,961	15,526
SSA Africa	769	5,833	5,927	-	5,644	5,454
South Asia	3,103	5,339	1,155	-	1,164	808
Middle East	8,895	6,916	5,344	-	120	201
Balkans	4,543	1,250	62	-	19	9
Unknown	435	364	167	-	31	18
Total	20,143	23,355	14,331	13,635	22,939	22,016

Table 2: Apprehensions of Irregular Migrants on the coast of Italy for declared nationality. Source: Coslovi, 2007: 1.

As presented, from 2000 onwards no more than 25,000 boat people have arrived per year, increasingly concentrated in Sicily. Irregular entries from SSA are stable from 2002, around 5,500 arrivals per year. These trends are confirmed in 2007, when 20,455 irregulars arrived by sea (-

7.09%) but not in the first six months of 2008 when the partial number increased to 13,102, with a higher proportion of SSA migrants (6,272; *Ministero dell'Interno*, 2008)³.

Many authors debate how the immigration policies of Italy and Spain have changed numbers and routes of migrants. In particular, de Haas discusses the SSA African migration systems and their growing links with North African and Euro-Mediterranean migration networks, through an increasing trans-Saharan migration, signified by the urban expansion of Agadez and Dirkou in Niger. The phenomenon is explained as a southward shift of the European labour frontier (2007: 67).

These analyses have some merits: (i) they rely on the notion of migration systems (Mabogunje, 1970), which focuses on the political economy of routes more than destinations; (ii) they show the autonomy of African internal migration networks, overcoming a euro-centric perspective; (iii) they give migrants agency both reducing the role of traffickers in favour of that of smugglers and describing migration as a choice by relatively well-off households, determined by development and globalisation rather than absolute poverty (Van Hear, 2006: 11); (iv) they highlight the role of Libya and, increasingly, other North African states as destination countries in their own rights; (v) they tell us that migration policies have some impact on migrants' choices or, at least, on smugglers' choices, especially in authoritarian regimes.

A second conventional strategy analyses the 2002 Regularisation Scheme, which legalised 646,000 irregulars on the territory, with the aim of showing the relative significance of irregular entries by boat. According to *Polizia delle Frontiere*, just 10% of the applicants entered Italy in that way, whilst 15% entered with forged documents and 75% were "overstayers", arriving legally with a short term visa, then staying with documents no longer in order (2004: 7). In the following years, the Ministry of Interior estimated irregular entries by boat at 4% (2004), 12% (early 2005) and 14% (late 2005) of the total stock of irregulars (Cutitta, 2006: 170; Coslovi, 2007: 2).

A third conventional approach shows a contradiction between labour demand and tough laws, affirming that immigrants are not dangerous, but necessary and economically rational. These works are based on push-pull analyses. A good example is provided by Reyneri who compares the demand for workers with quotas established by government:

[A] large unsatisfied demand [...] for declared jobs [is] confirmed by the fact that most of the regularised immigrants subsequently managed to get and to retain registered jobs. For them, only the backdoor of an unauthorized entry [is] open and the underground economy carried out the functions, first, of attracting them and, second, of allowing them to work and to live till they were able to fill the regular labour demand. (2007: 7)

Reyneri adopts a survey carried out by the Union of Chambers of Commerce concerning job vacancies as a proxy of labour demand (2005: 15). The survey forecast a demand between 105-140,000 to 150-220,000 per year from 2001 and 2006 for non-seasonal immigrant workers, whilst quotas have remained stable between 11,000 and 65,000 until 2006, when they increased to a number of 120,000 (*Ministero dell'Interno*, 2007: 82). At the end of 2006, under the centre-left Prodi Government, quotas were further increased by 350,000 units, promoting de facto a

³ Preliminary data seem to confirm an increased number of arrivals for 2008 (36,900; *Ministero dell'Interno*, 2009).

regularisation for those already on the territory. In 2007, quotas were set to 170,000 units, even if applications compiled by potential employers reached the number of 655,000⁴.

These three approaches have some weaknesses. In particular, they discuss securitisation as a technical/statistical issue rather than a political one. In some senses, this means analysing the level of causes rather than the level of functions and thinking of securitisation only negatively. The debate is stuck on numbers more than how numbers are interpreted, with the faith that, if explained properly and supported by figures, securitisation can change direction and lead the subject back to the realm of politics. Our understanding of security in relation to normality and exception will be made clear in the following sections. First, though, it is argued that this specific process is independent from statistics. This statement is supported by the following reasons.

First of all, data are weak and leave ample space for different interpretations. The largest problem is that obviously irregulars do not register themselves. Hence, estimates shown above are based on police apprehension records, which do not consider those who are able to enter without being apprehended. Beyond that, fluctuations may reflect only the level of surveillance and, a biased conclusion can originate from multiple counting of the same migrant each time he/she tries to enter (Mitsilegas, 2004: 33).

Data do not even include those who have been stopped by home and transit countries and those who have died along the route (Cutitta, 2006: 170), hiding for example the role of Libya in Italian immigration policies. Further, as long as not all the groups have the same chance of being apprehended - since usually the better endowed adopt a better quality strategy - figures on relative fluxes are not conclusive. Finally, as argued by Coslovi, the Ministry of the Interior has often restricted access to its statistics (2007: 2).

The regularisation scheme adopted in 2002 presents other concerns. On one hand, the phenomenon analysed here is quite recent; on the other, regularisation has been granted upon the fulfillment of particular conditions: a working relationship, a proper remuneration, an accommodation, a valid document and the payment of a fee (between 289€ and 700€).

Moreover, since the procedure had to be conducted by employers, a number of irregulars have been left outside the scheme (*Art. 33/Legge n° 189/2002* and *D.L. 195/2002*)⁵. It is therefore necessary to avoid making definitive claims on numbers, also because measuring illegal immigration is rarely an end in itself and often the outcome of established surveillance practices (Mitsilegas, 2004: 38)⁶.

Secondly, the central question of how much is too much inevitably remains without an answer, as long as the answer is political. The idea of “sustainable migration”⁷ itself, which closely resembles the notion of societal security, is intrinsically vague. Migration can be framed in relation to crime, unemployment and barbarism or equally to integration, cosmopolitanism and economic development. Similarly, the securitisation of the coast can happen not just in spite of but because

⁴ Since 1998 privileged quotas have been granted for some nationalities (28%), on the ground of international agreements. In 2007 Italy had such agreements with Somalia (100), Nigeria (1,500), Senegal (1,000) and Ghana (1,000).

⁵ Specialised surveys provided by Caritas, Fondazione ISMU and Doctors without Borders are able to reach “invisible” irregulars on the territory but can cover only limited groups. These groups can also decide not to participate to the surveys.

⁶ A similar argument can be used for the debate on the proportion of foreigners among imprisoned, which usually does not consider differences of *status* between nationals and foreigners during the trials, kinds of criminal offence and time of imprisonment and eventually reflect choices of criminal policy. In this context, it is difficult for example to affirm that mafias or finance crimes produce in absolute terms more or less insecurity than irregular migration.

⁷ Ronchey, *Corriere della Sera*, Aug 4th 2008.

of the small number of arrivals, considering that on this border alone a symbolic control can be proved (Bigo, 2002: 65).

In such a context, however, numbers take a life of their own and are absorbed as official truths. Different sources and definitions are mixed together; diverse phenomena, such as African migration and mobility from Eastern Europe after the EU enlargement conflate in the same discourse. Metaphors of fluidity, such as “flow” or “wave” evoke natural disaster and help in describing immigrants as an undifferentiated mass (Pugh, 2004).

Interestingly, if numbers are used to enflame the rhetoric of a “Sieve Europe”, they are also part of the mirror rhetoric of “Fortress Europe”, which adopts a human security grammar, depicts migrants as victims of traffickers and fears the birth of an authoritarian democracy (Bigo, 2005). These two powerful narratives are increasingly merged by politicians, security practices are often enforced in a humanitarian framework and humanitarianism works for containment, in a process that closely resembles repatriation policies for refugees (Chimni, 2000).

Law, border controls and externalisation

A good way to study the process of securitisation is to analyse techniques of border control (C.A.S.E., 2006: 457). First, though, a brief review of the legal framework is necessary in order to describe the criminalisation of the migrant.

There is a tension between laws and practices, since laws have been a slow response to a perceived vulnerability. This hiatus has left room for emergency measures which are not always in line with national and international provisions on human rights and refugee protection (Human Rights Watch, 2006). Nevertheless, since the early 1990s restrictions for immigration have increased, from the introduction of visas (1992) to significant changes in national legislation.

The first comprehensive immigration law arrived in 1998 under the first Prodi government (n°40/1998) and established the quota system still valid today. In 2002, the law was revised by the so-called Bossi-Fini (n°189/2002), cornerstone of the centre-right migration policy, which restricted access to the permit of stay, by eliminating the chance to enter through a sponsor.

Since then, admissions have been granted on the basis of an existing job offer (Art. 5, 6). Family reunion and permit renewals were restricted, together with other significant changes in both the content and the procedures of the application process. In some sense, however, the most relevant innovation had been introduced by Prodi (1998) with the creation of *Centri di Permanenza Temporanea* (CPTs) (Art. 14), identification/detention camps for holding irregulars before their expulsion.

These camps institutionalised an emergency procedure, whose model dates back to 1991, when the Italian police provisionally placed illegal Albanian migrants in the stadium of Bari before their expulsion. The event is described by Agamben as a contemporary materialisation of a state of exception (1998: 174). Its transformation into a proper technology of power and its effects upon the normal as a biopolitical procedure will be discussed further in the following sections. For the purpose of this section, it is worth noting a relative continuity between choices of different political parties.

Whilst the second short Prodi Government (2006-2008) was unable to determine a revision of the subject, some significant changes are due to arrive with the new centre-right coalition (2008-current), which won the elections on security and immigration issues. The *ddl* 733/2008 in fact extends the detention before the expulsion virtually until 18 months and transforms irregular

presence from an administrative offence to a penal one, punishable with imprisonment (6 months - 4 years) (Art. 9). It is not excessive to affirm that this provision would subvert the nature of the Italian penal system, producing a *vulnus* in the constitutional architecture of the state and formalising the criminalisation of the migrant, judged for a subjective condition rather than his/her behaviour (ASGI, 2008: 13). The legislative *iter* seems though tortuous⁸.

However, the attitude shown by the government has already induced irregulars to reduce their visibility, for example limiting their access to health care out of fear (*S.I.M.M.*, 2008). These provisions, together with the Government's choice to extend to the entire national territory a state of emergency for the "persistent and exceptional" arrival of irregular migrants (*Consiglio dei Ministri*, July 25th 2008), the deployment of 3.000 military personnel in the main cities for security reasons (July 24th, 2008) and the proposal of biometric identification for Roma and Sinti minors (June 26th, 2008), describe an overall process of securitisation beyond irregular migration.

The intensification of border controls has involved the deployment of semi-military and military hardware in the prevention of immigration by sea, through interception and rescue activities operated by the *Guardia di Finanza* - which is a military force - and the Italian Navy. This process has developed in three directions: unilateral, bilateral (Libya) and multilateral.

Owing to the Balkan crises, during the Nineties the *Guardia di Finanza* budget almost tripled and its staff grew by about 28% (Lutterbeck, 2006: 65). More recently, the force has been significantly upgraded in its aero naval sector and extensively equipped with thermal cameras and infrareds⁹. This development has been intertwined with growing cooperation with Libya. Fighting irregular migration has been the password for moving the political and energetic equilibria in the region, through the rehabilitation of Gaddafi, the construction of a gas pipeline from Libya to Italy and the lifting of the embargo (2004) (Betts, Milner, 2006: 12; Cutitta, 2006: 186).

Since then, technology has been the backbone of cooperation, from the 100 Zodiac boats and 1,000 body bags offered in 2003 to the creation of a substantial Libyan maritime patrol force, based on technology produced by Alenia Aeronautica-Finmeccanica and Agusta¹⁰. Contracts have been also supported by the creation of a new company, LIATEC, between the two Italian groups and the Libyan Aviation Industry, which guarantees a key role for Italy in upgrading the Libyan forces (Finmeccanica, Jan 17th 2006).

Cooperation in this sector has continued both under Berlusconi and second Prodi government, when the Ministry of Interior signed a Protocol on irregular migration, which provided Libya with an additional 6 Patrol Boats (Dec 29th 2007)¹¹. In this way the Italian government has tried to substitute interception in high seas with interdiction by Libyan authorities, further blurring the distinction between internal and external security.

⁸ In February 2009, the *ddl* 733/2008 has passed a first voting in the Senate. The norm on the 18 months of detention has been removed. On the other hand, two other relevant sections have been approved: (i) doctors and health workers are allowed to report irregulars who have accessed health services to the police; (ii) migrants who apply for the permit of stay are asked to pay a fee, from 80€ to 200€

⁹ Acquisition in 2006 of a fourth ATR 42 MP (500) and a second P-180 among aircrafts and three new *Guardacosta* Bigliani VI, five *Vedette* "Folco", two *Vedette* 2000, two 35 m Fast Patrol Boats and five 27 m Coast Patrols among boats (Guardia di Finanza, 2006: 15).

¹⁰ Libya acquired between 2006 and 2008 nine ATR 42MP and ten Agusta Westland A 109 Power (111 millions €) (Alenia Aeronautica, Jan 17th 2008).

¹¹ Interestingly, the 2007 Protocol was signed within a comprehensive Cooperation Agreement and closely after a historical energy policy agreement, which extends ENI gas and petrol concession in the country respectively until 2042 and 2047, for an overall investment of almost \$29 billions.

The militarization of the border has thus been merged with the process of externalisation, which is probably its most critical aspect, because of Libya’s record on human rights and refugee protection (Hamood, 2006). Since 2004 Italy has also financed the creation of detention centres in the desert, with no notification to the National Parliament until August 2005 (De Zulueta, 2005).

In this context, “non-arrival policies” have sometimes taken the form of expulsions (Cutitta, 2006: 195). According to Human Rights Watch, from 2004 to 2006, the Italian Government expelled more than 2,800 migrants – possibly including refugees – back to Tripoli, where the government sent them on to their countries of origin, and has also paid for the repatriation of another 5688 migrants directly from Libya (2006; see also Hamood, 2006: 66; EP, 2005; ECHR, 2005).

The Italian Navy coordinates deep sea surveillance¹², especially through 18 BR1150 Atlantic aircraft, old Cold War submarine hunters, whose activities are often integrated with the NATO Operation “Active Endeavor”. Such operation has evolved out of the Alliance’s response to September 11 under Art. 5 of the Washington Treaty and exemplifies the NATO’s attempt to produce a strategic concept beyond the Soviet menace. The Operation’s mandate is counter-terrorism. In practice, sea patrolling, pipelines surveillance and ship protection are the main activities. In official press releases, control of irregular migration is defined as a “beneficial by-product” of a “suspicious activity” that can easily cover drugs, weapons and terrorists¹³ (Ulrich, 2006; Sanfelice, 2003¹⁴).

Since 2003 Italy has also supported operations with other Southern European countries or within FRONTEX¹⁵, the EU Agency for the management of external borders¹⁶. The Agency has been able to reach, by agreement, the coast of Mauritania and Senegal. A problematic definition of territorial boundaries thus sustains practices and institutional changes, signifying an expansion of the relation between sovereignty and security.

On data concerns, it is significant that the Agency’s Reports consider numbers of migrants intercepted/diverted as the main key variable for evaluation (2007). It is also interesting how the limited extension in time and space of the operations – only a few weeks - recalls what Bigo defines as the myth of mastering the frontiers backed by politicians (Ceyhan, Tsoukala, 2002: 34). Lastly, it is worth noting that the answer to the difficulties of border control has been understood as transnational, technical and financial. Accordingly, cooperation, upgraded security technology and investments have become magic bullets for fighting migration, as shown by the rapid expansion of the FRONTEX budget:

Year	Budget (€)
2005	6,280,202
2006	19,166,300
2007	42,150,300
2008	70,432,000

Table 3: FRONTEX budget.

Source: (<http://www.frontex.europa.eu/finance>)

¹² Operation Constant Vigilance: 1400h/naval and 218h/aereo per month; 2005.

¹³ Rome finances the Operation (€8 millions in 2008, DL. 8/2008).

¹⁴ Admiral Sanfelice himself demonstrates in the same paper to be aware of the current risk of blurring of internal and external security practises.

¹⁵ Established in 2004 (EU Official Gazette, L 349/1, 25.11.2004).

¹⁶ Operation Nautilus I (Oct 5th-15th) and II (Jun 25th-Jul 27th) and Operation Hermes (Sep 19th-Oct 9th).

Within the budget, sea patrolling has been financed with €9,229,300 in 2006 and €16,665,000 in 2007, becoming the most substantial item in the operational budget, even after the creation of a rapid border intervention force in 2007 (450 agents).

The functions of securitisation

The aim of this section is to go beyond the idea of securitisation as an abnormal move from politics and life, analysing the functions that security and emergency measures assure in modern societies. The empirical basis of the previous section will be discussed within a theoretical perspective that allows us to clarify our understanding of security in relation with the genealogy of sovereignty, in the Schmittian sense of a friend/enemy boundary. If the Copenhagen School links migration to the problematic formula of societal security, this paper will interpret it from a concept of “political security”, or “greed of sovereignty”, which considers borders and their transgression one of the last *loci* where the state can claim its role.

In this section, sovereignty is thus studied in its vertical (and classical) dimension – state, border and migrant – whilst at the end of the section a Foucauldian perspective will help in considering it as a technology of the self. This vertical dimension, however, allows us to closely examine the effect of the relation between state and irregulars, leading to the Agambian notion of bare life.

In his *Homo Sacer* (1998), Agamben explores Schmitt’s concept of the political based on a decisionist perception of sovereignty. Sovereign is he who decides what is emergency, by suspending normality. He can place himself outside the law and he is the only one allowed to suspend it with the end to preserve political order. Sovereignty is thus about the production and reproduction of a boundary between us and them. Two considerations are necessary.

The first one is about borders and boundaries. Irregular migration involves border crossing, and it is therefore a *transgression* that can be constructed as a threat to sovereignty. The myth of Rome’s foundation offers an archetypal example of this relation. When Romulus received from local deities the right to sovereignty, he was able to dig the first boundary of the city, the sacred *pomerium*. Remus desecrated the trench and was therefore punished with death. Remus, who came from a pastoral lawless land, did not comprehend the birth of the state and the juridical order. He represents the Foucauldian “chaotic heterotopias in the world” (1989) and is killed for his transgression. Remus, the *barbarian*, is thus sacrificed in Roman representations, materially and symbolically, throughout the city of Rome itself and its sacred space, the *pomerium* (Fraschetti, 2003: 25).

The original sin of such Schmittian process is a normative/descriptive ambiguity, since the theory can easily work as an ideology of the authority, in particular when, like in Agamben, the sovereign is treated as a *princeps*. In its first sense, nevertheless, this point helps us in comprehending how migration, and the *desecrating* irregular migration, is politically constructed as a risk, because the state (and its territory) is conceived as a “body” or a “home”. These metaphors are embedded in the sovereignty myth and based on the sense that power is about mastering space or, more interestingly, mastering populations. It is possible in this way to understand the militarization of the border and, above all, the militarization of the citizenship shown in the previous section.

It is appropriate to affirm then that modern borders demarcate belonging and non-belonging and authorise a distinction between the norm and the exception along this trench (Rajaram, Grundy-Warr, 2008: IX). This shift is exemplified in Agamben by a Foucauldian interpretation of Schmitt’s decisionism (1998: 6). The division between *us* and *them* does not imply simply exclusion, but an exception. Accordingly, “the ordering of space is [...] not only a taking of land [...]” –

inside/outside – “but above all a taking of the outside” – norm/exception (Agamben, 1998: 19). The juridical theory of the German author encounters biopolitics¹⁷, perhaps in the process betraying Foucault’s non-institutional approach to the problem of power.

In his *History of Sexuality*, Foucault introduces biopolitics as “the administration of bodies and the calculated management of life” (Foucault, 1984: 258). This power over life evolved in two forms: if the first one has been about the discipline of the body, the second one closely concerns our argument, concerning the bio-regulation of the populations, with the emergence of the problems of birth rate, longevity, public health, housing and, interestingly, migration (*Ibid*: 262). Agamben convincingly develops the notion that in modern society power originates from the management of life to its more archetypical dimension, through the concept of bare life, which provides a second important point for our argument.

In Agamben, the paradigm of bare life is the *homo sacer* – sacred man - a figure of the archaic Roman law included in the juridical order “solely in the form of his exclusion” (1998: 112). He was banned and might be killed by anybody but still not sacrificed. In this sense, he was not part of the *polis* as political life but just as biological life. Accordingly, he was not a citizen, but he lived among citizens. A simplistic reduction of the “Schmittian exception” to the concept of border is thus abandoned, in favour of another boundary: citizenship or belonging.

It is easy to recognise in these reflections the words of Hanna Arendt on the problematic relation between human/civil rights and the condition of stateless people (Rovelli, 2006: 268). Citizenship becomes an exclusionary practice, which vivifies and makes coherent the norm. And it is not a case that the Nazi camp becomes the paradigm of the space where bare life is produced by the sovereign.

Before entering the camp, in fact, Jews were denationalised and deprived of any political status. Agamben convincingly argues that camps were not created by ordinary law, but out of a state of permanent and “willed” exception. Emergency measures entered the realm of normality and became institutions which celebrate the moment of the sovereign. The camp was outside the normal juridical order, but still included. This is why, Agamben says, Hannah Arendt could affirm that in the camp “everything is possible” (*Ibid*: 170).

In some sense, Agamben describes a “genealogy of sovereignty” through emergency, exception, normality and bare life. It is now possible to interpret the empirical evidence of the first section under a different light. The irregular migrant can be considered a *homo sacer* and securitisation as a move along this “genealogy”. It is arguable then that a “greed of sovereignty” is satisfied from the frontier. This is thus the first function of the securitisation process identified by this paper. It follows that citizenship is here considered a place of the state’s reassertion.

Agamben gives us a valuable hint for our argument, adopting as an example of the state of exception the already cited stadium in Bari, where the Italian police herded Albanians before their expulsion (*Ibid*: 174). In that stadium, though, “everything was not possible”. Similarly, the archetypical form of the Nazi camp has not been reached in any of the technologies adopted by Italy on irregular migration. Nevertheless, an analogy can be drawn¹⁸. This section deals with two of its empirical manifestations.

¹⁷ Indeed, the relation between sovereignty and the Agambian exception is more complex than the one between sovereignty and the Foucauldian confinement: “[...] What is outside is included not simply by means of interdiction or an internment, by rather by means of the suspension of the juridical order’s validity” (*Ibid.*, 1998: 18). Therefore, the exception does not subtract itself from the rule, but in so far as the moment of sovereignty, constitutes itself as a rule.

¹⁸ Agamben himself proposes this interpretation during an interview at *Il Manifesto* (Nov 3rd 1998).

This analogy can be restricted to the *Centri di Permanenza Temporanea*¹⁹ (“CPTs”) as a form of biopolitics (Rovelli, 2006). Through these structures, irregulars are in fact expelled from the body of the society but still contained. They are, in fact, in a space of exception, where the sovereign asserts his power over bare life while neglecting a juridical status.

Migrants are symbolically deprived of citizenship, interned for a subjective condition and virtually already outside the territory. In some sense, thus, within the *Centri* the militarization of citizenship is ritually completed. It is interesting to note that fourteen CPT’s (11,742 places per year) are unable to intern - and expel - all the irregulars traced in the territory²⁰, making casualty a key factor of the expulsion itself (de Mistura, 2007: 5). Nonetheless they fulfill their symbolic function.

Ex lege, expulsion can be either intimated or realised through the accompaniment to the frontier (n°40/1998). This second option is ordered by the Ministry of the Interior, the state’s representative on the territory or - in certain cases - a judge. The “administrative detention” within a CPT is ordered for identification and whenever the expulsion is not practically possible, for example when a proper transport is necessary (Art. 14). In any case, detention cannot last more than 60 days. Expulsion is ordered for the irregular entrants (clandestini), “overstayers” and those who are considered dangerous (Art. 13).

In the so-called Bossi-Fini, police accompaniment - and its actual form, the detention in a CPT – has become the norm (Art. 13), making intimidation a residual provision (Art. 14/5). Military and police forces assure the CPT security, the identification of the migrants²¹, their control and, finally, repatriation, while the Italian Red Cross participates in the management of the centres. Until 2006, UNHCR, journalists and NGOs were not allowed to access these structures without notice (Amnesty International, 2005)²².

In as much as it is a restriction of personal freedom, the decision to hold an irregular has to be ratified by a judge (C.C. 105/2001). It can then be appealed but the expulsion is not suspended (*Ibid*: 63)²³. If within 60 days repatriation has not taken place, the irregular is given freedom. In 5 days, however, the migrant has to leave the country. Otherwise she is arrested (for 6 months to 4 years). It is possible to appeal but, again, expulsion is not suspended.

In such a situation, the migrant usually chooses to live as irregular in the country. In some sense she is accepted by the state just as *homo sacer*. She is similar to the Agambian encamped, yet different, since she is allowed to live as long as she remains “invisible”. This is a relevant difference for our argument. She is, in fact, inside a border but still outside the boundary of citizenship. It is therefore argued that in the CPT a boundary between belonging and non-belonging, political life and bare life, is drawn. This is the second function of the process of securitisation identified by the paper.

However, the migrant’s reduction to bare life can be studied from another perspective. In some sense, this process is performed along the route and then just ratified within a CPT, which is the last step of a long and dangerous journey. Journalist investigations and qualitative research

¹⁹ Now called *Centri di Identificazione ed Espulsione* (CIE).

²⁰ 11.087 out of 119.000 in 2005 and 7.350 out of 124.000 in 2006 (de Mistura, 2007: 17).

²¹ Interestingly, expulsion implies a biometric identification, within the Schengen Information System and EURODAC (ASGI, 2004: 26), which confirm the biologisation of politics produced through securitisation (Fierke, 2007: 116). Migrants are thus managed individually (Ceyhan, 2005 :226).

²² Since the whole procedure of expulsion is conditioned by bureaucracy, actual practices are crucial, especially for refugees (Doctors without Borders, 2003; Commissione de Mistura, 2007).

²³ This is the case also for asylum seekers whose application has been rejected once and have, consequently, appealed to a Tribunal (Act 189/2002).

describe how the SSA irregular migrant, who consciously decides to face the Sahara and then the sea, is progressively stripped of money and documents along the route (Gatti, 2004; Hamood, 2006). The image of the irregular as bare life is thus better described by those who are fighting for their survival in an abandoned boat in the middle of the Mediterranean Sea or those stranded in the desert. This statement makes some relevant considerations possible.

Firstly, such an approach avoids a Eurocentric perspective focused on destination countries, which reduces what is often a long-term strategy to its final passage. It also conciliates a powerful theoretical framework (biopolitics) with the findings of conventional literature on migration networks and qualitative research on the subject²⁴. Therefore, through immigration policies the costly reduction to bare life is outsourced to the difficult journey. Accordingly, attention has to be given to the entire route, resources and agency of the migrant, which constitutes a problematic space of resistance. This slow process of reduction to bare life *on the route* is mirrored by the already cited metaphors of fluidity which conceive of migrants as molecules in a liquid, as bare life (Turton, 2003: 10).

It is specifically on the bare life of the abandoned boat that the two powerful grammars of “political security” and “human security” conflate. The boat as a space of exception is thus also a place of ambiguity, where bare life is managed both by the sovereign and the humanitarian. This contradiction is signified by security professionals, who manage both rescue and deportation. This is a biopolitical *locus* in the sense that the sovereign can actually “foster life or disallow it to the point of death” (Duffield, Widdell, 2004: 4).

***Homines sacri* and wasted lives**

The marginalisation of the migrant is not a “careless expulsion, but a careful placing outside of the declared boundaries of the norm” (Rajaram, Grundy-Warr, 2006: XXI). This careful expulsion, signified by the police accompaniment to a CPT, makes the *homo sacer* the model for Bauman’s *wasted lives* (2004: 41). Interestingly, Bauman tries to link the political and the economical. Before exploring this point though, some considerations are necessary.

The Agambian juridico-institutional structure of sovereignty is in fact problematic. Two questions remain unanswered: what is the nature of the sovereign? What is the nature of the order produced? Agamben does not develop these two questions and seems to exclude the idea that sovereignty can be a contested concept between the political (the state) and the economical (the market), that both of them can produce a project of order, or be integrated in the same strategy. Moreover, these two categories can be empirically decomposed in different actors and agendas.

Secondly, the Italian philosopher decides not to explore the production of bare life within globalisation. For the purpose of this paper, however, the fact cannot be underestimated that it is significantly more difficult to cross a (Italian) border if one is poor, Arab or African and that globalisation creates its own boundaries, between the “global rich” and the “local poor” (Anderson, O’Dowd, 1999: 598; Bauman, 1998). Borders, thus, act as asymmetrical political membranes, which territorially exclude certain actors whilst assuring access for desirable entries (Andreas, 2003: 80).

Another consideration can be drawn from the “sovereignty’s genealogy” of Agamben. If bare life is not produced just on the borders, but beyond it, on the African part of the route, relevant questions on the power of exception of European countries and the nature of their biopolitical

²⁴ In this way, the effects of immigration policies on a migrant’s choices are recognised.

sovereignty arise. Securitisation creates new forms of asymmetrical global governance. Duffield has opened a fertile field of enquiry in his *Getting Savages to Fight Barbarians* (2005) adopting a Foucauldian approach to the development/security nexus.

It can be argued though that, following the Agambian juridico-institutional approach, migration allows a transnational reassertion/consolidation of the state “against” liberal projects of governance, e.g. controlling disorder rather than promoting order; and that in this reassertion some states have more power than others (See also Duffield, Waddell, 2004). Not accidentally, in a few years “security” has substituted “democracy” in European relations with North Africa. This shift has re-opened room for a realist way of making foreign policy, based on the blurring of “internal” and “external” practices²⁵.

Some of these points are recognised by Bauman. Notably, for example, his wasted lives are both products of a modern project of order (like *homines sacri*) and of economic development. An “economic security” is linked to a notion of “political security” through a relation of substitution. Bauman affirms that the economic uncertainty provoked in European globalised societies is intentionally diverted by politicians against migrants, which offer an alternative and easy target (*Ibid*: 71).

The state, weakened in its control over the economy, reasserts its sovereignty from citizenship. In what Beck has defined as risk society (1992), securitisation becomes a biographical and political solution to the uneasiness of everyday life. The next section will clarify why this interpretation does not exhaust the meanings of the relation between “greed of sovereignty” and “economic security”.

Beyond the border and the exception

If irregular migrants are allowed to enter society as bare life, an inquiry on the functions of securitisation inside the border is necessary. This section is concerned with this shift from exception to normality and will guide our argument almost to its final point. In this sense security, rather than being just a juridical *dispositif*, is a Foucauldian “technology of the self”. Such a theoretical stance, adopted by several critical scholars (Bigo, 2001; Huysmans, 2005), implies a move from a vertical (theory of the state) to a horizontal (analytic of power) perception of power. Government is abandoned in favour of governmentality. Securitisation is not celebrated solely in the constellation of camps around Europe, but passes through the individuals, which become active in the reproduction of power and the boundary of citizenship.

Securitisation emerges as a transversal political technology used as a mode of governmentality by politicians and, above all, (in)security professionals to “play with the unease, or to encourage it [...] so as to affirm their role as providers of protection [...] and to mask some of their failures” (Bigo, 2002: 65). This is thus the third function identified by this paper. Such corporatist logic helps us in understanding power as a field of struggles between different actors and agendas²⁶. This reading better interprets dialectics between prominent and counter discourses in Italian

²⁵ Interestingly, thus, Agamben can be read in Tilly’s pages and *vice versa* (1985). If state-making has been about an external/internal war distinction, in a world of citizenships and circulation this distinction seems more a prevention/protection threshold, which also implies a favour/right dichotomy. What has become a right inside – economic security or movement - is still provided as a favour outside, through highly selective criteria for quotas – and visas - and side-payments used on implicit conditionality. This discretionary power is in fact a power of exception and a moment of sovereignty.

²⁶ We shall do the same with the *economical*, considering the interests of different actors rather than focusing on the Market as a whole.

society, which impede a complete de-humanisation of the migrant. Empirically, it explains the process of border militarization from another perspective.

The ability of certain actors to define and prioritize threats is proved by the conversion of Cold War technology into migration control, NATO's search for an identity during the Nineties and beyond September 11, and ambiguous operations like "Active Endeavour"²⁷. As for Giovanni Drogo, in "Il deserto dei Tartari" (1940), rather than being exceptional, emergency becomes permanent and shapes routines and biographies, powers and institutions.

What is interesting is that if the law is suspended on the border – one has no rights but is subject to the law – by a relation of exception, beyond the border the irregular is abandoned by the law (See also Agamben, 1998: 28). Notably, though, this paper contends that a proper theory of the state, like the Agambian, is not mutually exclusive with a more orthodox Foucauldian approach. If spoiled of its normative and metaphysical face, such a theory of the state, in fact, does not ignore *per se* different sub-actors able to produce exclusion and exception. Hence, it does not neglect the existence of a microphysics of power and knowledge. It just theoretically analyses the state as the archetypical biopolitical subject.

A problematic reduction of legitimacy to authority is however introduced and spaces of resistance appeared to be ruled out. Agamben implies a *continuum* between government and population through which the state appears as the only subject able to produce permanent practices of exception in their extreme form. This ability – entrenched in the monopoly of violence and decision – is a juridico-institutional sovereignty. It follows that just when state and society coincide perfectly – through the state of emergency – and when the state acts as a unique body, as in totalitarian regimes, biopolitics can reach its archetypical consequences.

Finally, it is interesting that, as in our argument, Derrida understands sovereignty as the "exercise of filtering, choosing, and thus excluding and doing violence" (in Salter, 2006: 168). As Dante's Minos, who judged the sins of each soul and assigns it to its rightful punishment in the *Inferno*, the modern state judges each migrant and locates him in his proper circle, giving him a status or placing him outside the boundary of citizenship. What is the "sin" of the irregular, what is his punishment?

The political and the economic

This section analyses the hidden point of intersection between the political and the economical within the securitisation process. A valuable hint for our inquiry is given – again - by Foucault who in his *History of Sexuality* affirms that biopolitics has been an indispensable element of the development of capitalism:

The latter would not have been possible without the controlled insertion of bodies into the machinery of production and the adjustment of the phenomena of population into economic processes²⁸ (1984: 263).

²⁷ "After the end of bipolarity, because of the crisis of the military world, the idea of the enemy continued to evolve. Military organisations needed other enemies than the Soviet Union" (Bigo, 2002: 77).

²⁸ It is interesting to note thus that the French thinker was more aware of such a relation than many scholars of security studies. Notably, in a Foucauldian perspective it is also difficult to isolate single political categories, such as the *political* and the *economical*, from the matrix of power and knowledge.

Bauman analyses the same relation from another point of view, already mentioned in this paper, by affirming that securitisation allows politicians to manage the economic uncertainty created by global economic processes.

The argument here is different though. It affirms that a permanent state of exception produces an abandonment of the migrant by the law, which creates spaces of exploitation on both sides of the boundary of citizenship. These spaces reinforce the boundary itself. In such a picture, citizenship separates economic security and insecurity, signifying inequality, hierarchy and social marginalisation at a local and global level. Rather than relying on a Marxist paradigm of capital accumulation, our argument highlights a transformation of the concept of citizenship.

Lastly, a third important coordinate for this section is provided by Tilly who, in *Durable Inequality*, proposes the notion of citizen/foreigner as one of the bound pairs in which societies can be structured (1999: 6). The American sociologist describes a scheme based on a boundary (in our case citizenship) and its organisational function: managing political rights, dividing long-term from temporary employees, differentiating access to welfare – and, above all, the relations across that boundary. One of these relations, exploitation, is relevant for our argument. It operates:

[...] when powerful, connected people command resources from which they draw significantly increased returns by coordinating the effort of outsiders whom they exclude from the full value added by that effort (*Ibid.*: 10).

In Italy, such a relation originates from a juridical *dispositif* that connects the residence permit with the job contract through the creation of a “Contract of stay for subordinated work” (189/2002). This provision has had relevant effects on both the “legal” and the “illegal” side of citizenship. Whilst in the 1998 Act the loss of labour was not considered sufficient to cancel the residence permit, which could be renewed once, in 2002 the so called Bossi-Fini reduced the maximum period of migrant’s inactivity to six months after the end of the employment, even following dismissal (Art. 22). The irregular is then expelled.

As Mezzadra convincingly argues, the migrant is given the access to a “residual and private” form of citizenship determined by a job contract and functional to the confinement of the labour force (2001: 79). The centrality of the job makes the migrant particularly docile before the employer, who eventually rules over her contract of stay. The spectrum of being fired becomes dangerously close to the spectrum of being expelled.

On the “illegal” side of the boundary, in the most exploitative contexts such as construction and textile sectors, tomato harvest and sexual work, the lack of a contract maintains the migrant in a condition of bare life before gang masters (*caporali*) and owners. Violent local economies are structured upon the fear of being deported or facing retaliation²⁹. Entire productive chains are in this way sustained, making the process structural within the Italian economy and beyond (Mattioli, 2007).

In the terms of our argument, if the state outsources the production of bare life to the African route, it also outsources the reproduction of the exception within the border. A permanent state of exception, produced by securitisation, is functional for a permanent state of exploitation of the irregular on the territory. The migrant is allowed to stay not just as long as he remains invisible, but also productive.

²⁹ National legislation has changed in May 2007, with a reinforcement of the residence permit for social protection for the victims of extreme exploitation. However, these permits are usually granted only for sex workers.

Our argument is grounded on a juridical analysis of the status of the migrant in relation to citizenship and work. The possibility of exploitation, more than actual exploitation, is therefore the main topic of the paper. Nevertheless, it is worth presenting some evidence from the agricultural sector. Empirically, the distinction between *clandestini*, “overstayers” and asylum seekers is submerged by the broader definition of irregulars.

Evidence on the conditions of irregular employment in Italy is fragmented because of the “invisibility” of the migrant on the territory. It is not excessive to affirm, however, that such phenomenon belongs to that kind of social facts that “everybody knows but nobody talks about”³⁰. Nonetheless, specialised surveys and journalist investigations³¹ provide a first important picture of the phenomenon. “Doctors without Borders” (“MSF”), in particular, interviewed 600 seasonal workers employed in the agricultural sector in different regions of the country in 2007.

Amongst them, 72% were irregular, while the remaining 28% was composed of refugees – and others granted international protection – asylum seekers, Roma people or regulars. 30% of the irregulars and 45% of the remainder came from a SSA country. Interestingly, 90% of the sample declared to be without a regular job contract and the consequent juridical protection. This evidence is confirmed by the fact that 68% of the regulars belonged to the underground economy.

The average working day was 8 to 10 hours. Half of the workers declared a daily retribution between €6 and €40 (€3.5/h) and one third declared less than €25 (€2.5/h) in contrast with the national contract of €40 for 6h40m per day. These numbers are consistent with those of the main Italian union, CGIL (€20-23 per day; 2006). Lagana’ writes of €1-2/h in Apulia (2006: 2) and Gatti of €15-20 per day, describing also working days of 12-13 hours (2006). The CGIL identifies relevant remuneration variances among different regions (Salerno €25-27; Foggia €18-23; Verona €30; 2007).

According to MSF, those interviewed declared to be able to work just 8 to 10 days per month. Furthermore, 37% of the interviewees affirmed they paid €3 to €5 per day to gang masters. Costs for accommodation and transport to the field could reach €10 per day (MSF, 2007: 5). The living conditions of the workers were critical: 30% reported not to be paid regularly, 65% lived in abandoned buildings, 21% shared the mattress with one or more people, 54% slept on paper boards, 92% of all accommodations lacked heating and 14% of the interviewed used firewood for cooking. Furthermore, 62% did not have toilet blocks and just 36% had access to running water. 16% reported to have been abused.

Finally, 64% of the regulars were not registered in the National Health Service and the 73% of the irregulars was not in possession of the Card for “Temporarily Present Foreigners”³², which allows migrant to access health care (*Ibid*: 9). The picture becomes even more serious when migrants are paid “by piece”. For instance, in the case of the tomato harvest in Apulia 350 kg can be paid at €4-6 (MSF, 2007).

According to CGIL, seasonal workers’ access to a job is still controlled by *caporali*, remuneration is decided on a daily basis, harassment and sexual abuses against women are common and no

³⁰ For instance, official estimates usually aim to quantify the fiscal loss of such labour more than investigating working conditions. Further, data are often not disaggregated for nationalities and status of the irregular. It is also difficult to provide a single description of conditions that are highly context dependent.

³¹ Data mainly come from localised surveys of “Doctors without Borders”, researches of CGIL and Fondazione ISMU and the valuable journalist investigations “*Bilal. Il mio viaggio da infiltrati nel mercato dei nuovi schiavi*”, by Fabrizio Gatti which has pretended to be a migrant travelling as irregular from Dakar to Madama in Niger, has been detained in the CPT of Lampedusa and has worked as a farmhand in Apulia.

³² “*Straniero Temporaneamente Presente*” (SPT) (Art. 11/286)

protection is given even when the migrant is exposed to toxic substances (2007). Interestingly, in the case of the province of Foggia (Apulia) regular quotas for tourism and agriculture in 2006 consisted of 1.500 offers of employment contrasting with an estimate of 15,000-18,000 irregulars already working in the field (CGIL, 2007).

In such a context, expulsions work as a powerful deterrent. The police are allegedly and anonymously called when payment is due (Gatti, 2007: 426). The MSF's survey was carried in 2007, proving that the migrant's working conditions have not changed, notwithstanding a certain public attention and a specific regional Act approved in 2006 (Oct 26th 2006).

This picture is described as a function of capital accumulation by both a Marxist and neoliberal perspective. Accordingly, migration is interpreted as a function of labour demand (even when informal) as long as the surplus of migrants offers a disorganised and cheap pool of workers (Sivini, 2000: 38). This pattern reduces costs and workers' rights, performs an anti cyclic function and boosts exports, creating capital accumulation (*Ibid*: 23). An example of this approach has been given in section one by quoting Reyneri. Those who apply similar "pull models" to the Italian case highlight how mechanisms of exploitation have slowed down the delocalisation process, and helped to keep some activities in the country³³ (Reyneri, 2007: 17).

In order to compete with international prices, for example, authorities have reduced the cost of Italian tomatoes from €50.5 to €9 per ton in the last two years (Laganà, 2006: 5). The profits of farm owners are thus almost completely sustained by the European Common Agricultural Policy that subsidises each ton produced for €30.47³⁴. However, profits are also sustained by the fact, already mentioned, that irregulars can be paid €15- 18 per ton gathered (Gatti, 2004: 264). Italy is the second largest producer of tomatoes in the world (40-50 million of quintals/year) and one of the main consumer (30 million of boxes/year) (*Il Manifesto*, 2002). Alternatively, irregulars do jobs that are flexible and easily hidden, such as housekeeping and caring, micro-industry and micro-crafts, construction and restoration (Caminelli, 2005: 164).

The "functionalist trap" of a Marxist approach pictures the migrant as one who waits passively for the call of capital. It does not recognise the subjective and social autonomy of migration and the fact that migration is a conscious investment by relatively well-off households (Boutang, 2002). Migration perpetuates itself beyond the simple labour demand through, for example, family reunion and personal aspirations. Similarly, the complexity of the post-fordist economic model, the ascendance of ethnic business and the autonomous insertion in the job market are not valued.

This is why Sivini describes migration more as a practice of resistance of marginalised groups (2000: 50) and Mezzadra writes of a right of escape, which notwithstanding fuel capitalistic processes (2001)³⁵. Furthermore, the juridical categorisation of each migrant – contract of stay, residence permit, residence permit expired, irregular, asylum seeker – the fragmentation of job contracts, the existence of a variety of diverse endowments of social and economic capital and the individualisation of the relation with the employer all impede the birth of an organized social

³³ Examples are numerous: fishing in Mazzara del Vallo, flowers in Liguria, farming in Abruzzo, leather in Valle del Chiampo, tomatoes in Apulia, apples in Trentino Alto Adige, grapefruits in Sicily and Campania, grapes in Tuscany, olives in Liguria, Apulia and Lazio.

³⁴ This means that Apulian farmers alone have received in 2006 €37 million (*Ibid*).

³⁵ A pure economic perspective is also mirrored by the attitudes and the expectations of native communities about the role that immigrants should assume within the society (Caminelli, 2005: 165).

class³⁶. Thus, the bound pair citizen/foreigner discussed by Tilly can be better described by a complex web of social and labour segmentation.

Not refusing such conclusions, this paper also argues that these approaches do not exhaust all the possible strategies able to integrate citizenship and exploitation. In our understanding, citizenship is not just a function of exploitation, but exploitation is a dispositive that reifies citizenship. What could seem a sterile exercise reveals instead a transformation in the meaning of citizenship, which acts as a permanent boundary between economic security and insecurity, signifying inequality, hierarchy and social marginalisation. This argument is anchored into the problematic notion of economic security. In 1992, Buzan wrote:

Beyond [the] minimum [of basic needs], the idea of economic security becomes awkwardly entangled with a range of highly politicized debates about employment, income distribution and welfare (1992: 237).

In capitalism, which is a “competitive system with an ever present danger to lose” (*Ibid.*) and a constitutive consumerism, the quality of economic security is elusive. The only possible security, Buzan continues, is relative (*Ibid.*: 235). A boundary alone is not enough. As in Kavafis poem, a border becomes useless if there are no *barbarians*. In this sense, economic security is both about maintaining a given standard of living and perceiving a boundary of difference. Circulation has to be stopped. Social change is feared. An existing inequality is reproduced by exploitation.

Therefore, the sense of economic security is bound into a relation of exception with insecurity, since it must produce images of insecurity in order to retain its meaning. Segregation and social hierarchisation guarantee domination and hegemony, in a process that is not necessarily best understood within the teleological framework of capital accumulation, but in the more conservative picture of marginalisation. This picture is consistent with the abandonment by the law described in section two and the individualisation of the migrant worker before the employer described in this one.

Citizenship can be metaphorically analysed as a gated community. Beall defines contemporary South African spatial enclaves as a response to fear of social difference:

Physical and symbolic walls [are erected] to reduce interaction and mixing in shared public space, while an architecture of fear legitimised a deepening segregation based not on apartheid but on new articulation of social difference (2002: 6).

It can be argued that a similar model of social differentiation can be applied to Europe, as town continent (Escobar, 1997: 27). It is interesting to note that, in such a picture, class is a crucial factor, within and without the border. Van Hear clarifies in what ways class shapes migration patterns and the status of the migrant in the political economy of the route (2006). The notion of class assumed is the one of Bourdieu, defined as economic, social and cultural capital. Van Hear shows how resourced migrants can adopt a better quality strategy of migration.

Notably, visas are granted on a highly selective procedure in which economic guarantees and skills are a crucial factor. In some sense, if the production of bare life happens along the route, such production is also a matter of class. This supports our argument that in the construction of the individual as a citizen the elusive boundary between economic security and insecurity has become

³⁶ Unionisation, for example, is possible just for those holding a continuative regular job. Notably, this is also a high rate (Reyneri, 2007: 17).

central³⁷. Circulation and resistance to marginalisation are the sins punished by the state on the border. The power of exception described in this paper is functional to exploitation within the border, but also reproduces globalisation's selective and unequal patterns, making space hierarchically interconnected.

³⁷ Interestingly, as already mentioned above, one of the provision approved in the National Senate in February 2009, within the so-called Security Act, has been the norm according to which migrants who apply for the permit of stay are asked to pay a fee, from 80€ to 200€

REFERENCES

Agamben, G., (1998) *Homo Sacer. Sovereign Power and Bare Life*, Stanford CA: Stanford University Press.

Agamben G, (1998), Interview at *Il Manifesto*, Nov. 3rd 1998, http://www.ilmanifesto.it/g8/archivio/lavoro_e_migranti/3b333676a4b9c.html, Accessed September 2008.

Amnesty International (2005), "Italy. Temporary Stay: Permanent Rights", read in the Italian version "Dossier CPT: presenza temporanea, diritti permanenti", <http://www.terrelibere.org/cpt-presenza-temporanea-diritti-permanenti> Accessed September 2008.

Amnesty International, (2004), "Italy: Government must ensure access to asylum for those in need of protection", EUR 30/001/2004, <http://www.amnesty.org/en/library/info/EUR30/001/2004>, Accessed August 2008.

Anderson, J. and Liam O'Dowd, (1999) "Borders, Border Regions and Territoriality. Contradictory Meanings, Changing Significance", *Regional Studies*, Vol. 33(7), 593-604.

Andreas, P., (2003), "Redrawing the Line: Borders and Security in the 21st Century", *International Security*, Vol.28 (2), 78-112.

Associazione Studi Giuridici sull'Immigrazione (ASGI), (2008), "Osservazioni sulle Norme in Materia di Stranieri contenute nei provvedimenti del "Pacchetto Sicurezza" approvati dal Consiglio dei Ministri nella riunione del 21 Maggio 2008", <http://www.asgi.it/content/documents/dl08061200.asgi.pacchetto.sicurezza.2008.pdf> Accessed September 2008.

Bauman, Z., (2004), *Wasted Lives. Modernity and Its Outcast*. Cambridge: Polity Press, read in the Italian version (2004), *Vite di Scarto*, Bari: Laterza.

Bauman, Z., (1998), *Globalization: The Human Consequences*, read in the Italian version (1999), *Dentro la globalizzazione*, Bari: Laterza.

Beck, U. (1992), *Risk Society. Towards a New Modernity*, London: SAGE.

Beall, J. (2002), "The People Behind the Walls: Insecurity, Identity and Gate Communities in Johannesburg", *DESTIN LSE Working Paper* n° 1.

Betts, A. and James Milner, (2006), "The Externalisation of EU Asylum Policy: The Position of African States", *COMPAS Working paper* N° 36, University of Oxford.

Bigo, D., (2007), "Detention of Foreigners, States of Exception, and the Social Practises of Control of the Banopticon", in Rajaram, Grund-Warr (eds.), *Borderscapes. The Hidden Geography and Politics at Territory's Edge*, Minneapolis: University of Minnesota Press.

Bigo, D., (2005), "Frontiers Controls in the European Union: Who is in Control?" in Bigo, D. and Elspeth Guild, (eds.) *Controlling Frontiers. Free Movement Into and Within Europe*, Aldershot: Ashgate.

Bigo, D. (2002), "Security and Immigration: toward a Critique of the Governmentality of Unease", *Alternatives*, 63-92.

Boutang, (2002), *Dalla schiavitù al lavoro salariato*, Manifestolibri, Roma.

- Buzan, B. (1991), *People, State and Fear*, Hemel Hempstead: Harvester Wheatsheaf.
- Buzan, B., Weaver and De Wild, (1998), *Security: A New Framework for Analysis*, Boulder CO: Lynne Rienner.
- Buzzati, D. (1940), *Il Deserto dei Tartari*, Milano: Mondadori.
- Caminelli, C. (2005), "Il lavoro immigrato nel settore edile a Brescia. Sfruttamento e prospettive future di una risorsa necessaria" in Fondazione ISMU, *Complementare, sostitutivo, discriminato? Il lavoro immigrato in Lombardia tra programmazione dei flussi e funzionamento del mercato del lavoro*, <http://www.ismu.org/default.php?url=http%3A/www.ismu.org>, Accessed September 2008.
- C.A.S.E. Collective, (2006), "Critical Approaches to Security in Europe: A Networked Manifesto", *Security Dialogue*, 37 (4), 443-487.
- Ceyhan, A. (2005), "Policing by Dossier: Identification and Surveillance in a Era of Uncertainty and Fear" in Bigo, Guild, (eds.), *Controlling Frontiers. Free Movement Into and Within Europe*, Aldershot: Ashgate.
- Ceyhan, A. and Anastassia Tsoukala, (2002), "The Securitization of Migration in Western Societies: Ambivalent Discourses and Policies", *Alternatives*, 27, 21-39.
- CGIL, IRES, (2007), *I Volti del Sommerso*, <http://www.ires.it/node/528>, Accessed September 2008.
- Chimni, B.S., (2001), "Globalisation, Humanitarianism and the Erosion of Refugee Protection", *Journal of Refugee Studies*, 13 (3), 243-263.
- Coslovi, L., (2007), "Brevi note sull'immigrazione via mare in Italia e in Spagna", CeSPI Working Paper.
- Cutitta, P. (2004), "Il controllo dell'immigrazione tra Nordafrica e Italia", in Dentico, N., Gressi M. (eds.), *Libro Bianco. I centri di permanenza e assistenza temporanea in Italia*, <http://www.comitatodirittiumani.org>, Accessed September 2008.
- De Haas, H. (2007), "The Myth of Invasion", *IMI Research Report*, International Migration Institute, University of Oxford.
- De Zulueta, T. (2005), Interview at *MeltingPot*, "Finanziamenti italiani alla Libia per deportazioni e CPT" http://www.meltingpot.org/articolo5317.html?var_recherche=tana+de+zulueta, Accessed September 2008.
- Duffield, M. and Nicholas Waddell, (2004), *Human Security and Global Danger. Exploring a Governmental Assemblage*, Lancaster: Department of Politics and International Relations, University of Lancaster.
- Duffield, M., (2006), "Racism, Migration and Development: the Foundations of Planetary Order", *Progress in Development Studies*, Vol. 6 (1), 68-79.
- Duffield, M. (2005), "Getting Savages to Fight Barbarians: development, security and the colonial present", *Conflict, Security and Development*, 5 (2), 141-159.
- Escobar, R. (1997), *Metamorfosi della paura*, Bologna: Il Mulino.
- Fierke, K.M. (2007), *Critical Approaches to International Security*, Cambridge: Polity Press.

- Fraschetti, A. (2003), *Storia di Roma. Dalle origini alla caduta dell'Impero Romano di Occidente*, Catania: Edizioni Del Prisma.
- Foucault, M. (1984), "Right of Death and Power Over Life", in Rabinow, P. (ed.), *The Foucault Reader*, London: Penguin Books.
- Gatti, F. (2007), *Bilal. Il mio viaggio da infiltrato nel mercato dei nuovi schiavi*, Milano: Rizzoli.
- Haddad, E. (2007) "Danger Happens at Border", in Rajaram, Grund-Warr (eds.), *Borderscapes. The Hidden Geography and Politics at Territory's Edge*, Minneapolis: University of Minnesota Press.
- Hamood, (2008), "EU-Libya Cooperation on Migration: A Raw Deal for Refugees and Migrants?" *Journal of Refugee Studies*, 21 (1), 19-42.
- Hamood, (2006), "African Transit Migration Through Libya to Europe. The Human Cost", Il Cairo: FMRS AUC, <http://www.migreurop.org/IMG/pdf/hamood-libya.pdf>, Accessed September 2008.
- Huysmans, J., (2006) "International Politics of Exception: Competing Visions of International Political Order between Law and Politics", *Alternatives*, 31, 135-165.
- Human Rights Watch, (2006), *Libya. Stemming the Flows. Abuses Against Migrants, Asylum Seekers and Refugees*, <http://www.hrw.org/reports/2006/libya0906>, Accessed June 2008.
- Kavafis, C., (1975), *Collected Poems*, Princeton: Princeton University Press.
- Keen, D. (1997), "A Rational Kind of Madness", *Oxford Development Studies*, Vol. 25 (1), 67/75.
- Laganà, G., (2006), "The EU's basic values and irregular migrants", <http://www.migrationonline.cz/e-library/?x=1964351>, Accessed September 2008.
- Loescher, G. (1992), "Refugee Movements and International Security", *Adelphi Papers* 268, London: Brassey.
- Lutterbeck, D., (2006), "Policing Migration in the Mediterranean", *Mediterranean politics*, Vol. 11, No.1, 59-82.
- Mabogunje AL., (1970), "Systems Approach to a Theory of Rural-Urban Migration", *Geographical Analysis*, Vol. 2, No. 1, 1-18.
- Mattioli (2007), "Non ci si puo' accorgere degli schiavi una volta l'anno. Ci sono tutti i giorni", CGIL-FLAI Speech, <http://www.nuovocaporalato.it/Sindacato/Mattioli%20su%20caporalato.pdf> Accessed September 2008.
- Medici Senza Frontiere, (2007), *Una Stagione all'Inferno. Rapporto sulle condizioni degli immigrati in agricoltura nelle regioni del Sud Italia* available on http://www.medicisenzafrontiere.it/Immagini/file/pubblicazioni/una_stagione_all_inferno.pdf, Accessed September 2008.
- Mezzadra, S. (2006), *Diritto di fuga. Migrazioni, cittadinanza, globalizzazione*, Verona: Edizioni OmbreCorte.
- Mitsilegas, V., (2004), "Measuring Irregular Migration: Implications for Law, Policy and Human Rights", in Bogusz, Cholewinski, (eds.), *Irregular Migration and Human Rights. Theoretical, European and International Perspectives*. Leiden and Boston: Martinus Nijhoff.

Pugh, M. (2004), "Drowning not Waving: Boat People and Humanitarianism at Sea", *Journal of Refugee Studies*, Vol. 17 (1), 50-69.

Rajaram, P.K. and Carl Grundy-Warr (2008), "Introduction", in Rajaram P.K. and Carl Grundy-Warr (eds.), *Borderscapes. The Hidden Geography and Politics at Territory's Edge*, Minneapolis: University of Minnesota Press.

Reyneri, E. (2007), "Immigration in Italy: Trends and Perspectives", IOM ARGO (in print), [http://www.portalecnel.it/Portale/indlavdocumenti.nsf/0/466486C57FF3FF42C125737F0050A9EC/\\$FILE/Reyneri-%20Immigration%20in%20Italy.pdf](http://www.portalecnel.it/Portale/indlavdocumenti.nsf/0/466486C57FF3FF42C125737F0050A9EC/$FILE/Reyneri-%20Immigration%20in%20Italy.pdf), Accessed August 2008.

Rovelli, M., (2006), *Lager italiani*, Milano: Rizzoli.

Sanfelice di Monteforte, F. (2003), Presentation Given at Royal Services Institute on NATO & Mediterranean Security: *Practical Steps towards Partnership*, London, June 30th.

Salter, M. (2006), "The Global Visa Regime and the Political Technologies of the International Self: Borders, Bodies, Biopolitics", *Alternatives* (31), 167-189.

Sivini, G. (2000), *Migrazioni. Processi di resistenza e di innovazione sociale*, Catanzaro: Rubbettino Editore.

Societa' italiana di Medicina delle Migrazioni (S.I.M.M.), "Lettera Aperta: Immigrati irregolari e clandestini e diritto all'assistenza sanitaria", Jun 16th 2008, http://www.simmweb.it/fileadmin/documenti/Lettere/simm_sicurezza_08.pdf Accessed on September 2008.

Tilly, C. (1999) *Durable Inequalities*, Berkeley: University of California Press.

Turton, D. (2003), "Refugees, forced resettlers and other "forced migrants: towards a unitary study of forced migration", New Issues in Refugee Research Working Paper No. 94.

Van Hear, N., (2004) "I went as far as my money would take me: conflict, forced migration and class", in Crepeau, F. et al. (eds.), *Forced migration and global processes: a view from forced migration studies*, Lanham: Lexington/Rowman and Littlefield, 2006, 125-158.

Weaver, O. (1995), "Securitisation and Desecuritisation", in Lipschultz (ed.), *On Security*, New York: Columbia University Press.

Weiner, M. (ed.) (1993), *International Migration and Security*. Boulder, CO: Westview Press.

Documentary Sources

Alenia-Aeronautica, (2008), "Libia sigla ordine per ATR-42MP da pattugliamento marittimo per rafforzare il controllo delle coste", *Press Release*, Jan 17th 2008, http://www.alenia-aeronautica.it/store/news/new342_1.pdf Accessed September 2008.

European Court for Human Rights (2005), "Ricorso contro l'espulsione da Lampedusa", <http://www.tanadezulueta.it/html/modules/sections/index.php?op=viewarticle&artid=89>, Accessed September 2008.

European Parliament, (2005), "Resolution of the European Parliament on Lampedusa", Apr. 14th, <http://www.unhcr.org/refworld/category/POLICY,,,LBY,42bc1e134,0.html>, Accessed September 2008.

Finmeccanica, Jan 17th 2006, *Press release*, “Accordo Finmeccanica e AugustaWestlands con Libia nel settore aeronautico e dei sistemi di sicurezza”, http://www.finmeccanica.it/IT/Common/files/Holding/Corporate/Sala_stampa/Comunicati_stampa/Anno_2006/ComFin-AWLibia-17-01-06-ITA-elicotteri.pdf, Accessed September 2008.

FRONTEX Preliminary Draft Budget 2008, (2008), http://www.frontex.europa.eu/gfx/frontex/files/amended_budget_2008.pdf, Accessed September 2008.

Governo Italiano, (2006), *Documento Programmatico relativo alla politica d’immigrazione 2004-2006*, http://www.governo.it/Presidenza/DICA/immigrazione/DPPI_04052005_2.pdf, Accessed September 2008.

Guardia di Finanza, (2007), *Rapporto Annuale 2007*, http://www.gdf.it/Editoria/Il_Rapporto_Annuale/index.html, Accessed September 2008.

Guardia di Finanza, (2006), *Rapporto Annuale 2006*, http://www.gdf.it/Editoria/Il_Rapporto_Annuale/index.html, Accessed September 2008.

Guardia di Finanza, (2005), *Rapporto Annuale 2005*, http://www.gdf.it/Editoria/Il_Rapporto_Annuale/index.html, Accessed September 2008.

Ministero dell’Interno, (2007), *Primo Rapporto sugli Immigrati in Italia*, http://www.interno.it/mininterno/export/sites/default/it/assets/files/15/0673_Rapporto_immigrazione_BA_RBAGLI.pdf, Accessed September 2008.

Ministero dell’Interno, (2007), *Rapporto Commissione De Mistura*, <http://www.interno.it/mininterno/export/sites/default/it/assets/files/1/2007131181826.pdf>, Accessed September 2008.

Ministero dell’Interno (2004), *Rapporto al Parlamento Italiano sull’attivit  delle Forze di Polizia, sullo stato dell’ordine e della sicurezza pubblica e sulla criminalit  organizzata*, <http://www.interno.it/assets/files/2/20062311729.pdf>, accessed September 2008.

Parlamento Italiano, *Legge 40/1998*, “Disciplina dell’Immigrazione e Norme sulla Condizione dello Straniero”, Mar 12nd 1998.

Parlamento Italiano, *Legge 189/2002*, “Modifica della Normativa in Materia di Immigrazione e di Asilo”, Aug 26th 2002.

Polizia delle Frontiere, (2004), *Audizione del prefetto Pansa Direttore Centrale dell’Immigrazione e della Polizia delle Frontiere del Ministero dell’Interno presso il Comitato Parlamentare di vigilanza in materia di immigrazione alla Camera dei Deputati*, <http://www.camera.it/dati/leg14/lavori/bollet/200411/1111/pdf/30.pdf>, Accessed September 2008.

Governo Italiano, *Decreto legge 195/2002*, “Disposizioni urgenti in materia di regolarizzazione del lavoro irregolare extracomunitario”, Sep 10th 2002.

Governo Italiano, *Disegno di Legge 733/2008*, “Disposizioni in Materia di Sicurezza Pubblica”, Jul 26th 2008.

Ulrich (2006), *JFCN NATO Press Release (19)*, Dec. 15th 2006, http://www.afsouth.nato.int/organization/CC_MAR_Naples/PressReleases/CC-MAR/PressReleases06/PR_19_06.htm, Accessed September 2008