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### Migratory Trajectories from Africa, Illegality, and Gender Comparative analysis of Portugal and Italy

By Marzia Grassi

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**Migratory Trajectories from Africa, Illegality, and Gender**  
**Comparative analysis of Portugal and Italy**

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**“PIHM/GC/0046/2008”**

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## Foreword

This report represents the contribution of the ICS-UL to the project “Migration trajectories from Africa, illegality and Gender: comparative analysis of Portugal and Italy. The project is coordinated by ICS-UL and funded by the FCT/CIG through the “PIHM/GC/0046/2008” program.

We will outline here a preliminary analysis of the findings on illegal representations and self-perceptions grounded in qualitative interviews with migrant actors and organizations dealing with these social groups in Portugal and Italy. Furthermore, we will present a synthetic review of the concept of illegal in the formal laws in this two countries as well as an overview of the representations of illegal migrants in the press.

The data and information sources used are the following:

- ✓ Current literature
- ✓ Interviews with migrants
- ✓ Interviews with representatives of NGO and state institutions
- ✓ Press survey

As coordinator of the project at ICS-UL, i am responsible for the writing and organization of this report, which has contributions from all team members named inside. I gratefully thank all those who cooperated in this research. A special thanks goes to: Dr. Tatiana Ferreira, for her constant help during the organization of this report and to Dr. Martina Giuffrè for organizing, writing, and supervising the output of the Italian case-study. I also wish to thank the experts of the projects, Dr. Karin Wall and Dr. Giovanna Campani, who contributed during the two years of the project with very helpful feedback that has been crucial to question and analyze the information organized in this report.

The final and more in-depth analysis of the collected evidence is the object of a book - in progress - to be published in Italy, in 2012.

Lisbon, 20 April 2012

Marzia Grassi

# **PART 1**

**Linking mobility, illegality, and gender**

# Migration trajectories from Africa to Southern Europe

Marzia Grassi

Within a prevailing context of rising migratory flows to Western Europe, Portugal and Italy became net recipient countries from the 1990s on with people arriving from various countries including Africa. Recent migratory dynamics feature gender and social class as two of the leading factors inherently influencing the conditions for the success (or otherwise) of the migratory experience. These factors seem also to be important in influencing the perception and representation of the illegality of practices engaged in by migrants.

The object of study of this project stems from the scope of other research projects already undertaken by the coordinator (Grassi 2003, 2005, 2007) carried out in Lisbon and other communities hosting African diasporas from 2003 on. Despite highlighting the importance of gender in migrations, most of the studies in this area do not extend their range to the conceptual scope of these practices and representations of illegality in the social integration of men and women in contemporary Europe (Wall *et al.* 2006; Gonçalves and Figueiredo 2005; Hellerman 2005; Sertório and Pereira 2004; Peixoto 2006; Grassi and Évora 2007).

The specific aim of this project is to rethink the notion of illegal immigration in Portugal and Italy, emphasizing the gender differences involved in the legal sphere and in the self-perception and representation of individual. Illegal practices create different challenges depending on the gender of the immigrants concerned. Different social conditions and identities result in differing conditions of access to labor markets and to citizenship rights, as well as in situations of lesser or greater vulnerability to human rights abuses (UNFPA 2006).

This project establishes that the notion of illegality cannot be rethought without taking into account the recognition of gender differences in the experiences of migrants, in the same way that they form part of human experience in general. This interpretative approach to "illegal" migration is seen as an important step in extending an analysis that seeks to clarify illegality as a pertinent theoretical topic in the contemporary European context.

The analysis is based on two case studies carried out one in Portugal and the other in Italy. In the Portuguese study, analysis focuses on migratory flows from Portugal's former colonies, which remain the largest source of immigrants into Portugal and which have recently shown an increase in the percentage of migrant women. These are long-standing migratory flows with historic roots that result in enduring perceptions and representations of identity that are moving away from the classic model of family migration, in which men emigrate first and are



then joined by women through family reunification laws. A new model involves an increasing number of single women seeking work, mainly in unskilled sectors.

According to the OECD (2008), two in five of the approximately 4.5 million immigrants living in Italy are illegal. Eritrean immigrants have maintained an historical link with Italy grounded in the colonial past. The Moroccan and Senegalese immigrant communities, two of the largest, differ in the way they integrate and in their relationship with their country of origin. In the north of Italy, Senegalese immigrants tend to remain in Italy, while maintaining strong ties with Senegal. In the center and south of Italy, they work in small shops, civil construction, and agriculture and are one of the immigrant communities most subject to local illegal practices. Moroccan workers (mainly men) tend to maintain stronger ties with their country of origin and to be engaged in seasonal work in commerce, agriculture, and services. Nigerian women are mostly perceived as illegal migrants and are very vulnerable to exploitation.

Data derive from a total of 100 interviews with immigrants from these communities in Portugal and Italy, and are complemented by statistical data and media coverage from the previous year relating to gender representations of illegal migration practices.

This project represents an important occasion to engage in a comparative discussion within a specific European context and approach the varying ways in which men and women participate in the development of multicultural society.

In contemporary Europe, migration and illegal migration from Africa are not yet analyzed in its complexity in the contemporary flows. Even though not offering general conclusion, our exploratory work on this theme may help to prepare the ground for future analysis in this underexplored area.

## **Gender and migration**

The majority of studies on migration seem to reflect the historical evolution of the concept of gender as connected to development and, in classical theory on migration, the same underlying assumption: a conception of the female as accompanying and dependent on the male and not as any active subject. Despite the empirical understanding of the specificity of female migration due mainly to questions of employment, there has remained the conceptual point of view that attributes women the status of subject following male patterns of behavior (Carlings 2005:4). It was during the 1976-1985 decade that the first studies on migrant women as actors visibly autonomous of males (Morokvasic 1983) and on female migratory

flows (Kofman 2000; Malher 1999) were published, even if these focused on case studies of situations in which there was a majority of women. As a result, these studies set out a conceptual framework on female migration (Carlings 2005, 4).

However, and in accordance with Donato *et al.* (2006, 10), the first consistent analysis of gender appeared in the literature on migration in 1992 with the introduction to the book “Gender and Migration” by Sylvia Chant and Sarah Radcliffe. These authors highlighted that thus far studies on women and migration have restricted their scope to establishing the statistical differences between the sexes in migratory flows, without ever substantively analyzing differences in terms of gender. Other specialists such as Gabaccia, Donato, Holdaway, Malanansan, IV, Pessar (2006, 14) agree that the explosion of interest in the role of gender taking place in various academic fields with an interest in the theme of migrations cannot be attributed, as so very often is the case, to either the emergence of post-modern philosophical currents as from the late 1980s or even to trends in post-colonial theories. According to the above-mentioned authors, it was within the scope of each particular field that social scientists have picked up gender as an intellectual strategy to overcome the marginalization of the work of women in society as detailed in the papers collected for a 1984 special edition of *International Migration Review* (IMR), edited by Mirjana Morokvasic.

More recently, research findings on gender and migration were gathered in another special edition of this journal that pointed to examples of a cross-disciplinary space in which it is possible to interchange the differing insights of each field on this theme to reveal a powerful area of analysis capable of driving scientific and theoretical creativity (Donato *et al.* 2006, 14). This space does not, however, see disciplinary boundaries simply fading just as broad variations in the practice and acceptance of transversal gender analysis remain as regards their respective prevailing epistemological, theoretical, and methodological characteristics.

Therefore, from the analysis point of view, the position of the actors serves to explain the normative challenge posed in restoring ethnographic techniques to contemporary sociology. As a recent study showed, this restoration may be achieved through references to theories posed by the Chicago School (Vianello 2006). Gender maintains its relevance in understanding an individual’s culture in that it is tied to the position that woman and man take in a family structure in one or another culture deriving from the greater or lesser extent of responsibility attributed to the man and woman for sustaining and reproducing the household. The migratory process is not neutral but highly “gendered” and this affirmation additionally means that gender constitutes a core organizational principle for social relations. Migrant experiences in destination countries also derive from differentiation revolving around the

gender function and producing differing propensities to migration as well as different results between men and women (Boyd 2004).

Hence, stating that migratory flows diversify according to the variable of migrant gender implies the existence of inequalities stretching over the entire migratory experience, right from departure from one's own country through to arrival in the host community and the experiences therein encountered. Asymmetries in power between men and women produce differences in the organization of migrant lives and permeate through social institutions, the family, economy, and politics. Gender inequalities translating into disadvantages for both women and men in the destination countries may be linked to exploitation and recruitment into illegal trafficking networks. Studies on migrant women carried out thus far in Portugal (Grassi 2003, 2007; Wall *et al.* 2008; Gonçalves and Figueiredo 2005; Diniz, 2005; Hellerman 2005; Sertório and Pereira 2004; Peixoto *et al.* 2005) found that women bring with them the responsibility – with which they self-identify – for maintaining bonds with the country of origin, influencing the ways in which they process their social relationships in Portugal.

The origins of migration lie in an experience that in the majority of cases emerges out of a family history context that views geographic relocation as a vital possible recourse, already undertaken by others, discussed and held up as a cause for celebration. Correspondingly, an increasing number of women decide to emigrate alone but rarely depart without first gaining the consent of the family that they leave behind. In their memories and wishes, such feelings remain present – to a greater or lesser extent depending on the reproductive role that the respective culture attributes to women – concerning the life plans for the children left behind. Recent case studies have generated an interesting body of literature on the structural factors, both family and individual, in this process (Asis 2004; Boyd and Pikkov 2005; Grieco and Boyd 1998; Kofman *et al.* 2000; United Nations 2000). According to some authors, the “feminization of migration” (Castles and Miller 2001) is associated with the “feminization of poverty”, and there is a suggestion that growing levels of insecurity are caused by rising exploitation by states, families, and individuals of informal subsistence-level female labor, which Saskia Sassen refers to as the “feminization of survival” (Sassen, 2000). If the latter is related to the feminization of migration, at what cost does this occur? And what forms does this process take in the south of Europe? The dynamics resulting from cultures encountering each other change along with the sites of observation and engaging in a comparison of different ethnicities (Pires 2000) may improve the level of understanding and clarify social processes observed in host communities.

The historical evolution of the academic debate on Gender mobility approach and development in social theory can be outlined as follow:

**1950s -1960s - Classical theory of Migration and development. Women's studies.**

The classical theory of migration and development offers an optimistic developmental vision of the effects of knowledge capital transfers that would help developing countries to stimulate the takeoff of. Gender is considered in its feminine aspect: the woman is seen as a companion who depends on man and not as an active subject.

**1970s-1980s – From Neo-Marxist pessimism and skepticism to “livelihood” approaches. Women's studies and statistical flows.**

From the Neo-Marxist pessimism and skepticism come very soft approaches influenced by the new economics of "subsistence" labor migration. Gender remains a matter only of migrant women but they appear as visible actors autonomous from male ones (Morokvasic 1983). Migrant women appear mostly in the flows of statistical analysis.

**1990s - Transnational turn in migration studies “Gender studies and mobility”**

Here appears the transnational studies migration approach for which the first in-depth analysis we find is that of Silvia Chant and Sarah Radcliffe (1992). Gender as a category of thematic analysis cross-highlighting an interdisciplinary space where one finds different views of each field in different social fields. This approach reveals a powerful area of analysis that can lead to theoretical and scientific creativity (Donato *et al.* 2006, 14)

**From 2000 – More optimistic views, bottom-up empirical works – new methodologies, new topics, transnational lives and families studies**

The literature offers more optimistic views that are based on empirical studies, in which from an analytical point of view; the position of actors serves to explain the challenge of restoring normative ethnographic techniques to contemporary sociology.

The integration of migrants in the European country is the result of **transnational division of work** grounded in the global model of development. It is not difficult to agree with the authors who stress the centrality of the labor market in contemporary migration in Europe.

Linking illegality to this discussion means to question the ways in which the **gender** of individuals results a leading factors inherently impacting the perception and representation of the illegality of practices engaged in by actors.

This project reviews the concepts around illegal immigration in Portugal and Italy:

- ✓ Mapping the different types of illegality
- ✓ Clarifying “how, when, and why being male or female” makes a difference towards being considered as an “illegal” migrant
- ✓ Discussing how illegal practices raise different challenges in accordance with the gender of individuals, given how differing social conditions and identities are reproduced in differing terms of access to the labor market and citizenship rights, in addition to the corresponding greater or lesser exposure to human rights abuses.

## **Methodology**

This exploratory project utilizes a challenging multi-method and cross-national approach with strong comparative potential. Besides documental analysis, the data collection of original data is organized around three main axes: multiple locations; different types of migrants (almost 10 different nationalities), and a combination of qualitative techniques. The approach allows for a new general understanding of the effects of knowledge validation and data collection methods in transnational studies. The principal impact of the approach is to consider mobility as a “social fact”, whose consequences in human life have not yet been deeply studied in the contemporary Europe. Using this methodology in this particular case allows us to question in a comparative way the very framework on illegal migration.

In the meanwhile, working at a distance with a large team sited in two different countries has been very demanding and the condition of accessing the actors in the two fields has been in some cases very different between countries as well.

In Portugal the choice of the PALOP countries is related with the number of migrants that continues until today. As we will explain in depth below these flows are grounded in an intense postcolonial imaginary that creates a filter in the interpretation of the reality. The pluridisciplinarity of the team members creates a very interesting multiplicity of interpretations but at the same time gives rise to some differences in approaching the reality. From the outset, we admitted the gain of such differences which repays the time spent in discussing the relevant issues. It is important to stress that this project has a strong educational facet, with four doctoral candidates in the team (two in Portugal and two in Italy). The coordinator agree that the result has been excellent for everyone in terms of learning.

In both Portugal and Italy, during the field work the technique used for finding people to interview was the *snowball*: people gave us the contacts of other people. Within this "randomness" however, we made some choices:

1. Interviewing roughly equal numbers of men and women in each group (except for the case of Rosarno, in Italy, where migrants are only men).
2. Selecting people from different social backgrounds and with different roles (such as mediators, undocumented workers in different sectors, street vendors, and university professors)
3. Selecting people within specific ethnographic environments, mostly in Italy.
4. Selecting people among the contacts with NGO and other support associations, mostly in Portugal.

The participant observation is very useful, and can be implemented only in the ethnographic micro-environments of reference, which can now be represented by different micro-contexts: a museum, a workplace, an "ethnic community".

Starting from the analysis of micro-contexts and proceeding to the analysis of the macro-context allows the researcher to observe the *in fieri* social practices in the field of individuals who shared multiple points of view: social, linguistic, cognitive, and emotional.

In the present study, involving people of different nationalities, each represented by only ten interviews, ethnographic observation of micro-environments was an essential element to giving sense to the narratives and to reconstruct the field in which individuals move in shared social spaces. This allowed not only listening to individuals and their stories through the use of qualitative interviews, but also observing them in their social practices in well-defined contexts. This was not always possible to the same degree for all cases but in general we were able to do so.

In Italy it was possible to proceed in this same way in the mass-media analysis as well. Focusing our attention on the Rosarno case, we were able to circumscribe an ethnographic context in order to link the media streams with the practices and interpretations of the actors of this story.

It is also important to note that ethnographic attention to translocal networks and practices must be substantiated by a daily attendance in a micro-environment of life. To understand the global dynamics it is not possible to ignore local phenomena: local practices and transnational practices are thus inextricably linked.

Multiple methods were used for collecting data: experts' interviews – civil society and institutions - direct observation of host contexts; 97 interviews with TARGET GROUP (50 in Portugal; 47 in Italy)

Migrants from ten different origin countries were interviewed. In Italy: Senegal, Eritrea, Morocco, Nigeria, and the Rosarno group (different nationalities); and in Portugal: migrants from the five PALOP countries (Cape Verde, Angola, Guinea Bissau, Mozambique, and São Tomé e Príncipe). This allowed us to organize the reflection on the construction of illegality in migrant people going beyond the ethnic discourse which in my opinion, usually creates an obstacle to the visibility of the dynamics related with basic human rights.

In Italy, in addition to the qualitative interviews and the participant observation we kept a field journal that allowed us to reconstruct all the events and the impressions of the field work. The field journal is a very useful tool as it allows one to preserve all of what happens including things that may seem insignificant, but which may prove to be important with the advancement of research and data processing. The journal also allowed us to preserve photographic paintings of people and places in our research, highlight some peculiarities and detect hybrid contexts. For example<sup>1</sup>, during an interview with a Senegalese women we were invited to have dinner with her: in this context we had a "traditional" meal sitting at the table in her kitchen with the view of the wall where there was a photo of Pope John Paul II, a sprig of olive and beside these a figure saying "Go Milan!"

Interviews were conducted mostly in a context of quiet informality, although some problems arose with the presence of the recorder, especially during the summer of 2011, during which much was said in Italy about telephone bugging and cavedropping. At that time people often did not attend appointments or refused to be interviewed in the presence of the recorder although, of course, we had guaranteed anonymity. The interviews were almost always carried out by two researchers which often represented an advantage. Sometimes this approach greatly facilitates the interview, because the more colloquial and informal context, approximates a meeting between friends.

Ideally, having more time available, we could calibrate the interviews according to the interlocutor, requiring however, a very deep knowledge of people and situations analyzed. Methodology teaches that the ethnographic encounter is constructed at the moment and one cannot decide in advance which method to use in a schematic and aprioristic way. For this reason we sought to decide from interview to interview, also listening to the opinion of our

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<sup>1</sup> The information has been organized from the reports of the Italian team members. A special thanks to Martina Giuffrè for the elaboration of this section

respondent. Another positive aspect of interviews with two researchers is that one can observe while the other interacts more. We found also a huge interest to compare the different impressions that each of us had during the ethnographic encounter. Finally, the interviews with the presence of both a man and a woman seemed to be more stimulating for the interviewee and encouraged a greater openness to talk about everything. Interview with two researchers, then, allows informants to freely choose one or the other interviewers as a favored interlocutor. In some cases this allowed us to overcome mistrust or lack of harmony that could have been created during interviews (often due to gender differences).

Regarding the collection of data from media representations, we must stress that the methodology was quite different between Portugal and Italy. This has to be explained with the different mediatic impact of the news on immigration and illegality. In Portugal, since the phenomenon is not very conspicuous in the news, it was possible to collect data from two Portuguese newspapers in 2010. In the Italian case the illegal migration theme is highly charged as in the case of the Rosarno situation as seen below. In such conditions, and as we can see below in the chapter of Media, the treatment of our findings in the national media in Portugal and Italy is also very different.

## **Reasons for Migration**

Before presenting in depth the Portuguese and Italian context in which we collected the information in the scope of this project, we need to reflect on the reasons that make people of our target group move –why they move?

In the Portuguese case, the movement of people from the Portuguese-speaking African countries is a constant in its history. If the flows are grounded on the oldest colonial ties in different ways according to the period considered. From the 1990s the traditional migration flows have mixed with a contemporary, new flow starting after the collapse of the USSR, in the context of the 'invention' of Europe. The contemporary migration flows increased with the war in the Balkans and continue to change and are beyond the control of nation states that make up Europe and the world today. The new arrivals differ from the old, the traditional diaspora of Portuguese-speaking African countries, for many complex reasons that are beyond the scope of this text (Grassi 2007, 24-34). The diaspora of PALOP countries is related to a post-colonial phenomenon, a movement full of identity meanings constantly being redefined. Furthermore, these meanings are full of interpretations of ideologies and



analogies that are absent in the new migration flows to Portugal - those from the eastern countries, for example.

Emigration is a structural factor in the Cape Verdean people. Their roots in economic and social reasons seem to have favored the young Cape Verdeans internalization of the need to move in the world. In this country the desire to migrate cannot relate exclusively to rational criteria for choosing an economic point of view (Akesson 2004, 2; Grassi 2007). The immigrants from Cape Verde are organized in networks where ethnic and cultural solidarity is a value that structures an organizational theme. The need to rethink the ways of processing trust and the reciprocity necessary for the functioning of the networks found in the analysis of associations. The importance of the diaspora for the construction and maintenance of national identity and the reinvention of the nation, the importance of the "far country" in the Cape Verdean community, are very pertinent issues in their economic implications, since remittances are the greatest revenue source for Cape Verde. In this context, the presence of immigrant associations in host countries is of central importance to the country.<sup>2</sup>

Analyzing associations in their ability to support immigrants means having to adapt the way to conduct direct observation. The mere presence of associations in a neighborhood where there are many immigrants determines a diversification of the context involved. The associations are themselves promoters of ethnicity and transnationality in different ways, depending on whether the immigrant associations are or are not specific to the immigrant population.

In the neighborhoods with large numbers of immigrants, the role of organizations is very significant in the replication or reinvention of tradition, and associations end up playing a very important role, which is not oblivious to the possibility of re-creating conflicts, especially in the area of access to work. Usually the associations offer volunteer work to immigrants themselves. This problem is very complex and creates methodological challenges since the associations, when understood exclusively in the context of a collection of information, end up giving a very gradual approach to the community.

The interviews with association leaders in Lisbon on the issue of access to immigrant labor indicate the common tendency to focus more on problems than opportunities, and the majority of respondents believe that youth unemployment is aggravated by immigration

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<sup>2</sup> For complementary information see (Grassi 2008, 749-769)

status. All those interviewed for this study confirm earlier findings (Grassi 2007) that the difficulty for immigrants of African origin in accessing the formal labor market does not mean absence of informal bargaining power. It does exist, especially in seasonal, part-time, home, unrecorded jobs, and myriad other informal economic activities. These are the activities which offset the lack of employment of immigrants and provide goods and capital to whole families - also in their countries of origin through remittances. According to some of the association leaders interviewed, there is no difficulty of finding immigrants work in activities such as construction or services, in the absence of regularization of immigration status.

The numerous informal businesses range from street seller to more structured activities in neighborhood markets, and also include illegal activities such as drug trade. Informal activities are also seen as an opportunity for job creation for community residents as they appear to compensate for lack of better opportunities. These dynamics have a gender bias: women have a key role in the individualization and implementation of profitable informal activities in terms of activation and use of support networks that structure the business. Furthermore, they make it also a place of exchange and socialization for communities, which promotes the integration of immigrants into Portuguese society (Grassi 2007).

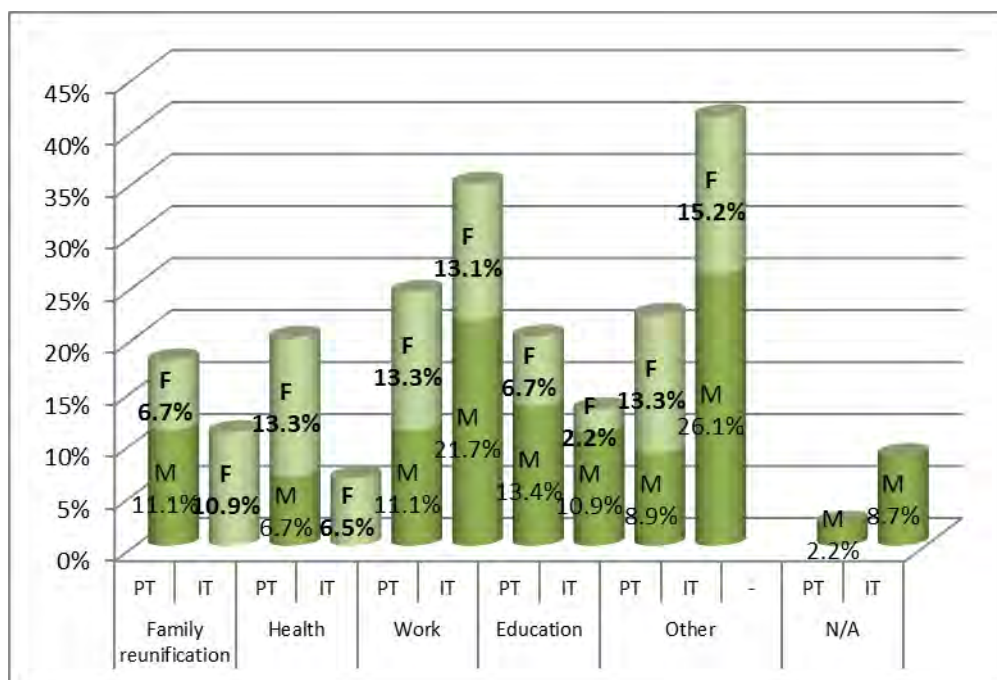
Another common point is stressed by association leaders that immigrants also have difficulty in accessing the labor market because of prejudice based on physical and cultural characteristics that differ from those of the host country.

The collection of information from African immigrants in Lisbon tells a somewhat different picture. The data indicate the existence of a clear interaction between ethnic identity and national belonging and the class which is expressed in terms of the link between national identity (ethnic) and purchasing power of individuals. The differentiation of individual purchasing power causes conflicts that emerge in a different way in the interviews with people as places to conduct interviews and host countries (Grassi 2007). Economic issues and access to the labor market seem to exasperate the fear and mistrust in relationships between immigrants, as well as inside observed generational groups (Berg 1999).

**In Italy**, the phenomenon of postcolonial ties and old networks' support is less visible, even though ethnic networks of migrants exist and help migrants in the integration in the arrival country, as well as in finding employment.

As in Graph 4, in Portugal and in Italy we can point to several reasons for migration, as identified in our interviewees.

**Graph 1 – Reasons from migration by gender**



Although the most mentioned reason for migration, as it occurs in Italy, is economic (24.4% of migrants in Portugal and 34.8% in Italy come looking for a job), in Portugal other reasons are important, such as family reunification (17.8%), health (20%) and education (20.1%).

The percentage of 20% of migrants that came to Portugal for **health issues** (most of them from Guinea Bissau), can be explained in part by cooperation agreements that Portugal has with the PALOP countries concerning health and education. These cooperation agreements are not always respected by the partners (Henriques 2010), as some of our interviewees reported. The embassies do not always respect the agreements and many individuals have no support in terms of food, housing, or medicines. On the other hand, as we see, Portugal, has a set of arrangements specific to PALOP countries, explaining the existence of NGOs that give support in these specific situations (this is the case of CEPAC, already mentioned).

The number of interviewees that have migrated for **education reasons** is also considerable – 20.1%.

17.8% of migrants interviewed in this project came to Portugal for **family reunification**. Between 1999 and 2002 about one third of the migrants coming to Portugal for family reunification were from PALOP countries (Fonseca *et al.* 2005). This can be explained by the fact that migration from PALOP countries is one of the oldest in Portugal, and they register a higher number of family reunification processes.

As in Portugal, **in Italy** the reasons for migration, in the words of our interlocutors, are varied. Although they tend to emigrate for economic reasons, not all respondents, in fact, left because of poverty. Some migrated to study, as in the case of many Nigerians, especially in the first wave of migration, some to escape from persecution in their countries, others for adventure. Some women told us that they migrated to become emancipated, to buy their freedom and independence, as in the case of some Moroccan women. Most say they left to improve their quality of life and that of their families. The migration project is sometimes individual, but much more often is part of a family's shared strategies. It is an undertaking that is not confined to Italy, but acquires meaning only in relation to the place of origin. The migration process must be read and interpreted, as is clear from the words of our respondents, as a phenomenon that must take into account both those who left and those who have stayed behind influencing the migration process with their expectations, economic demands, pressures, and representations. For this reason it is always important to take into account both the places of arrival and the places of departure of our interlocutors, because the real meaning of the migratory event can be understood only as a transnational process.

In the case of African immigration in Italy, the stereotype of the poor, black migrant who comes here clandestinely on boats is put seriously in question. The types of migrant are many and the theory of push and pull is quite unable to return the complexity of the migration phenomenon. Of course, this does not mean that we have to deny the role of social, economic, and political imbalances, which characterize the overall system in the decision to migrate: poverty, conflict, political circumstances, and agricultural environmental crises have a role in the structuring of the phenomenon of migration. However, using these factors to explain "why to migrate" tells us little about the horizon of projects that we could also call the narrative of the self and that is the subject of the history of life. This is a horizon that must be thematized, if we do not wish to continue to think (and perhaps even make decisions) or to force others into our categories and ethnocentric assumptions. In other words, we are not satisfied simply to consider the migrant as a victim of the political and cultural imperialism, driven by a utilitarian type of rationality. We wish to consider a migrant as a person fully able to structure his own migration project, a new life horizon.

# **Immigration context: the case of Portugal and Italy**

**Marzia Grassi, Martina Giuffrè, and Tatiana Ferreira**

## **In Portugal**

Studying PALOP migrants and their Diaspora in Portugal means managing the representations in the former hegemonic place that Portugal occupied for centuries in the former colonies and in contemporary Portugal as host country as well (Machado 1994, 111-134).

A critical reflection about the hegemony of Western discourse on Portugal, assumes a very peculiar representation in contemporary studies related with Portuguese speaking African countries. In the last 30 years, the reading and understanding of colonial history has changed. The awareness of the dynamics of contemporary global domination led to questioning the claims of objectivity and neutrality of the main instruments of naturalization and legitimization of the contemporary social order. In social sciences, transnational approaches for the rereading of history and narratives of colonial expansion appear at the same time with other contributions that seek to deconstruct the knowledge in different ways according to the academic areas. The five independent PALOP states (Angola, Cape Verde, Guinea-Bissau, São Tomé e Príncipe, and Mozambique) are certainly a non-homogenous geographic, political, and cultural area. In the meantime, the historical connection between Portugal and its former colonies has repercussions in the symbolic and cultural ties, as well as in the persistence of the colonial legacy of the official language common to the five countries.

The common Portuguese language in Africa seems insufficient to create an homogeneous category that will demand for the same methods and analysis, as has been suggested by many Portuguese scholars in this area. In some academic circles in Portugal there seems to be a resistance to the epistemological leap in the social sciences that spread its influence not only in the reading and rereading of colonial history, but also in its operationality in the construction of the objects of research.

Why does the memory of the past still appear so dense in Portugal and why does the colonial imaginary seem still to influence objects and methodologies in academic studies? As some postcolonial literature suggests, is this a case of the persistence of a mimetic form that appears ambivalent in the process of representing the “other” (post-colonial) by the subject (ex-colonial? In other words is it the persistence of an ethnocentric view when addressing

dynamics related to the former colonies? The set of the knowledge that we know globally as social sciences also seems to persist in the naturalization of the liberal society as the most advanced and “normal!” human existence. This is an old story, which exists in Western social thought of recent centuries. In my opinion, the search for an alternative to the thinking Eurocentric postcolonial social sciences mindset in Portugal is crucial and has to be processed by the change in methodological approach.

As we will see below, in this project the evidence collected in Portugal on the perception and representations about illegal migration are influenced by these postcolonial symbolical ties, which are constantly referred to in the interviews and that determine the choice of Portugal as country of destination. In Italy we find very few interviewees that refer to these historical ties, and all of them are, obviously, from Eritrea.

**The Italian case study** focuses on practices and representations among African migrants in Rome, taking into account the relationship between gender and the dynamics of entry into the host country, but also with the question illegal labor experienced by many migrants (consider, for example, the careers with irregular contracts or the many construction workers and the phenomenon of illegal hiring) focusing mainly on self-perceptions that migrants have on their "illegality" and "irregularities".

### **Migration trends in Portugal**

Historically Portugal has been a country of emigration to several countries. Although with the fall of the dictatorship and the independence of its former African colonies – Angola, Mozambique, Cape Verde, Guinea Bissau and São Tomé e Príncipe, Portugal also became a country of immigration, as did all other European countries.

We can characterize five different periods (Peixoto 2009; Machado 2009):

The first period starts in the early 1960s and ends in 1975. Many Cape Verdean workers came to Portugal. This immigration began in 1960, with the growing demand for labor in the construction sector (for example, during the Lisbon Metro construction). It also includes youth from the various former colonies who came to Portugal to study in the university.

In the second period, from 1975 to the mid-1980, the independence of former colonies brought thousands of people back to Portugal - more than 500,000 Portuguese and their descendants that lived in former colonies – called *retornados*.

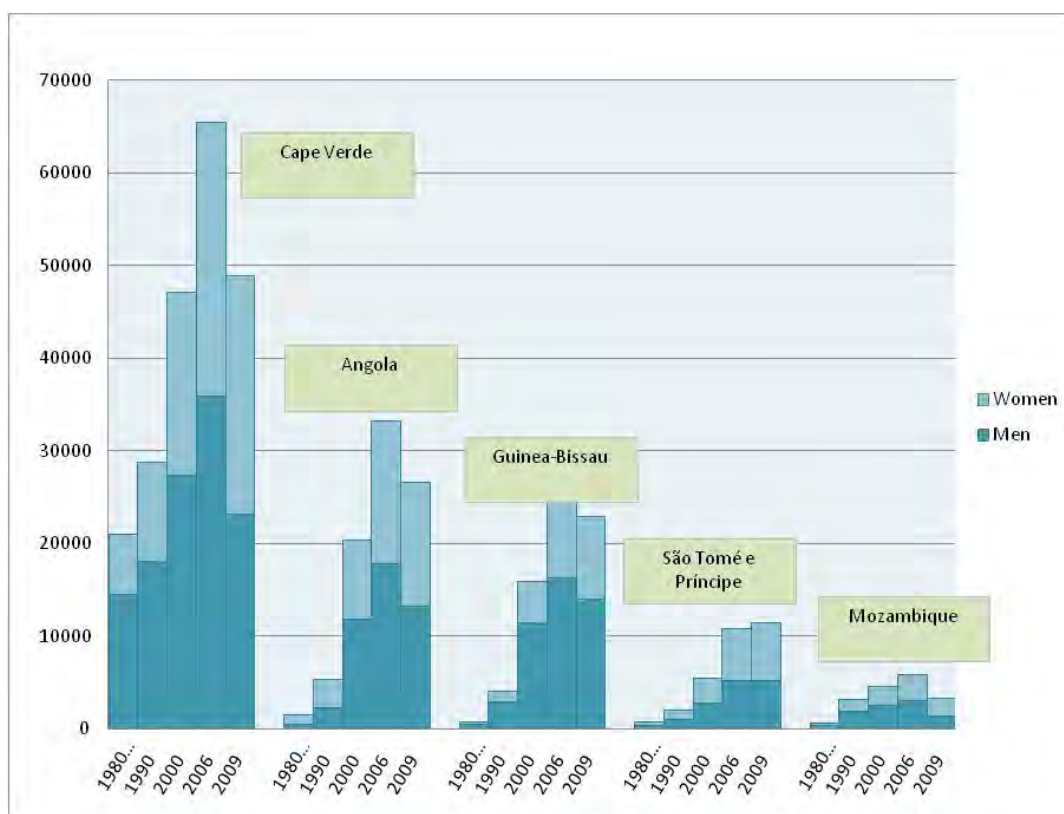
The third period started with Portugal's entry into the European Communities in 1986 and accelerated significantly until the end of the 1990, reflecting a large-scale construction boom

and the resulting increased demand for manpower. It is characterized by the increase of flows from PALOP and Brazil based on historical, linguistic, and cultural ties with Portugal.

The fourth period started in the late 1990 and goes until 2004. Major changes in migration flows and patterns occur, not only in terms of percentage, but also in terms of nationalities of origin, with flows of migrants from Eastern Europe and Asia having no historical ties to Portugal.

The last period began in the first years of the decade and continues until today. It is characterized by a decline of the migration flows due to the economic recession.

**Graph 2 - PALOP legally resident population in Portugal**



Source: SEF<sup>3</sup>

Graph 1 illustrates the evolution of PALOP legally resident population in Portugal by country and gender, from 1980 to 2009. As we can see, the largest flow came from Cape Verde, followed by other significant flows from Angola and Guinea-Bissau.

The number of migrants from PALOP gradually grows until 2006. The decline after that can be explained in different ways, including the increase number of migrants with

<sup>3</sup> SEF - Foreign Nationals and Borders Service. SEF is a governmental institution that controls the presence of foreign citizens in Portugal.

Portuguese nationality, a consequence of the Nationality Law of 2006<sup>4</sup>. In 2009 the number of naturalizations was 25,500, 40% of which were PALOP migrants (OECD 2011).

We can also consider that some of these migrants might have migrated to other European countries or returned to their country of origin. For example, due to its economic development, Angola is now a more attractive country.

The Cape Verdean migrants have always been the largest number in Portugal, followed by the Angolans and Guineans. The flows from São Tomé e Príncipe and Mozambique are the least significant, although, in the last decade the number of migrants from São Tomé e Príncipe has grown considerably.

The early migration flows from PALOP were mainly male. This was a pattern in which the men migrates first and later his partner and children join him by family reunification. In the last years, as the graph shows, there has been a feminization of the flows from the PALOP.

Another important feature of the flows from the PALOP is the existence of a generation of children (0 to 14 years old) and young adults (15 to 30 years old) that have grown up or were born in Portugal. Being one of the oldest migration flows to Portugal, due to a process of family reunification or having a family in Portugal, many already have descendants. (Machado and Matias 2006; Ferreira 2011).

Concerning indicators of labor market integration, immigrants from PALOP are at a clear disadvantage in relation to migrants from other countries (OECD 2008). They earn significantly less than all other migrant groups and are strongly concentrated in low-skilled sectors and occupations: construction work and domestic/office cleaning – *Men that build and women that clean*. They also face labor exploitation and illegality (Pereira and Vasconcelos 2007).

## **In Italy**

African immigrants represent a very significant share of Italian immigration and they are also an important part of the labor market. They have made up about a quarter of the foreign presence in Italy since the 1990s (although with regard to Moroccan migration and Maghreb in general we can go back to the 80s), and of the labor market. According to INAIL data archive (Caritas 2010) during 2008 about 500,000 African immigrants were working on a regular basis, which is almost one-fifth of total employed migrants.

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<sup>4</sup> For more detailed information see Part II - chapter 2 “Illegal migrants in the law



As already seen, the Italian regions with the greatest presence of African migrants are in the North (led by Lombardy, Piedmont, and Emilia), but a significant proportion is also present in the province of Lazio and Rome.

**Table 1 - Percentage of foreigners of African origin living in Italy, year 2010<sup>5</sup>**

<b>North Italy</b>	<b>72%</b>
<b>Central</b>	<b>16%</b>
<b>South</b>	<b>7%</b>
<b>Islands</b>	<b>5%</b>

Estimates Caritas/Migrantes

Lazio, with 6.1% of African workers, is the fifth in the national figures, only considering the African migrants, with 32,461 workers in 2008, according to Inail archives. The foreign communities recognized as an example of successful integration are Moroccan, Egyptian, Tunisian, Ethiopian, Libyan, Nigerian, Senegalese, and Algerian.

With regard to the provincial data, however, at the end of 2008, Rome was the second province in Italy for the number of foreign residents in general, while the city of Rome was the fourth city in Italy, for the number of African residents. The largest communities in Rome are Egyptian, Moroccan, Eritrean, Tunisian, and Nigerian, with a presence of women that is slightly above the national average.

With regard to Rome, its economy is oriented to the services sector, commercial business, and family services.

Most of the foreign workers are employed in services and trade, in the building industry, and in family care. However, unemployment among immigrants in the Rome area is greater than among Italians, compared to the rest of Italy. Specifically, African immigrants seem to be mainly employed in commerce, domestic work, and construction.

As for foreigners in general, in 2008 there was an increase in employment, so that 57% of foreign residents in the province of Rome were employed, i.e., 9.7% of total employment, a higher percentage than the rest of the peninsula (where it was 7.5%). In addition, women are

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<sup>5</sup> This Table refers to 2010 Caritas estimates, because they are generally considered to be most complete on this topic. See: Caritas/Migrantes (2010)a; Caritas/Migrantes (2010)b.

employed to a greater extent than the national average, i.e., 49.7% of total foreign employment, against a national average of 49%. 76% of foreign workers are employed in services and trade, although a significant proportion of foreigners are employed in the construction sector (a higher proportion than Italian residents) as well as in the services sector and family care.

However, most foreign workers have a low-skill occupation, even though a good percentage (56.5%) possess a qualification at or above the high school diploma. The labor market still offers jobs to workers, family assistants, domestic workers, builders, porters, clerks, with a high gap with respect to the skills. Unskilled occupations still seem to be almost the only professional outlet offered. However, in the Rome area, those who possess a university degree find jobs more corresponding to the training, a proportion slightly higher than the national average (39.2% against 35.8%). However, in the Rome area unemployment among immigrants is quite widespread.

Specifically, African migrants seem to be mainly employed in commerce, domestic work, and construction.

Of our five groups, according to the last data the Moroccan community seems to excel in retail trade (with 1582 residents in the province of Rome holding a company), as well as those from Senegal (with 339 owners of commercial enterprises), and Nigerians (495). The Eritreans are employed in domestic work (women), while some of them, especially men, are owners of restaurants or retail stores.

With regard to the irregular work, according the 2009 INAIL estimates, cited by Caritas /Migrantes, foreigners employed in the whole peninsula would be 337,000 units, divided between agriculture (24.5%), construction (10.5%), and services in general (18.7%). These data should be taken with caution, however, because they are difficult to confirm.

### **The selected groups in ITALY**

The research was conducted from January 2010 to January 2011 in Rome and its province. The immigrant group interviewed is composed of individuals from :

- Morocco
- Senegal
- Nigeria
- Eritrea

- “The group of Rosarno” (from Mali, Ivory Coast, Senegal, Guiné Conakri, Democratic Republic of CoNGO).

A total of 48 interviews are evenly distributed among the five groups. The choice of groups was dictated by several interrelated reasons: the characterization of gender, the amount of residents in Rome, the type of “illegality” prevailing in each group, the link with the Italian colonial past (to better compare with the PALOP groups) and their relationship with the media.

In particular, the Moroccan is one of the oldest African groups of allocation (the arrivals started in the 1980s) and the most representative in terms of presences in Italy, although somewhat less in the case of the area of Rome and its province (where there are 9374 Moroccans). The number of Moroccans living in Italy is 431,529, of whom 43% are women. Moroccans are 46% of the African presence in Italy and, in some provinces, up to 75%, as in Piedmont, Lombardy, and Veneto. In addition, the Moroccan community also has a strong presence of “irregulars”, who, according to Caritas (Caritas/Migrantes 2010b) might add up to 200,000 people.<sup>6</sup> It is important to note that the Moroccan consulates in Italy record more than half a million people, thus explicitly confirming a strong irregular component.

There are many stereotypes on the illegal activities of Moroccans (“The Moroccans are all drug dealers”); this is another important reason to choose Moroccan as one of the group of the research. Finally, it is interesting to note for the purposes of our discussion, that the Moroccan community is representative in Rome also because it is in third place regarding the number of owners of companies (1582) after those of Bangladesh and China. Finally, Moroccan are the highest percentage of homeowners – demonstrating a strong regular permanence.

The Senegalese group is, among Africans, one of the most numerous in the Italian territory (although not in Rome, where the residents are only 940) counting 72,618 residents, of which only 23.3% are women. The group of Senegal is characterized, therefore, as a strongly male gendered migration working with a specialization in informal and “illegal” trade.

The Nigerian community is also highly representative with 48,674 residents of which 55% are women. Most Nigerians are concentrated in the regions of Veneto, Emilia, and Lombardy (Caritas 2010). In Rome, the Nigerians are about 2606 and are mainly concentrated in the districts of Torre Angela, Tor Bella Monaca, and in municipalities outside the city, such as Colleferro and Ladispoli. The perception of lawlessness, in connection mainly with women, is very interesting because it is quite rare among immigrant groups, in which women are usually

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<sup>6</sup> Although obviously, these are not certain data.

perceived as more "legal" than men. This image of feminine lawlessness is undoubtedly related to the presence of Nigerian women working as prostitutes on the road.

The Eritrean residents are approximately 12,967, of which 44.1% are women. In Rome they are about 3784. They work mainly near the Termini Station area and live in the neighborhoods of Eur, Parioli, and Casalpalocco. Recent immigrants encounter many difficulties in housing. Many of them ask for political asylum and live as squatters in abandoning buildings as in via Collatina. The Eritrean women, along with Cape Verdean and Philippine ones, were the first to immigrate to Italy to work as maids/house helpers, and carers. In addition, the Eritrean community was selected for study because the country was an Italian colony. This allowed us to focus on a different aspect of Italian immigration worldwide. In fact, many of the Eritreans who arrived with the first wave of immigration, as revealed in the interviews, used to speak Italian, perceived themselves as in part Italian, and were not considered as real "foreigners" by Italians. In the Italian imaginary Eritreans are not generally considered as illegal although much of them migrate to Italy today with the barges and "illegally" ask for refugee status.

Finally, the group of Rosarno is not homogeneous in terms of nationality (coming mainly from Nigeria, Ivory Coast, Mauritius, Liberia, Senegal, Niger, Mali, Guinea Conakry, Morocco, Tunisia, and Burkina Faso), but is homogenous in terms of work context, and is also strongly characterized by gender (they are all men).

In Rosarno, in the province of Reggio Calabria, between 7 and 9 January 2010 (at the very beginning of this research) there were violent clashes between immigrants and inhabitants. The severity and cruelty of these clashes has become the emblem of illegal Africans in Italy, because of the extensive media coverage of the subject. The case is of great interest not only for the strong media impact, but also because it allows us to begin to understand the living conditions of illegal workers in agriculture, a sector that in Italy is marked by a structural irregularity.

## **Observation sites**

As mentioned above, the micro-contexts in which we have developed the field work are different between Portugal and Italy. In each of these contexts we conducted a more or less intensive participant observation, participating in the initiatives promoted by our interlocutors, attending meetings, religious functions, and so on.

## **In Portugal**

In Portugal interviews with privileged informants at governmental level (SEF, ACIDI, MAI), NGO's and IPSS institutions and immigrant associations allow us to encounter immigrants. Most interviews were realized through the associations and institutions.

Below is a list of places and situations in the field where immigrants were interviewed.

### **Centro Padre Alves Correia (CEPAC)**

The Centro Padre Alves Correia (CEPAC) is directed by Father Mario Alves. In our first visit he introduced us to the team dealing with the individuals and families assisted by the center, composed almost entirely of migrants. The staff includes a psychologist, a social assistant, a Portuguese language teacher, a *labor office*, and a pharmacist. The work carried out includes individual or family "social plans" aimed at helping the people gain autonomous incomes and life projects, and the distribution of clothing, food, and medicines. The Director clearly expressed the principles on which the work in the CEPAC was organized.

The support provided at the Center helped us in reaching out to individuals from Guiné Bissau and Cape Verde in complicated legal and residency situations, which probably would have not been discovered without this favored contact and/or would not have felt safe in sharing with us confidential information on their trajectories and experiences. On the other hand, collaborating with the CEPAC has an implicit constraint due to the religious connotation of the work carried out in the center. Furthermore, we have to stress that the fact of interviewing people who were receiving assistance from an institution and were somehow "dependent" on it make it difficult for them to criticize the government and institutions in Portugal. In fact, in some case individuals appeared less willing to criticize than people interviewed in different settings. This may be seen as a limit, due to the perspective adopted in the project, of trying to avoid "victimizing" research methods, coupled with the effort of including interviewees from different socio-economic backgrounds. An underlying misunderstanding in some interviews carried out in the CEPAC was due to the fact of interviewing people in the same facilities where the center is based, which caused confusion between the role of the researchers involved and the staff of the center. It is evident in some interviews when individuals comment that they would like to receive one type of help rather than another, and this was reinforced, in our view, by the unsolicited introduction that the staff would give referring to our research project by stressing that this will be "useful" for

migrants. Furthermore, these introductions often underlined our academic status, which inevitably strengthened a hierarchical supremacy of the interviewer over the interviewee.

#### NGO – “Laços e Afectos”

“Laços e Afectos” (ALA) is an initiative of a group working at the Commission for the Protection of Children and Youth (CPCJ) in Amadora. Discontent with the bureaucracy level of CPCJ, especially concerning the relation with Social Security services prompted the creation of ALA. The NGO office is in Junta de Freguesia da Falagueira, in Amadora, and the volunteer staff includes an accountant, a psychologist, a social worker, and two nurses. Financial support comes from individuals and several companies that donate food, clothing, and furniture distributed according to the needs of people.

The NGO provides assistance to nearly 50 families, including 26 children. Half of these receive help from the food bank. It also provide also provides clothes for these families and financial assistance in paying the rent, for example, training activities in basic child care, and support in job searches.

As they provide assistance to many immigrants, they were a privileged contact in our field work. They helped us in reaching out to individuals from PALOP countries who live or lived in complicated legal and residency situations. All the interviews were made in the Laços e Afectos space, where rooms were always made available to us.

#### AFAIJE (Association of the Sons and Friends of the Jeta Island)

AFAIJE (Association of the Sons and Friends of the Jeta Island) is an NGO with its head office in Bissau and owns subsidiaries in several countries, such as Senegal, France, Spain, and Portugal. In Portugal the association was founded on July 9, 1985 in S. João do Estoril and legalized on June 28, 1999. The NGO members are mostly from the Jeta Island, in the north of Guinea Bissau. Most of the population from this island have migrated to France, Senegal, and Portugal. The two main objectives of AFAIJE are, in on hand, to help their members from Jeta Island who live in Portugal and, on t he other hand, contribute to the development of the Jeta island, in terms of health, education, and transportation. All the members of the association have to pay a membership fee, which is the main source of funds.

They have developed several projects in association with the other subsidiaries in other countries, such as the construction of the Health center on Jeta Island in 1997 and 1998. In 2003 they have ensured the drinking water supply and the acquisition of solar panels to

guarantee the power supply of the center. They develop several campaigns to collect pharmaceutical supplies for the center and goods for the population of the island.

In Portugal they develop activities of support to their members in Portugal, including giving legal support to the members with irregular status, help in paying for the medicines of a sick member and paying for a member's funeral.

AFAIJE has also developed several cultural activities, such as the Cultural group "Ballet Mambôf". They also provide computer training for the members who are interested.

The members have monthly meetings where they discuss the development of activities and the management of funds.

We found the contacts of AFAIJE on their internet site and contacted the person primarily responsible in Portugal – Tomé Correia. AFAIJE helped us to reach out to individuals from Guinea Bissau, especially women, who we found it especially difficult to discover during the field work. All the interviews were carried out in the AFAIJE - Casa Grande da Galiza, during their monthly meetings.

#### LUSOTEMP – Multinational outsourcing companies

Lusotemp is a multinational outsourcing company that, among other services, recruits migrants to work in cleaning services and in the construction sector.

Since 2006 this company has developed a project of social responsibility, named "ponto imigrante – apoio local à imigração" (immigrant point – local support for immigration) whose objective is to be a model of good practices of migrants' integration into the labor market. The existence of this project aroused interest in knowing more about the genesis, objectives, partners, and other project details.

This project is a consequence of another project – Vamos Utopiar, which involves several partners such as ACIDI, LUSOTEMP, AMRT, GRAAL, and AGP, with the objective of equal participation of migrants in the Portuguese society.

#### "Grupo Bué Fixe" – Youth group

The group started in São Tomé as a youth magazine project. Since its start the main objectives of the group has been to develop actions of sensitization related with HIV/AIDS. Since 2003 the project has operated in Portugal with partners in each of the PALOP countries.

The group is also responsible for a radio program that airs every Tuesday night on RTP Africa. All the projects developed by the group are financed with the support of Youth Portuguese institute and European funding.

## **In Italy**

We will describe below some specific places that were the object of direct observation during the field work in Italy

### **Squatter dwellings in via del Porto Fluviale**

The squatter dwellings are located in a former barracks building in the district of Rome Ostiense. The district, located in an area that has become central and the fulcrum of an intense night life, was once a working class neighborhood, characterized since the postwar period by a substantial number of immigrants coming from other Italian regions, mainly from the South of Italy. Despite the historical presence of strong internal migration in the area, the squatters are seen by some of the oldest residents as a “foreign presence” that has occupied their territory illegally and lives at their expense.

For example, some elderly people who live in the building located just in front of the squatter dwellings complain that they are the “regular” residents in the neighborhood to pay for the electricity consumption of the occupants of the squatter. Some of these people are unhappy about the presence of “foreigners”, especially in times of economic crisis. In spite of such a representation of strangeness, some interviewees responded by affirming their integration into the neighborhood life. The former barracks has a central courtyard where there are some structures and from there one ascends to the upper floors. The impression is of being inside a large “condominium” where everybody knows everybody, with many spaces in common. According to our observation several families with handyman skills have managed to create comfortable houses from generic spaces. In the houses we visited, not only were the spaces divided into rooms with wood paneling, light masonry, and curtains screens but we also had occasion to note the care of furnishing and the abundant presence of photos and objects that recall the place of origin. A place once dilapidated and inhospitable became welcoming and warm thanks to the care of its inhabitants, who have created a true community, united by the daily struggle for a better future.

### **The senegalese community in Ladispoli**

In Ladispoli, a seaside town near Rome, there is a significant presence of people from Senegal, for different reasons: the lower cost of housing compared to Rome, the presence of “Darou Salam Ahmadou Bamba”, and the opportunity to work in street trading in the central town and the seafront promenade. The Dahir “House of Peace Ahmadou Bamba,” is a center



of Sufi brotherhood Mourid. This consists of a two-story house with garden, acquired through donations from various communities in Senegal, with the main contribution coming from those living in the Lazio region. In the house, which includes a small mosque, collective prayers are organized on Fridays. Here there are also weddings, baptisms, and other religious ceremonies, including Magal, the feast which commemorates the exile of Ahmadou Bamba (founder of the Mourid brotherhood) caused by French colonialists. The Ladispoli magal (like many others that are held at various locations involved in the "diaspora" of Senegal) is called small Magal, to differentiate it from the Grand Magal in Touba, the holy city of Mourid, which is held once a year. The Senegalese community in Rome and Lazio, looks quite cohesive beyond the activities of Dahir. Many Senegalese have moved into Ladispoli through the network of fellow countrymen, who help each other even through "traditional" practices such as the Tontine.<sup>7</sup>

### The Snia

The social center ex-Snia Viscosa, in Via Prenestina in Rome, hosts weekly meetings of the ALAR (Assembly of the African workers of Rosarno) and some of the young Africans who worked as farm laborers in southern Italy. Although there is a fairly stable core of residents, the impression is that there is some back and forth flow, with some who are leaving because they found another place, others moving into other areas of Italy in search of a new job, and others replacing them. The center is composed of two large buildings and several smaller ones located in a large fenced area. Many of the young Africans live in one of the two buildings sharing four bedrooms. In spring and summer, during the day, the courtyard becomes a meeting place, where they can take tea together, chat, and or play checkers. At the entrance of the building there is a television and a space where evening classes of Italian language for foreigners are held. There is a lounge on the upper floor that looks out over several rooms, and the courtyard is an intermediate zone between the intimacy of the rooms and a public area, where visitors, curious, journalists, activists, and researchers can more easily establish a first contact with the boys who come from Rosarno.

### The Nigerian Evangelical Church in Borgata Finocchio

The Evangelical Church is situated in Borgata Finocchio, along via Casilina, in a suburban area. The building was a threatened is now used as a place of worship. There are many chairs

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<sup>7</sup> The Tontine is a women's association that meets periodically. The members help each other by collecting money and redistributing it, once a month, to a single member at a time.

around a stage and two smaller rooms next to the large central hall. When one arrives, the hostess provides headphones for the Italian translation of the Mass, celebrated in English, and leads the visitor to seats. The room is always full of people, mostly from Nigeria, and the function can take from three to four hours, generally from 9 p.m. to 1 p.m. The mass is often interrupted by collective songs and other ceremonial acts. Everyone dresses very showy and with elegant clothes and some wear the traditional clothes of the holidays. There are many children of all ages sitting in the front row, and people are smiling and chatting occasionally. A giant screen behind the officiant projects what happens during the Mass so that it can be seen by everyone, even those sitting in the rear.

### The Immigration Archive

The Immigration Archive is one of the most interesting centers of documentation in Rome. It was a very important link with immigrants and gave us the first network of contacts through which it was possible to structure a large part of the investigation. We also collected there a first bibliographic survey to explore the themes of research.

### Integra Program

From 2005 this entity has carried out activities of Social and legal assistance, career guidance, counseling, training, and cultural mediation for Department XIV of Rome Capital. Through the mediation of the operators we managed to contact a number of informants, although few of these were available for interviews. It was a very important place to find contacts with the recent migration from Eritrea.

### The Enea Center

We contacted this Center through the CIR (Italian Center for Refugees). It is an organization created in 2007 with the support of the Municipality of Rome and the Ministry of the Interior. It is a very interesting place in the northern area of Rome, because it is specialized in "second hosting" of asylum seekers and refugees. In an enormous structure, located within a park (it was originally a convent of the Combonian Sisters), refugees find not only accommodation, but also vocational training courses, language courses, and much more, managed by both the operators of the center and other cultural and social elements in the city. Although the reception period is not very long, this center is certainly an important experiment in the desert landscape of services offered to immigrants in Italy.

### The NIRAST, Italian Network for Asylum Seekers Survivors of Torture.

This network is based in Rome at the British Hospital. Through the mediation of the center's director and several assistants, we were able to interview some illegal immigrants waiting to obtain refugee status. The delicacy of the situation (and psychological state of persons) did not allow us to be present continuously on the premises, but to benefit at the time of the meeting with the informant contacted. The staff of NIRAST helped the researchers immensely.

### Methodological Notes on the relationship observer/observed in Italy

Obviously, numerous difficulties were encountered in the research, such as the above mentioned hostility of some respondent to the recorder. Mostly women were those who objected to recording the conversation. Here is a page of our field diary of an interview with a Senegalese woman illustrating the difficulty.

*“Arrived at their home we sit on the couch and as soon as L. have seen the recorders changes attitude. L. that two minutes before appeared lively and frank suddenly becomes very shy. At first, she says that she does not speak Italian (which until then had spoken quietly, however, though not very well) and she addresses to E. in Wolof. E., at that point, tries to convince her to speak. Only after a few minutes (that we have recorded) and through the mediation of E., who offered to translate the words that she doesn't know, and S., that sits down next to her, L. convinces herself and starts talking. During the interview, on several occasions, both E and S encouraged her to tell us her story. At some point S., probably noticing the difference between the shyness shown by L during the interview and the eloquence that she used to have in the past when she talked about her problems starts to asks questions to L. Through the mediation of the other Senegalese L. gains a bit of confidence, even if the recorder and our presence continues to embarrass her”.<sup>8</sup>*

Another, with a Nigerian woman:

*“Initially, S. says that she absolutely does not want to be recorded, that she had not realized that we had to use the recorder. Then we realize that there has been a big problem of communication and we start to be in panic. Then we begin to explain to S. the project, who we are and what we want to know, reassuring her and ensuring the*

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<sup>8</sup> Original quote: “Arrivati a casa loro ci sediamo sul divano e, visti i registratori, L. cambia improvvisamente atteggiamento. Dell'apparente schiettezza e vivacità dimostrata fino a due minuti prima non resta traccia e diventa improvvisamente timidissima. Anzi. In un primo momento dice di non saper parlare l'italiano (che fino a quel momento aveva comunque parlato tranquillamente anche se non benissimo) e si rivolge a E. in wolof. E., a quel punto, cerca di convincerla a parlare. Solo dopo alcuni minuti (che sono stati registrati) e grazie alla mediazione di E., che si offre di tradurre delle parole che lei non conosce, e di S., che le si mette accanto, L. si convince e inizia a parlare. Durante l'intervista, in diverse occasioni, sia E che S la incoraggiano a raccontare. Ad un certo punto S stessa, probabilmente notando lo scarto tra la timidezza dimostrata da L durante l'intervista e l'eloquenza con cui in passato le ha parlato dei suoi problemi, pone delle domande a L. Grazie alla mediazione dei nostri accompagnatori L acquista un po' di fiducia, anche se il registratore e la nostra presenza continuano a metterla in imbarazzo”.

*anonymity and that the interview will not be posted on facebook or youtube as she believed. S. then agrees to be recorded. An example of how misunderstandings are present even when we think we have been clear enough”.*<sup>9</sup>

In other cases there was distrust against us and against the topics covered, and some people repeatedly missed appointments. This was especially true with the Nigerian women without papers, with some Senegalese women and young Eritreans. Usually, once having the meeting, the mistrust disappeared, and we soon established a feeling of reciprocal trust.

In other cases, we found ourselves in embarrassing situations, as when, during an interview with a Nigerian woman at the center of Piazza Vittorio, there was a police check to some foreign students sitting on the bench next to us. The police asked them for their documents. At that moment we realized how dangerous it could be for an illegal migrant even to do an interview. Luckily our interlocutor had all the papers, but if she had been undocumented, as a great part of our respondents, what could have happened?

Concerning the observer / observed relationship, the research confirms the idea that in order to make a "good interview" once must enter, as stated by Wikan (1992), in "resonance" with respondents. Often it is also clear that the ethnographic encounter is essentially a matter of "feeling" between the interlocutors. It often happened that one of our respondents chose one of us as the privileged interlocutor, depending on the topic treated during the conversation, as if each one of us was 'allowed' to hear only specific issues. It is very interesting to analyze the relationships created during the ethnographic encounter, and the different identities played by both interviewer and interviewed from time to time. Gender, social class, "ethnic identity", are all dimensions that have a crucial role in defining the ethnographic relationship.

In many cases it is also a simple question of disposition: there are partners with whom one creates a better feeling, and others with whom one does not create a feeling, for no particular reason.

Another key aspect of the field research was the misunderstandings arising from the gap between our representations and those of our partners. The misunderstandings during the

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<sup>9</sup> Original quote: *“Inizialmente S. dice che non vuole assolutamente essere registrata, che non aveva capito che dovevamo usare il registratore. Ci rendiamo conto che c’è stato un grande problema di comunicazione e al momento cadiamo un po’ nel panico. Poi cominciamo a spiegare meglio a S. il progetto, chi siamo, e cosa vogliamo sapere assicurandola sull’anonimato e che, contrariamente a quanto temeva, l’intervista non verrà pubblicata su facebook o youtube. S. allora accetta di parlare con il registratore. Un esempio di come i fraintendimenti siano presenti anche quando pensiamo di essere stati sufficientemente chiari”*

encounter is an integral part of field work and, of course, also our research has been full of misunderstandings.

More than once we realized that it would be helpful to use the technique of backtalk, a particular interview in which the respondent is asked to give his own opinion on the results of the research, a very useful tool to compare what we believe we understand with what our respondent believes that he has said. For example, M. S., one of the former workers of Rosarno, at the end of the interview, clearly identifying us with the representatives of the following categories, said: *"Oh, thank you... all I can say to journalists, to all associations which are helping immigrants. Immigrants are not here to create problems ..."*<sup>10</sup>.

The misunderstanding reveals the distance that separates the interlocutors and brings us to reformulate questions that we had previously chosen, in order to (re)evaluate the responses. Work on misunderstandings embedded in the ethnographic encounter makes the researcher/investigator more aware of the distance that separates him from his interlocutors, providing valuable suggestions on how to improve the methods of investigation.

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<sup>10</sup> Original quote: *Eh, grazie...io posso dire tutti...a giornalisti, a tutti associazioni che sta aiutando immigrati. Immigrati non sta qua per fare problema...*

# **Part 2**

## **“ILLEGAL” MIGRANTS**

# **Illegal migrants in statistical data**

**Marzia Grassi, Martina Giuffrè, and Tatiana Ferreira**

## **In Portugal**

The Portuguese law defines “illegal immigrant” as a citizen that enters and remains in national territory without legal documents or with false documents, and also as individuals that have entered the national territory with legal documents but remain after the document’s validity has expired or stays after being expelled from the Portuguese territory.

Although there is general consensus on the large number of irregular migrants, data on stocks and flows are usually imprecise and of unclear origin. In consequence of the lack of official data, inevitably the analysis depends on varied and fragmented sources, most of them out of date.

One solution to this is the recourse to indirect sources, for example the number of regularization processes. These regularization processes seek, principally to permit foreign nationals residing or working without legal authority to change their legal status. (OECD 2011) The use of this source to calculate the number of irregular migrants has some limitations because the extraordinary regularization program do not cover all the migrant population. They have specificities in terms of labor sectors, nationalities, and time of migration.

The first regularization process occurred in Portugal in 1992, with entry in the European community in 1986 and the subsequent influx of EU structural funds and major events like EXPO 98 brought a strong demand for workforce in the building sector. In this context and due to the informal character of this sector and the existence of large sub-contracting chains (Peixoto and Sabino 2009), there was an increase in irregular migration to Portugal. Many of these migrants entered Portugal with a legal short-term visa (such as tourism or health) and remained in Portugal after their visa expired. The Portuguese government released an extraordinary regularization period to legalize all the migrants estimated to have been illegal in Portugal. In this process were positive discrimination measures to the citizens from PALOP countries (Decree Law n°212/92 of 12 October). Later legislation was implemented to regulate the entry of economic migrants (Decree Law n.º 59/93, 3 Mar). Regardless of these policy trends, called “immigration zero”, no changes were made in the attribution of legal short-term visas, and the number of illegal residents continued to grow (Baganha 2005).

Four years later the second extraordinary regularization period was launched in 1996 (Law Decree 17/96, 24 May). From the 35,000 requests 90% were granted residence permits.

Malheiros and Baganha (2001) attempted to estimate illegal immigration in Portugal by examining the two processes of extraordinary regularization that occurred during the 1990s. Their study estimates between 25,000 and 40,000 illegal immigrants during the early 1990s. They calculate the number of illegal migrants the number of requests in the regularization periods, using official data from SEF – Portuguese immigration Service. They consider that these regularization processes are a valid indicator of the approximate number and characteristics of undocumented migrants in Portugal and analyze the amounts of requests entered by nationalities.

**Table 2 - Number of requests for status regularization in 1992 and 1996**

Nationalities	1992		1996	
	N	%	N	%
<b>PALOP</b>	28,345	<b>72.4</b>	23,400	<b>66.7</b>
Angola	12,525	32	9,255	26.4
Cape Verde	6,778	17.3	5,308	15.1
Guinea Bissau	6,877	17.6	5,308	15.1
Mozambique	757	1.9	416	1.2
São Tomé e Príncipe	1,408	3.6	1,549	4.4
Brazil	5,346	13.6	2,330	6.6
China	1,352	3.5	1,608	4.6
Senegal	1,397	3.6	-	-
Pakistan	286	0.7	1,745	5
Eastern Europe	227	0.6	541 <sup>1</sup>	1.5
<b>Total</b>	<b>39,166</b>	<b>100</b>	<b>35,082</b>	<b>100</b>

Source: SEF in Baganha *et al.* 2009

<sup>1</sup> Data from this year are only related to Hungary, Romania and Russia.



In the first regularization process during 1992, 39,166 immigrants applied for a legal status; 72.4% were from PALOP countries. In the second special period of regularization, in 1996, there were 35,082 requests for regularization, 66.7% from PALOP countries (Table 2).

In the first regularization process, of the 39,166 migrants that applied for a legal status, only 16,000 were granted residence permits. In the second special period, of the 35,082 requests for regularization, 29,809 were granted.

Another regularization process took place in 2001 in the context of the rise of flows from Eastern European countries in the 1990s. In 2000 it was estimated that 50,000 East – Europeans were in Portugal, most of them irregular (Peixoto and Sabino 2009). Like PALOP migrants they entered in Portugal with a tourist visa from a Schengen country, overstayed and became irregular after their visa expired (Baganha, Góis, and Marques 2004). Some studies have linked these flows with human trafficking, smuggling, and the sex industry (Peixoto *et al.* 2005). Flows from Eastern Europe – the *Máfias do Leste*, there was smuggling of migrants from Eastern Europe and women from Brazil to the sex industry. According with this study, a structured illegal trafficking networks would be controlled in the sending countries, from 2000 onwards.

The regularization process of 2001 implemented a “stay permit”, a temporary work visa. Only migrants who could prove the existence of a labor contract could apply (Law Decree n°4/2001, 10 January). This permit was granted for one year and could be renewed for a maximum of 5 years, after which a residence permit was granted. According to SEF data, in 2001 this visa was granted to more than 70,000 migrants from Eastern Europe (35.6 % from Ukraine, 7.1% from Moldavia, 5.9% from Romania, and 4% from Russia). In the same regularization process, 18.7% were Brazilian migrants and 12.3% were PALOP migrants (Table 3).

**Table 3 - Residence permit attributed – Law Decree nº4/2001 – 10 January**

Nationalities	2001		2002		2003	
	N	%	N	%	N	%
<b>PALOP</b>	15,624	<b>12.3</b>	6,874	<b>14.4</b>	<b>1,925</b>	<b>21.2</b>
Angola	4,997	3.9	2,681	5.6	855	9.4
Cape Verde	5,488	4.3	2,452	5.1	618	6.8
Guinea Bissau	3,239	2.6	866	1.8	213	2.3
Mozambique	315	0.2	117	0.2	29	0.3
São Tomé e Príncipe	1,585	1.2	758	1.6	210	2.3
Brazil	23,713	18.7	11,559	24.3	2,648	29.1
<b>Eastern Europe</b>	<b>70,430</b>	<b>55.5</b>	<b>26,475</b>	<b>55.6</b>	<b>4,057</b>	<b>44.6</b>
Moldavia	8,984	7.1	3,066	6.4	582	6.4
Romania	7,461	5.9	2,992	6.3	473	5.2
Russia	5,022	4	1,807	3.8	218	2.4
Ukraine	45,233	35.6	16,916	35.5	2,546	28
Others	3,730	2.9	1,694	3.6	238	2.6
China	3,348	2.6	520	1.1	41	0.5
Pakistan	2,851	2.2	-29	-0.1	34	0.4
India	2,828	2.2	488	1	69	0.8
Others	8,107	6.4	1,770	3.7	323	3.6
<b>Total</b>	<b>126,901</b>	<b>100</b>	<b>47,657</b>	<b>100</b>	<b>9,097</b>	<b>100</b>

Source: SEF, Foreigners statistics 2001, 2002, 2003 in Baganha *et al* 2009

During 2003 and 2004 two more regularization processes occurred.

In 2003 a special bilateral agreement between Portugal and Brazil allowed the regularization of irregular Brazilian migrants in Portugal and irregular Portuguese migrants in Brazil. About 16.000 Brazilians regularized their status (a labor contract was a prerequisite).

In 2004 all non-EU foreigners that could prove they had been working in Portugal before 12 March 2003 could also apply for regularization (Fonseca *et al.* 2005). Migrants had to give proof of having made payments to social security and taxes for longer than 90 days (for more detailed information see Regulatory-Degree nº6/2004 of 26 April, article 71).

**Table 4 - Requests from legal status regularization**

<b>Luso-Brazilian agreement</b>	29,522 migrants
<b>Decree Law 71. D.R. nº 6/2004</b>	<b>53,196 migrants</b>
<b>Total</b>	82,718 migrants

Source: Baganha 2005

Of the 53,196 requests, only 37% (12,949) were from PALOP countries, as shown in Table 4.

**Table 5 - Requests from legal status regularization, by nationality****(Regulatory-Degree nº6/2004 of 26 April, article 71)**

<b>Nationalities</b>	<b>Requests</b>
<b>Angola</b>	5,672
<b>Brazil</b>	6,727
<b>Cape Verde</b>	3,570
<b>Bulgaria</b>	1,120
<b>China</b>	1,834
<b>Guinea</b>	1,153
<b>Guinea Bissau</b>	2,585
<b>India</b>	1,589
<b>Morocco</b>	2,585
<b>Moldavia</b>	2,380
<b>Pakistan</b>	1,426
<b>Romania</b>	5,106
<b>Russia</b>	890
<b>São Tomé e Príncipe</b>	1,122
<b>Senegal</b>	2,756
<b>Ukraine</b>	8,328

Source: Baganha 2005

Finally, in 2007 the new immigration law introduced changes that simplified the procedures of regularization. One of the main aims of the Portuguese government was to combat irregular migration (World Migration Report 2010: 59).

Another way to estimate the exact number of illegal migrants in Portugal is to use SEF data, considering the number of enforcement actions in which migrants were controlled. According to the official SEF report “Imigração, Fronteiras e asilo” in 2010, several enforcement actions identified 48,551 individuals, 3860 of them foreigners in irregular situations.

The expulsion processes increased by 10.22% in 2009, with 2,729 administrative processes. In terms of admission of foreign people, in 2010 2,068 were refused entry in Portugal, 19.34% less than in 2009.

In 2010 about 7,425 migrants were notified to voluntarily leave the country, 7.17% more than in the previous year. Many of these resulted from the 9,615 enforcement actions, 5.16% more than in 2009.

In 2010 559 migrants benefited from the program of voluntary return, 46.7% more than in 2009.

Concerning border control, about 10,286,998 individuals were screened, 9,059,580 at airport borders and 1,727,418 at maritime borders.

Table 6 shows the number of individuals identified by SEF control actions and the number of irregular migrants detected, from 2008 to 2010.

The total of irregular migrants among the individuals identified by SEF have decreased since 2008, but in 2010 it slightly increased to 8%.

Brazil is the nationality that presents the largest number of individuals in an irregular situation. Although the number has decreased since 2008, in 2010 there was a slight increase to 15.9%.

Table 6 also shows that there was a significant increase of irregular PALOP migrants among the individuals identified by SEF. In 2009 3.7% of the Cape Verdeans identified were in an irregular situation, and in 2010 10%. The same happens with the other PALOP countries, Guinea Bissau increased 7.6% to 11.8% and Angola 4.5% to 9.3% in 2010.

**Table 6 - Identified foreigner individuals, by nationality**

	Identified				In Irregular situation				% of irregular			
	2007	2008	2009	2010	2007	2008	2009	2010	2007	2008	2009	2010
Brazil	9,585	13,253	15,154	13,813	2,796	2,469	2,035	2,200	29%	18.6%	13.4%	15.9%
Cape Verde	3,005	4,609	3,881	2,239	94	163	145	224	3.1%	3.5%	3.7%	10%
Guinea-Bissau	1,668	2,277	2,018	1,515	93	148	154	179	5.6%	6.5%	7.6%	11.8%
Ukraine	2,372	3,318	4,104	3,717	138	134	101	163	5.8%	4.0%	2.5%	4.4%
Angola	-	3,010	2,447	1,392	-	129	111	130	-	4.3%	4.5%	9.3%
China	1,627	-	2,000	2,675	112	-	126	169	6.9%	-	6.3%	6.3%
India	569	1,008	-	-	97	96	-	-	17%	9.5%	-	-
<b>TOTAL</b>	<b>40,810</b>	<b>52,370</b>	<b>54,227</b>	<b>48,551</b>	<b>3,913</b>	<b>3,736</b>	<b>3,309</b>	<b>3,860</b>	<b>9.6%</b>	<b>7.1%</b>	<b>6.1%</b>	<b>8%</b>

Source: SEF, statistical report 2007, 2008, 2009, and 2010

## **In Italy**

Of 1110 migrants, in Italy almost 90% were in the country with proper documents (beneficiaries of international protection, asylum seekers, denial by the Territorial Committee with temporary permit, and workers with a regular residence permit), but none of them had a regular work contract. The case of Rosarno is a perfect example of the interconnection between Italian illegality and the perception of migrants as clandestine.

The group of Rosarno is of great interest because it allows us to cut across all the themes of the project: a group characterized by gender (they are only men) that work in agriculture with irregular contracts, that has rebelled, and whose history of "irregularity" was constructed by the media. At the beginning of 2010 this group became the media symbol of lawlessness, and, as we shall see in detail, the testimonies of those migrants were structured picking up, manipulating, and questioning some *topoi* of public discourse on their clandestinity (illegality). Some of the workers of Rosarno were then transferred to a community center in Rome called SNIA Viscose (commonly known as SNIA), where they founded an assembly that is fighting to gain legal rights for its members. It is in this context that we met, came to know and then interviewed them.

All these groups have their own area of "lawlessness" that often overlap, as we shall see, even to those of Italian citizens: there are those who are in the work sector illegally, those who do not have documents, those living in squatter areas, those who live on prostitution, and those who are perceived as illegal because of the color of skin.

It is hard to obtain a picture of the actual illegality of immigrants. We have some data about those who are in Italy without documents and residence permits, but these data should be taken with caution.

In general it is difficult to know the real number of irregular migrants, because the phenomenon of irregular migration is heterogeneous. The same category, in fact, combines those who enter legally with a tourist visa and then stay beyond the legal 90 days (the so-called overstayers) and those who cross the border illegally or falsify their documents. According to the report "Clandestino" (Fasani 2009), which uses data from the Ministry of the Interior (2007), although the media attention is focused on the disembarkations in the south of the peninsula, in fact, more than 70% of the clandestine migrants are overstayers and another significant portion apparently crosses the border of Northern Italy clandestinely, through railroad stations and airports.

Generally there are four types of sources used to estimate the foreign “illegal” population in Italy: censuses, which collect data on the foreign population (even if it does not report the legal status); police statistics on deportation and arrests (but does not account for visa overstayers); amnesty databases and *ad hoc* research on migrants done both in the countries of destination and in places of origin (Feltrin 2011).

In light of the inability to guarantee a fixed rate in the flow of legal foreign workers, Italy has made extensive use of the amnesty, which has allowed regularizing many immigrants. **Over the last twenty years, the Italian government has granted six different amnesties (1986-1990-1995-1998-2002-2009)** thereby regularizing about 1.5 million illegal immigrants, 700,000 of which in only the amnesty of 2002.

According to the report on work of migrants in Italy, made by the Italian Ministry of Labor (2011), Italy will compete with Spain for a double record: “the largest number of regularizations (six amnesties since 1986 to date) and the greatest number (compared to the regular resident population) of immigrants who obtained legal status through one of these amnesties”.

Following ISMU report number XV, in 2009 there were 422,000 irregular migrants, with a drastic reduction of illegal ones compared to the previous four years, due, probably, to the entry in the European Union of countries with strong migratory pressure, such as Romania and Bulgaria. There was a sharp decline also compared to 2008, when we estimated 650,000 irregulars – Table 7.

**Table 7 – Irregular migrants in Italy**

<b>2008</b>	<b>650,000</b>
<b>2009</b>	<b>422,000</b>

Source: ISMU report XV

As for 2009, the highest rates of illegal migrants came from Sub-Saharan Africa (15.3%), followed by North Africans (12.4%), Latin Americans, then Asians and Eastern Europeans. Regarding the absolute values by nationality, Morocco is in the lead followed by Albania, Ukraine, and China. Senegal is in fifth place (ISMU, 2009).

More specifically, regarding African countries, Morocco (14.1%), Senegal (4.3%), Tunisia (3.8%), Egypt (3.3%), Nigeria (2.2%), and Ghana (1.7%) are among the first twenty countries for estimated illegal presence.

**Table 8 – Irregular migrants in Italy from African countries (2009a)**

<b>African country</b>	<b>% from overall irregular migrants</b>
<b>Morocco</b>	14.1%
<b>Senegal</b>	4.3%
<b>Tunisia</b>	3.8%
<b>Egypt</b>	3.3%
<b>Nigeria</b>	2.2%
<b>Ghana</b>	1.7%

Source: ISMU, 2009

The latest report on crime and safety published by the Ministry of Interior (Barbagli and Colombo, 2010), however, focuses on police data related to rejections, expulsions and migrants living in the Italian territory in irregular situations. The last are, in 2009, 47,968, and among them are 7,788 Moroccans, 5,510 Tunisians, 3,336 Senegalese, 2,924 Albanians, and 2,901 Nigerians. These data are incomplete, however, but may help us to build a reliable estimate of the situation in the country.

**Table 9 – Irregular migrants in Italy from African countries (2009b)**

<b>African country</b>	<b>N (Total= 47,968)</b>
<b>Morocco</b>	7,788
<b>Senegal</b>	3,336
<b>Tunisia</b>	5,510
<b>Albania</b>	2,924
<b>Nigeria</b>	2,901

Source: Ministry of Interior (Bargagli and Colombo, 2010)

Nigeria, Eritrea, Morocco, Senegal, and “Rosarno in Italy (only Eritrea with colonial past, and others differ in terms of numbers representation.

Mass media representations of migration, complicit in strengthening the common sense bond between migration/danger/illegality, constitute the background against which many of our respondents have tried to construct an alternate representation of their collective identity as "Community"; a new positive representation to be proud of and that can be approved by an



outside observer to the migrant group, but according to common sense, essentially (whether by law or for the nationalist ideology) internal to the Italian Nation-state.

For example, some respondents from Senegal have repeatedly stated that they, "the Senegalese", are considered by Italians the best among all migrants, due to the in friendliness, cheerfulness, and the impact of their religious ethics and their community in preventing criminal behavior. In doing so, our partners have been very careful not to reveal "those aspects of cultural identity that are considered a source of external embarrassment but which nevertheless provide insiders with their assurance of common sociality", whose recognition is what Michael Herzfeld (2005) has defined as "cultural intimacy". As noted by Andrew Shryock (2004) this concept, which makes the presence of an external observer essential, corresponds to the spread, on a global scale, of the awareness of being placed in a global frame of culture exposure, with its values and hierarchies organized according to the unequal relationships of power that characterize the contemporary world.

In this same theoretical framework we can try to understand the complex placements, in relation to mass media representations of the "events of Rosarno", by some of the respondents who were involved.

The recent economic crisis has affected the weaker sections of society, including immigrants, and subjected them to more fragility and less bargaining power because of the risk of losing their legal residence visa. The exploitation of both regular and illegal migrants is very high; different forms of blackmail and abuse are very popular such as those experienced in the case of the group of African workers in Rosarno (as we shall see) and other places of agricultural production.

Despite the prevalence and extent of the use of the word "illegal", it is not clear what it really means. As will be shown below, the field research has strongly challenged this term: far from being a clear and monolithic concept, it is extremely nuanced, contextual, procedural and relational. It changes not only in the various phases of immigration in Italy and in relation to historical and political conjunctures, but is also strongly influenced by gender, socioeconomic status, "ethnicity", and by the relationship between researcher and respondent.

For this reason, the Italian project, in an attempt to deconstruct the vague and broadly used concept, the Italian project partly tried to re-read the word from an intercultural perspective, focusing on the representations and perceptions of our interviewees. The words of our respondents were instrumental in the process of deconstruction and reconstruction of this concept.

During our first interview, one of our key informants, a Nigerian cultural mediator who was the link with most of the community present in Rome involved in the project, revealed that for migrants it is crucial to express their opinion on migration also from a conceptual point of view:

*“We, migrants, are never asked to present our point of view on things, they ask us only to tell our experience ... our life of migrants, while it is important to have the migrant’s point of view and not only to know their experience”.* (G. Nigeria)<sup>11</sup>

This statement by G. has strongly influenced our field research taking into account the real meaning of the term *legality* for our interlocutors, trying to deconstruct and rebuild it according to their accounts.

More than ten years ago, introducing a collective volume dedicated to migration from Africa, Pietro Clemente and Alberto Sobrero spoke of a "presumption of unlawful" (XV), which surrounds the migrant. They wrote that: "the difference between regular and clandestine is not just a matter of documents, or of a more or less good law, but is something more and different: it is a way of existing, of being perceived, a relational fact" (ibid). If we go beyond the mere possession of a residence permit as a discriminating condition (without denying its importance), we find easily that many migrants, although perfectly legal, claim to be perceived (and treated) as illegal on the basis of their physical appearance, gender and stereotypes surrounding their nationality.

In Italy many of our interlocutors said that, generally, women are considered less dangerous than men and less prone to crime (with the exception of Nigerians) and, therefore, less subject to detentions by the police. However, for all migrants, the condition of lawlessness is something that goes beyond the possession of valid documents: it is tied, as we shall see, to the “existence” itself, to practices and representations of daily life, a true existential condition. S., a Nigerian man, cultural mediator and teacher of African dance, observed that, without document, one cannot have anything: neither the contract of a house, nor a driver's license or a car or medical insurance, or to go home for the death of a loved one:

*“Then the problem of illegality is widespread in Italy for an immigrant: when you want to rent a house you must have a residence permit renewed. If you do not have it no one gives you the house because they do not want to risk. If you need to do a driver's license you must have residence permit. If you want to buy a car you cannot change the property if you do not have residence permits renewed... you cannot have a doctor...*

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<sup>11</sup> Original quote: *G: A noi migranti non si chiede mai di parlare del nostro punto di vista sulle cose ma sempre e solo dell'esperienza... della nostra vita di migranti, mentre invece è importante avere anche il punto di vista su come la pensano i migranti e non solo sulla loro esperienza.* (G. Nigeria)

*Basically you have nothing. To get work you must have a residence permit. To get a residence permit you must have work. Then when you are in this condition you are completely illegal. If you are applying for renewal you never know when they will give it back to you... In this case one becomes illegal without a will. It happened to me before that my mom died, I could not leave Italy. I had to wait a whole month, leaving the poor lady in the morgue, because I had to stay there, being the eldest". (S., Nigerian man)<sup>12</sup>*

But, continues S., it is precisely the possibility of a normal life that is denied them, even if they have documents. Not only when they take public transportation, but also when they go to the bank, or to an office, or to school for the first time, the African migrants are deprived of the right to a "normal" routine, to the performance of the "normal" daily life:

*"... But when you walk into a bank and they say to you, "What are you doing here?", Or when you go to an office or when you go to a school for the first time, from the intercom you hear the person on the other side saying: "Who is?" and then looks out and says, "Look, we do not want to buy anything "... (S., Nigeria man)<sup>13</sup>*

And M., Senegalese dancer, undocumented, claims that she is afraid to go anywhere because of the police, although, being a woman, the checks by police are less stringent:

*"Not having the documents ... I cannot go anywhere because I'm always afraid ... But at this moment .... I'm more confident than in the past months, years... Yes I'm still afraid that the police stop me, that sure. But ... maybe the woman is lucky, because ... man... I say this in French ... yeah, yeah... ils ont piqué.....a...a la femme... And man is ... Them, because he is man, man... ... il est capable de faire tout..... Then they stop ... the control more ... men than women. (M., Senegal women)<sup>14</sup>*

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<sup>12</sup> Original quote: Allora il problema di illegalità è quasi ufficializzato in Italia per uno immigrato, quando è che, che tu devi avere il contratto di casa, devi avere il permesso di soggiorno rinnovato. Se non hai rinnovato, non...chi ti dà la casa non vuole correre il rischio. Se devi fare la patente devi avere il Adi soggiorno se no non te la possono fare. Se vuoi comprare una macchina non puoi fare cambio di proprietà se non hai il permesso di soggiorno rinnovato. Se tu non hai il medico non puoi con quel cedolino avere un medico. Praticamente non hai niente. Per avere lavoro devi avere il permesso di soggiorno. Per avere il permesso di soggiorno devi avere lavoro. Allora quando ti trovi in questa condizione sei letteralmente illegale. Non basta dire che tu hai consegnato per il rinnovo perché non sai quando te lo ridanno. In questo caso uno diventa illegale senza volere. Ma già che...stesso io, mi è successo in passato che mi è morta la mamma, non potevo andare via dall'Italia. Ho dovuto aspettare un mese intero, lasciando la povera signora dentro camera mortuaria, perché dovevo stare là, essendo il primogenito. (S., Nigeria uomo)

<sup>13</sup> Original quote: No, quando prendo, quando prendo i mezzi pubblici quello, quello ormai non, non ne parlo più... Ma quando entri in una banca e ti dicono: "Che vieni a fare qua?", o quando vai in un ufficio o quando vado in una scuola per la prima volta, dal citofono e chi sta d'altra parte dice: "Chi è?" e poi guarda fuori e mi dice: "Guarda, qui non vogliamo comprare niente"... (S., Nigeria uomo)

<sup>14</sup> Original quote: Non avendo i documenti... Non posso andare da nessuna parte perché ho sempre paura... Però in questo momento sono più sicura....di me, che...in mesi passati, anni passati. Sì. Perché non...ho paura che mi fermano la polizia, quello sicuro. Poi...forse la donna è più fortunata perché...uomo.. Questo dico in francese... sì, sì.. ils ont piqué.....a...a la femme... E uomo è... Loro, perché è uomo, uomo...est cap...il est capable de faire tout... Allora...loro fermano di più che...gli uomini che le donne. (M., Senegal donna)

Moreover, for all nationalities, there are a number of stereotypes of lawlessness that are reflected in everyday interactions: the Moroccan are drug dealers or farm laborers who work illicitly (in Italian defined as ‘black work’); Nigerians are exploiters of prostitution and drug dealers, Nigerian women are prostitutes; Senegalese, street vendors.

Finally, the perception of one's being legal/illegal, although connected to the objective legal status of the migrant, is strongly influenced by the relationship between transnationalism and integration. Some of our interlocutors, for example, although in fact "illegal" from a legal point of view, are not perceived as such because they have a strong community of reference and the sharing of daily practices in Italy, as in the case of some of the inhabitants of squatter areas in via del Porto Fluviale in Rome. In this case unity is strength and illegal housing, for example, becomes an instrument of sharing identity and belonging. In other cases, the fragility of the identity and the existence of other speakers, who feel isolated and distant from their homeland, lead to a perception of lawlessness very close to that of existential precariousness. Finally, in other cases, the strong relationship with the country of origin influences in different ways the need to feel or not feel "legal" in Italy.

From these premises, in questioning the combination legal/illegal, we felt it was a “must” not only to focus our attention on who is formally "illegal", but also on who has a regular residence permit. This, not only because the current legislation makes the line between legal and illegal migrant extremely precarious and slippery, but also because many of those who have followed a "legal path" in Italy have personally experienced the illegality, the feeling of being illegal without no reason. It is a collective perception of lawlessness that also affects the self-perception.

Therefore, focusing on the concept of legality from the representation and perception point of view, we felt compelled to take into consideration the people in possession of a valid residence permit because it is from the intersection of the two situations (clandestine and regular migrants) that a more complete overview of the combination legality/illegality emerges.

# **Illegal Migrants in the law**

**Marianna Bacci Tamburlini, Martina Giuffrè, and Marzia Grassi**

## **Regulating “Illegality”: Migration legislation in Italy and Portugal**

In order to investigate the meanings of illegality in two different legislative systems in the European context, deepening the understanding of its repercussions in everyday lives of undocumented individuals, a twofold approach was adopted in the research project. First, we developed a comparative analysis of the meanings attached to “illegality” in the context of legislations in Italy and Portugal, relating these to the European framework, seeking to understand the consequences of the “illegal status” in legal terms. Second, we focussed, with an empirical approach, on the “experience of difference” as defined by Saskia Sassen (1999), adopting a perspective “from below”, referring to the experiences, perceptions, and representations of illegality amongst our interviewees. The project thus focused on the repercussions on individual subject’s lives of the undocumented status or of illegality (whether self-perceived, or attributed in different contexts), and how gender interacts with these processes.

### **European legislation: control and protection**

European policies and legislation have to be acknowledged as an important factor in shaping national policies, although these are introduced in national legislations with considerable variations, and are put in practice at the national level in non-homogeneous ways. The ambivalent role of European institutions in promoting the homogenization of European migration policies needs to be equally underlined. On one hand they pushed states to develop migration laws for effective control of migration flows, and on the other hand they contributed to mitigating the stricter national laws and practices, engaging in the advocacy for the compliance with human rights standards and protection of vulnerable individuals/groups<sup>15</sup>. These aspects are commonly inserted in the same institutional discourse, recalling themes such as human trafficking and vulnerability of migrants, as strictly intertwined with the security and sovereignty issues. A closer analysis often reveals how this

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<sup>15</sup> Some ambivalent aspects may also be observed in the wider context of the United Nation’s approach. On one side protection measures have been progressively recommended by the UN institutions (i.e. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990), on the other side control issues linked to security and crime discourses, such as in the Palermo Convention of 2000.

generalization contributes to a vision of the European space as a territory to be “protected” from uncontrolled flows, and of the same controls being carried out in the interest of migrants<sup>16</sup> to avoid their exploitation and trafficking (Sciortino 2004), justifying measures such as administrative detention and expulsion (leading to the definition of “Fortress Europe”).

In the context of the project some regulations emerged as having particularly important potential effects on migrant trajectories and experiences in our case studies, which are presented in Figure 1 and briefly commented on in the following paragraphs.

**Figure 1 - European Regulations**

1992	• Schengen
2003	• Family reunification directive
2003	• Dublin II regulation ( asylum)
2003	• Directive on Long-term residence
2004	• Creation of FRONTEX agency
2008	• Return Directive

The Schengen agreement, in 1992, was the first binding common border regulation in the European context, but the concept of irregular migration flows was not clearly defined. Another regulation with an important impact on an important mechanism of entry into European states is the 2003 Family reunification directive, which, as well as establishing principles for the protection for women and children and family life, allows states to limit the eligibility of family members, establishing the nuclear family (partner and minor children) as the minimum threshold.

<sup>16</sup> For instance, the 2002 European Council Directive 2002/90/EC “Defining the facilitation of unauthorized entry, transit and residence” , defines clandestine migration and reinforces this kind of perspective by stating: “One of the objectives of the European Union is the gradual creation of an area of freedom, security and justice, which means, *inter alia*, that illegal immigration must be combated”.

In 2003 the Dublin II regulation established the criteria and mechanisms of asylum attribution in member states, with important implications in the limitation of mobility of asylum seekers. In the same year the Directive on Long-term Residence established minimum rights for individuals residing in European countries for five years or more, including accrued rights in areas such as employment, social protection, and free mobility in Europe. In 2004, with the creation of the FRONTEX agency, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, the aspects relating to “control and surveillance”. The 2008 Return Directive responded to similar perceptions regarding the control of flows, establishing maximum limits of administrative detention of migrants for periods of up to 18 months, and inserting at the same time some protection measures<sup>17</sup>.

### **Migration laws in Portugal and Italy: some elements for comparison**

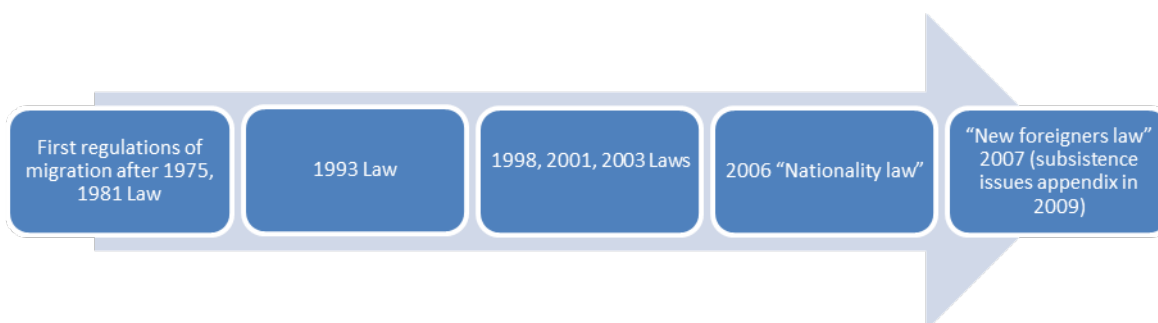
Notwithstanding a binding European legislative framework, European States have considerable autonomy in defining public policies and laws affecting undocumented migrants. In the scope of the analysis of the evolution and current status of laws, we have selected the main marking points in the legislative development of the two countries, revealing a complex history, with non-linear developments. Between the 1970s, and 80s both Italy and Portugal underwent a gradual evolution from an emigration country to an immigration country, which, together with the European provisions, was reflected in the national migration laws. European regulations were reflected in the national laws with a series of elements of continuity and rupture which make the comparative approach an optimal method to deepen the understanding on the evolution process of two countries in the European context. The following scheme gathers in chronological order some of the main provisions regarding migration approved by the two governments, which will be described in greater depth in the national case-studies in the following section.

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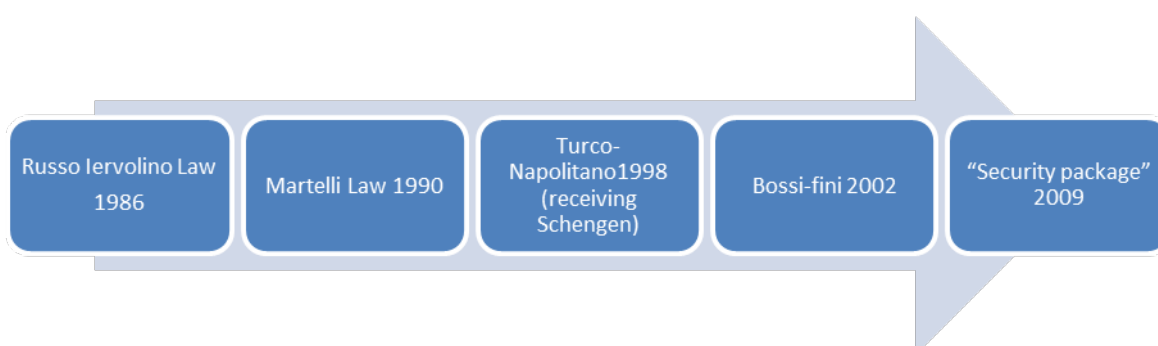
<sup>17</sup> Article 8 states that it is “recognised that it is legitimate for Member States to return illegally staying third-country nationals, provided that fair and efficient asylum systems are in place which fully respect the principle of non-refoulement”.

**Figure 2 – Main provisions regarding migration by chronological order**

## PORTUGAL



## ITALY

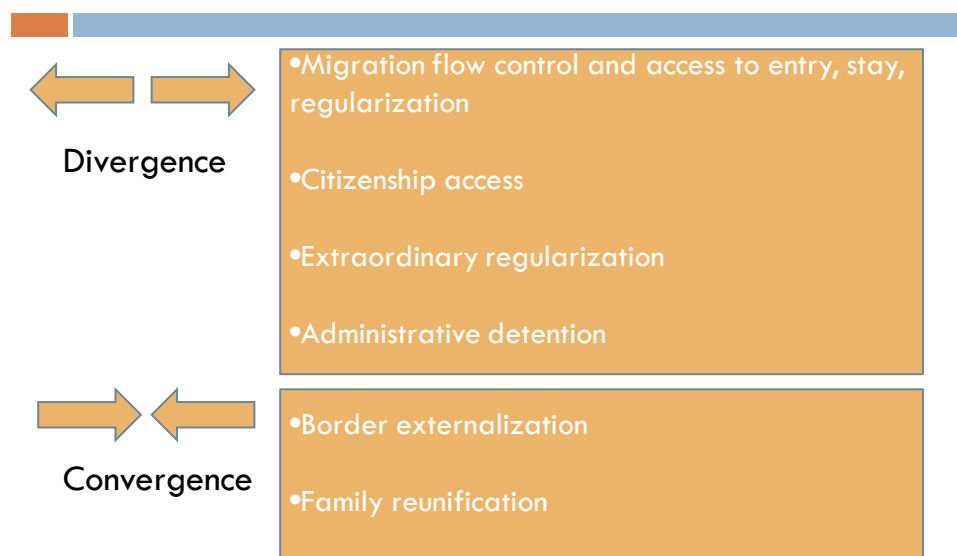


Interestingly, both Italy and Portugal score among the first 10 countries classified in the MIPEX<sup>18</sup>, an index giving a general overview of integration policies and laws, with Portugal being classified second, especially regarding its labor market and family reunification laws and policies. Notwithstanding this, care is needed to avoid taking these classifications for granted, since formal laws may be in place but applied unevenly and with varied efficacy. It is therefore useful to emphasize differences between the two countries that have great impact on the everyday lives of individuals and families.

<sup>18</sup> The Migrant Integration Policy Index collects data from 33 countries, including Portugal and Italy, on various areas including family reunification, employment, education, labor market access, and political participation.



**Figure 3 – Divergence and convergence elements between Portugal and Italy**



### **Divergence elements**

**-Access to entry, stay, regularization.** In Portugal, the procedures to obtain entry visas and regular residency status are simpler than in Italy (although both use migration flows maximum limits regulations). Portugal has a case-by-case regularization option for individuals already residing in the country, while the Italian law only allows one to ask for a residence permit from outside the country, unless an “extraordinary regularization” is undergone. In Italy there has thus been a more clear-cut hardening of the laws throughout the years, involving the tightening of entry prerequisites, and the hardening of administrative detention rules, expulsion regulations, and processes to access nationality. The approval of the “Pacchetto sicurezza” (which will be analyzed in depth in the Italian case-study further on) introducing amongst other provisions the “*clandestinity crime*” related to expulsion decrees, shows clearly how processes of illegalization may originate also in the way legislation is conceived. The increased difficulty of obtaining the residence permit, as well as the insertion of the migration regulation in a group of laws on criminality prevention obstructs the transition to a condition of “fully regular immigrant” by suggesting the idea that irregulars are a threat to public security. This link to criminalization dynamics has been analyzed in the context of media in our project, but it can also be observed in other spheres such as discourse at the political and institutional level. Both cases underline the constant change in legislation and which practices are classified as illegal, suggesting the use of qualitative methodologies,

rather than considering a clear-cut dichotomy between legality and illegality, attempted to capture the complex and fluid borders between these two constructions. Gender does not emerge as a discrimination line regarding some aspects of individual's relation with legislation, for example in the access to regularization processes, although labor-market conformation has a very important role in mediating this relation, as we will see in the second part of the presentation.

**-Citizenship.** Portugal's legislation became closer to the *Ius Soli* principle with the "nationality law" of 2006, by which children became entitled to citizenship if born in Portugal or having attended their primary education in the country. On the contrary, Italian-born children of migrants can declare themselves Italian only after 18 years with legal registration and uninterrupted residence.

**-Extraordinary regularization. This** has been used with regularity in both Italy and Portugal. In Portugal the law changed in recent years, to avoid indiscriminate mass regularizations and produce case-by-case regularization opportunities (article 88, in the 2007 law). Whereas in general in the migration laws analyzed in the context of the project there appears to be no reference to gender, in the case of Italy, the last regularization targeted the domestic work and care sector of the labor market, therefore with clear-cut gender connotations due to the distribution of work opportunities among men and women in the market.

**-Administrative detention and expulsion procedures. These** are also regulated differently in the two countries. Portugal maintained a limit of 2 months of stay in detention centers, while Italy introduced a maximum limit of 18 months of detention in 2009, which is the maximum established by European directive.

### **Convergence elements**

Convergence elements stem from similar attitudes to migration (seen as workforce), migrants (as integration plan recipients), and flows to be controlled and investigated in order to avoid "clandestine" processes. Most aspects of convergence have been regulated at the European level:

**-Border externalization** and increasing control (i.e., identity recognition technologies). Both countries invest in migration control outside their borders, especially through bilateral agreements with third countries considered of origin or of transit of migrants. This is the most "globalized" aspect of state migration policies and practices.

**-Family reunification** in the European context has been regulated by directives and is influenced by internationally recognized rights, which have been absorbed in both legislations. It is one of the areas where there have been provisions to protect the right to family life, at European and national level, but at the same time opening control on family ties and introducing stricter requisites to be recognized.

### **“Illegality”: multiple labels, multiple consequences**

Data from the interviews developed in Portugal highlight variations between men's and women's experience, and allowed us to analyze labels, perceptions, and representations that emerged from the interviews, and experiences in the context of the labor market and social security.

The analysis focussed on what implications from the legislative point of view, are linked to the “illegal” status, leading to an investigation of the expressions used to describe “undocumentedness”. This served to underline the epistemological importance of terminology, revealing the approach of states to the issue of human mobility and its categorization. A growing current of thought regarding its use to describe migration argues for a critical stance on the use of terms referring to “illegality” of individuals as a universal and self-explaining category. It additionally criticizes the use of this expression and similar expressions with negative connotations to describe as an indistinct category human mobility flows which are not captured by formal categories or do not conform to state preferences.

European regulations use the expression “irregular migration” or “clandestine immigration” mostly as notions linked to trafficking, such as in the directive on irregular migration. In the case of this directive, additionally, trafficking is regulated with what may have been seen as a gendered connotation, due to the fact of trafficking being a dynamic mostly attributed to female individuals as traffic victims. These terms are thus currently used, although some agencies, such as the Fundamental Rights Agency (FRA), recommend the use of “undocumented migrants”.

In strictly formal terms (since, as we will discuss in the report, the concept of illegality we explore in the present research is more all-encompassing than what the mere laws establish), Portuguese law defines in a clear-cut way who are the “strangers in an un-regularized position”, or illegal position. In Italy, the 2007 law defines “illegal entry and stay”, and adopts measures against “clandestine migration”: “Clandestines” is a widely used expression used to categorize those who entered Italy without a regular visa, whereas “irregulars” are individuals

who lost their requisites to stay on the national territory. It is notable that, at the public institution level, the terms are often misused and/or swapped. Immigrants are thus classified as illegality-bearers already in the text of the law.

In the context of the relation with public institutions gender emerges as a potential factor for different treatment. Women mention fewer problems with the requisite of presenting criminal record for obtaining documentation. This reflects findings in other areas such as media, which show how men tend to be more associated with “criminality”. The project focused on what practical effects the legal status implies, for both men and women: the two case-studies underlined what provisions are inserted in the law that affect undocumented migrants, to emphasize the effects of undocumented status on access to resources and rights. It is important to stress that the same laws may have different impacts and implications depending on gender and socioeconomic levels. Examples of obstacles established by law in Italy are no marriage, no international transference of money, no renting of a house, whereas these practices are allowed in Portugal. In both countries, not having papers may hinder opening bank accounts and travelling outside the country among other things. In any event, law is also mediated by the access to complete and accurate information, and by institutional practices. The interviews confirmed the variable *importance of law* in mediating the rights of migrants and the *non-homogeneous application of law*, implicating national and regional variations in its application and lack of information sometimes as mediating factors.

## **In Portugal**

### **Legislating complexity: Migration laws**

The marking laws in Portugal have been resumed on the basis of the aspects which emerged with more evidence in the interviews. In 1993 Portugal started to introduce European regulations, namely Schengen provisions, into the national legislation. Ten years later, in 2003, the regulation of the size of migratory flows (“flux”) was introduced. In 2006 the nationality law strengthened the *Ius soli* principle, in other words the right to citizenship of children born in Portugal, and the differentiated access of PALOP countries to citizenship was cancelled. Before this legislative change, a particularity of the Portuguese case (which emerged also in the interviews with migrants residing for a longer time in the country) referred to the country’s colonial history, and the ambiguities of the facilitations in the regularization process that the government put in place for individuals from former colonies. The whole migratory system appeared in fact originally designed in view of immigration

flows mainly from PALOP countries, having historically favored a positive discrimination for these countries both in legislation and in bilateral agreements. This exposes the paradox of individuals who are now regarded as immigrants or illegal residents but entered Portugal without any need for migration documents, exposing “attribution of illegality” processes which are an important element of our analysis on the construction of illegality in these two contexts.

In 2007, the “new foreigners' law” was approved, marking a simplification of the regularization processes, introducing the long-term resident status, and establishing the rights for children inserted in the schooling system until the secondary level, and their parents, to be granted a residency permit. As mentioned in the previous section, the law also established the end of extraordinary regularizations, establishing case-by-case evaluations. An appendix dated 2009 additionally introduced a special temporary provision (subsistence issues appendix) to suspend the economic requirements for regularization and family reunification due to the recognition of the negative impact of the economic crisis on migrant’s employment levels. The Portuguese Government, as stated in the law’s preamble, considered that the disproportionate effects of unemployment and temporary work on immigrants did not justify keeping their families apart.

The general trend in Portugal can thus be said to have undergone progressive softening, but with a parallel process of increased control on the entry system and borders. The progressive regulation starting after the 1970s included, on one hand, de-burocratization and facilitations regarding the access to nationality, family reunification and renewal of visas, and on the other side an increased control on some specific features, due sometimes to European homogenization processes. The latter include namely the law against fraudulent marriage, police control on migrants and borders, and general security measures presented in the light of the combat of trafficking and illegal migration.

### **Plural illegalities, different “gateways”**

Vianello (2006) supports the use of ethnographic research to study daily lives of undocumented individuals, underscoring the need to produce analysis regarding the process of “illegalization”. During our fieldwork, we gathered some perspectives of our interviewees regarding the interaction with migration laws and legal status since their arrival, to provide a sense of how these dynamics are perceived and affect individuals. We interviewed individuals with different socio-economic backgrounds, and different legal trajectories. What emerges is a

complex picture, in which individuals express a great variety of perceptions on laws and their evolutions, although the importance of laws in mediating the access to resources, recognition, and wellbeing of individuals is always stressed. This reflects on the variety of narratives and self-perceptions regarding the undocumented status and illegality. The reactions to being considered an “illegal” migrant reunite feelings that go from frustration and feelings of marginalization and inability to access resources and services due to the “illegal status”, and was a general concern referred to by people of what Knut Graw calls “nothingness”<sup>19</sup>, along with the perplexities reflecting the infinite nuances of the concept (feelings of being on *standby*, with no access to choice, no clear idea of what is illegal). Many comments express disagreement on the use of the expression “illegal immigrants” and its implications, some other comments reflect a conformity to mainstream discourses on illegality.

The fluidity of definitions, perceptions, and even the application of laws that emerged in these experiences, is also visible when we look at the formal legal status. It is impossible to generalize the analysis of the project data due to the non-representative sample, but it is crucial to emphasize that having a regular status may mean that the individual has an expired document but cannot be considered illegal because he has an open process for regularization or renewal. The result of the process is thus not known at the moment of the interview, and the categorization of individuals according to the legal status criteria alone is thus unsatisfactory. These “transition” moments may exclude the individual from access to some rights and resources, including mobility i.e. leaving the country. The legal- status declared by our interviewees at the time of our encounter was diverse: 8 of the interviewees had an “illegal” status, 22 had a “legal” status, and 15 had obtained Portuguese nationality. The above refers to formal types of illegality, since the interviewees then provided us with interpretations of illegality that go beyond these. In fact, the project results verified how the “illegal” status is in practice developed through the interaction between the legislative sphere, the socioeconomic context, and individual trajectories. An incomplete list of the main illegal status “gateways” or paths through which our interviewees experienced illegality include the following:

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<sup>19</sup> Knut Graw, presentation “On the Cause of Migration: Being and Nothingness in the African-European Borderzone” 27 september 2011.

-Irregular entry

-Administrative obstacles, such as the impossibility of document renewal (due to reasons such as no work contract, missing documents, or difficulties in obtaining the criminal record or ID from “country of origin”), expired visas or inappropriate use of visa (i.e. overstay after having entered for health agreements, tourism, study), changing laws (i.e. what was previously legal, is no longer).

-Informal channels to obtain documentation

-Labor market (including formal and informal dimensions), as will be analyzed in the following sections.

### **Between nothingness and perplexity: Self perceptions and representations**

To reflect the approach to the study of illegality “from below”, the interviews focussed on the repercussions of illegality on individuals. The direct quotes from the interviews help us to enrich the picture of the construction of illegality. The opinions and experiences quoted reflect only part of the complex descriptions provided, in which individuals express a great variety of perceptions on laws and their evolutions, depending on factors linked to the time of migration, family ties and other personal networks, socioeconomic status, and others. Gender does not emerge as a factor clearly influencing the reactions individuals have specifically to the representations of illegality, although as we will see, it is an important factor for example in mediating the access to the labor market, for example.

*Illegal, not having papers? (...) it's hell! A person that doesn't have papers in Portugal? He's nothing, he's no one! (...) When someone has no papers in this land... he's a dog. Wherever he goes he's not listened to. (Woman 42 years old, S. Tomé)<sup>20</sup>*

*This concept...I don't..I don't like it...Illegal: the first time I heard this word, “illegal”, I was...I was a bit confused. But what does illegal mean? First of all, I did not feel I was, I was illegal! ( ...) From the moment I had identification it looked as though...war had ended... (Man 33 Years old, Mozambique)<sup>21</sup>*

*To be illegal, I think that being illegal in Portugal is...is not working and (...) begging. I think those are illegal. People that work, pay social security contributions, pay tax and*

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<sup>20</sup> Original quote: *Illegal, não ter documento?(...) É inferno! Pessoa que não tem documento em Portugal? Não é nada, não é ninguém! (...) Quando pessoa não tem documento nessa terra...pessoa é cão. Onde pessoa vai não é atendido.(Mulher 42 anos, S.Tomé)*

<sup>21</sup> Original quote: *Este conceito não...não me agrada... Illegal: primeira vez que ouvi esta palavra, “ilegal”, fiquei, fiquei um pouco atrapalhado, né? “Mas então o que é que quer dizer ilegal?”. Eu primeiro não me sentia que era, estava ilegal! (...) A partir do momento que eu comecei a ter uma identificação parecia que tinha, tinha acabado a guerra... (Homem, 33 anos, Moçambique)*

*pay...their houses, have an orderly life, shouldn't be considered illegal. (Woman 38 years old, S. Tomé)<sup>22</sup>*

Some interviewees express feelings of frustration and marginalization linked to their precarious “stand by” legal situation, which may be described with Graw’s expression “nothingness”. At the same time this is accompanied by perplexities and disagreement regarding the use of the expression “illegal immigrants” and its implications. Some other comments may rather reflect feelings of “conformity” to mainstream discourses on illegality.

### **The structural link: Labor market, gender, and regularization mechanisms**

The strong link established by legislation between work and residence rights emerged as one of the analytically most interesting categories of study in the project. The Portuguese legal system for regularization is, in fact, strictly linked to work contracts and social security payments, since to obtain a residence permit these are the main requisites.

Amon the many aspects that emerged during the interviews, the fieldwork indicates how at this particular historical moment the structural and global crisis has profound effects on migration dynamics and affects migrants with greater intensity. It should be noted that many among our interviewees are not working (for different reasons, including health reasons and age). This reflects on processes such as “cyclical illegality”, because of the lack of work contracts, and socioeconomically disadvantaged situations, which interact with the legal situation. The link between illegality and labor (including formal and informal dimensions) is, in fact, an aspect that emerged with particular importance in the interviews.

This has very important gender implications, since the great majority of the interviewees have confirmed the case of women to find work in comparison to men, and an extreme polarization of the sectors of the labor market occupied by the two sexes (most women interviewed have worked at least once in domestic work or cleaning, and most men at least once in the building sector, in low-qualification jobs). A woman’s comment underlines this cleavage of the labor market along gender lines, but at the same time expresses the feeling that being regularized actually has no real effects on her access to the labor market:

*Nowadays I think that for men it is more difficult to find employment (...). (To have papers/nationality) didn't change... because I am without a job all the same...(...). An*

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<sup>22</sup> Original quote: *Ser ilegal, eu acho que ser ilegal (...) em Portugal é...é não trabalhar e (...)andar a mendigar. Eu acho que estes são ilegais. As pessoas que trabalham, descontam, pagam os seu impostos e pagam as ...as suas casas, têm uma vida ordeira, não deviam ser consideradas ilegais.* (Mulher 38 anos, S. Tomé)



*immigrant is always an immigrant! (...) Even if he has nationality he is always known as immigrant. (Woman 40 years old, S. Tomé)<sup>23</sup>*

The interviews, allow us to identify some paths of analysis regarding gender and access to services, regularization processes, and labor market. These processes may favor dependency on other members of the family and may have effects on gender balance.

*I felt for example...going to health centers to get registered, I couldn't be registered without papers...I had to rely on my husband to have access to the doctor. (Woman 36 years old, Guinea Bissau)<sup>24</sup>*

*No one accepts you on the market without... (...) a document...without a registration. You have to work clandestinely and many times the bosses take advantage of this and don't pay, there are bosses who don't pay the wage. (Woman 38 years old, Angola)<sup>25</sup>*

### **Paradoxes of illegality: No document, no work - No work, no document**

*If you don't have residency (authorization) you cannot work! ( ...) But since I do not have residency authorization, how can I work to pay social security contributions? (Man 42 years old, Guinea Bissau)<sup>26</sup>*

*So, (illegal migrants) leave their documents expire without doing anything. Why? Because there are bosses that do not accept employing a person and then giving a work contract. (...)Yes, they take advantage. And being so, they remain with an expired document and then to renew it they have to pay...high sums. You have to renew your papers?! Then you are forced to work like that. If some hours' work or little chores appear you have to do it, to be able to have some bread or a yogurt to eat. It's really complicated to be an illegal immigrant. (Woman 38 Years old, Angola)<sup>27</sup>*

The first quote exemplifies the perplexity in facing the paradox that with no work contract it is difficult to regularize, and vice-versa. The second experience reveals the tight link of the status of documentation to the informal labor market. The lack of protection through contract

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<sup>23</sup> Original quote: *Hoje em dia eu acho que pra homem é mais difícil encontrar trabalho(...). [Ter documento/nacionalidade] não mudou nem...porque eu tou sem trabalho na mesma...(...) Imigrante é sempre imigrante! (...) Ainda que tenha nacionalidade é conhecido sempre como imigrante.*(Mulher 40 anos, São Tomé)

<sup>24</sup> Original quote: *Eu sentia por exemplo...ir a Centros de Saúde pra ir-se inscrever, não podia inscrever sem documentos ...tive que encostar ao meu marido pra poder ter acesso ao médico.* (Mulher 36 anos, Guiné Bissau)

<sup>25</sup> Original quote: *Ninguém te aceita no mercado sem...(...) um documento...sem um registo. Tem que trabalhar clandestinamente e muitas das vezes os patrões aproveitam-se disso e não pagam, há patrões que não pagam o ordenado.* (Mulher 30 anos, Angola).

<sup>26</sup> Original quote: *Se você não tem residência não pode trabalhar! (...) Mas como eu não tenho, não tenho residência como posso trabalhar para descontar?! (Homem 42 anos, Guiné Bissau)*

<sup>27</sup> Original quote: *Prontos, (os ilegais) deixam caducar os documentos sem tratar. Porquê? Porque há patrões que não aceitam empregar uma pessoa e depois dar o contrato de trabalho. (...) Sim, aproveitam-se. E pronto, sendo assim ficam com documento fora de validade e depois pra ir renovar tem que pagar um...um valor alto.Vai ter pra ir renovar o documento?! Então é obrigado a trabalhar assim. Aparece umas horas ou um biscoito tem que fazer pra poder ter um pão ou um iogurte pra comer. É mesmo complicado ser um imigrante ilegal.* (Mulher 38 anos, Angola).

and lack of negotiation power of undocumented workers exposes them to exploitation, as repeated in several interviews.

### **Paradoxes of illegality: paying tax but being illegal**

As confirmed in Joao Peixoto's study on foreigners and social protection<sup>28</sup>, the fact is that the majority of individuals from PALOP countries enrol in the social security system and start paying in their contributions as soon as they can, as exemplified by this Mozambican man:

*The easiest thing I obtained was: my Social Security Contribution card, contributor number...It was the first thing I did, it has been the easiest thing. (Man 33 years old, Mozambique)*<sup>29</sup>

Many express frustration for the paradox of being inserted in the fiscal system and being nonetheless considered illegal, such as this other man:

*Always been paying social security contributions and tax, and now I am illegal!?(Man 33 years old, Mozambique)*<sup>30</sup>

The majority of those interviewed pay tax even when they are undocumented. Although the Portuguese state made some progress in the protection of migrant workers, there continues to be room for improvement in the law and its application regarding the protection of migrant workers and the regulation of the labor market.

## **In Italy<sup>31</sup>**

In little more than 20 years in Italy there have been six laws and a number of rules and regulations on immigration that is difficult to determine, a fact that shows the inability of the Italian government to provide clear answers to the immigration phenomenon. This is partly due to the enormous delay in dealing with the "immigration issue" in Italy compared to other European countries. Italy has transformed from a land of emigration to a land of immigration only since the 1960s/'70s, in conjunction with the economic boom. Meanwhile, economic

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<sup>28</sup> Peixoto João, presentation of preliminary results of the project "Imigração, protecção social e cidadania em tempos de crise: o caso português", Institute of Social Sciences, 25th October 2011.

<sup>29</sup> Original quote: *Aliás a coisa mais fácil que eu consegui foi: Cartão de Contribuinte... Foi a primeira coisa que eu tratei foi isso, foi a coisa mais fácil.* (Homem 33 anos, Moçambique)

<sup>30</sup> Original quote: *Sempre a descontar e a pagar impostos e tudo, e agora sou ilegal!?"* (Homem 33 anos, Moçambique)

<sup>31</sup> The information in this section regarding the Italian case study has been elaborated by Martina Giuffrè.

growth and prosperity, along with a higher level of education, make Italians unwilling to perform unskilled and manual labor, which leads to an increasing demand of "imported labor". These elements, along with the demographic decline, the consequent aging of the population, and women's empowerment (which demands "carers" and "maids", who fill positions vacated by Italian women in family care), makes Italy a land that attracts flows of migrants from poorer countries. At the same time, the Italian emigration does not disappear, but changes direction and type. Today Italy observes what is called the "brain drain" and the emigration of skilled laborers, while continuing to import labor force for low-skilled jobs, even though many immigrants are qualified. Although the migration phenomenon had begun to gain some consistency, in the 1970s and '80s the government "did not decide" on immigration until the mid-1980s, creating a vacuum and a delay that is still difficult to bridge today, and allowing immigration to be regulated by the free market, local authorities and charities, seeing it more as an emergency to manage with forms of temporary assistance (soup kitchens, shelters, etc.) than as part of a concrete project plan.

The first law regulating migratory flows, including consideration of the rights of migrants, was enacted in the late 1980s. It was the law 943/86, the so-called Russo-Iervolino, which brought the first "mass amnesty" at national level (Sciortino 2006). The Act provided new institutes for migrant workers and some procedures for family reunification, but did not respond to the demands of the domestic market of the time dictated by families, small businesses, and services.

After only three years the Martelli Law was approved (Law 39/90), by which a new amnesty started. Unlike the previous law, this Act had a great impact on the media: for the first time the knowledge that there was a "migration issue" began to emerge in Italy's public awareness. This new law provided severe restrictions on entry (visa, border control, and deportation of illegal immigrants), in order to calm other European countries fearing that immigrants could come illegally into their territory through Italy. Despite the restrictive policies, since the 1990s, with the fall of the Berlin Wall, the illegal entry into Italy derived from Eastern Europe and former Yugoslavia has increased exponentially. Although migration policies became a matter of the Ministry of Interior, and no longer of the Ministry of Labor, there was no improvement in admission policies and integration of immigrants already living in Italy.

Even the attempt to regulate the flows-made by a decree that would establish a total annual number of workers requested by employers (Quota Agreement) – did not have the success hoped for: the threshold was too low and the demand for labor favored the entry of many

irregulars. As Colombo and Sciortino (2004) highlight, the immigration system had settled on two tracks: one regarding illegal entry and the other on a total lack of a stabilization processes for foreign nationals already in the area.

The migration issue started to become one of the central themes of political debate during the 1990s, and in 1995 the Dini government promulgated a new law that reformed the previous part (n.489/95). The law principally sought to add new elements to the restrictive immigration policies regarding border control, deportation, and regularization. At the same time a new amnesty was announced for all those working illegally in Italy. The critical point of this new decree was precisely that of the deportations, which could be either judicial, in the case of persons who had committed a crime or who were considered socially dangerous, and administrative, for those who simply had entered the country illegally. The deportees could not return to Italy for seven years, making the illegal reentry an offense punishable by imprisonment. The decree, however, was strongly criticized, mainly on the possibility of deportation in the absence of a definitive sentence because it showed the difference in treatment between Italians and immigrants, and was described by many as anti-constitutional. The decree was not converted into law within 60 days, was reiterated several times but never passed into law. The only rule to be applied was that of the regularization (Art. 12), made possible by subscribing to the unemployed lists after having worked and paid contributions for at least four consecutive months for the same employer.

In 1997, for the first time, the first Prodi government approved a wide-ranging legislation that completely reformed Italian migration policies, regulating both the phenomenon and the condition of foreigners. This is the law known as the Turco-Napolitano (Law 40/98). The bill was complemented by the so-called “Unique Act” governing immigration and the status of foreigners. The goals of the Turco-Napolitano were to combat illegal immigration and criminal exploitation of migratory flows, to achieve a policy of planned legal entries, limited and regularized, and to open paths of integration for foreigners already residing in Italy and for new immigrants. Although always presenting repressive measures against illegal immigration, the Turco-Napolitano was the first organic law that dealt specifically with immigrant rights (right to health, education, citizenship, social services) and that created guarantees and greater stability through innovative tools such as the "Residence Card", a long-term residence permit, issued to foreigners residing in Italy for at least six years, which would subtract foreign residents from continuous renewals of the permits. The attempt was to incorporate and integrate immigrants into society by actively involving municipalities, provinces, and regions. For the first time rules were introduced to protect victims of

trafficking and sexual exploitation, and special attention was given to foreign children. The law introduced the figure of the "sponsor", who can give guarantees for the foreigner who comes to Italy seeking work, in an attempt to ensure a better match between supply and demand, while respecting the quota system. In general, the Turco-Napolitano was a law that, for the first time, addressed the social and humanitarian side of the migration phenomenon, considering the immigrant as a social actor. However, the innovations brought by this law have not been pursued with vigor and much remains only a declaration of intent: the institution of the "sponsor" was used very little, annual fees were fixed below the actual needs, and the issue of residence cards has been disregarded in many cases, due to restrictive ministerial circulars. All this has led to the creation of new illegal immigrants. In addition, there has been no reform of the citizenship law, thereby closing the road to a genuine long-term integration policy (Colombo and Sciortino 2004).

The law known as the "Bossi-Fini" (Law 189/02), promulgated in 2002, is a systematic review of the Italian legislation on immigration. It comprises 38 articles and the stated objectives are mainly to promote a decent reception and a full-fledged entry to immigrants who come to Italy to work regularly, to reconcile reason of reception and solidarity with those of legality and safety, and to be able to regulate the migratory phenomenon. The key point of the law is that the entry and stay of foreigners are justified only in the presence of a regular work that becomes a "sine qua non" condition to stay in the country. The inclusion of immigrants in this law is intended primarily as a "job placement". In the context of new residence permits it is the employer who must ensure appropriate working conditions and accommodation. The registration of the worker is no longer in the unemployed lists but at the Immigration Office ("Sportello Unico") in the prefectures, which deals with family reunification as well. The law also provides international cooperation in the adoption of policies to combat exploitation and crimes (human trafficking, drugs, prostitution). Deportations are expedited through physical accompaniment to the border by the police. The fight against illegal immigration appears to be the dominant element of the Bossi-Fini (fingerprints required when requesting a residence permit, faster deportations, more penalties for those who enter again after deportation). In this law, the idea of person was replaced by the idea of work-force, the idea of foreigner by that of the potential illegal alien (as soon as the individual loses his/her job), and the status of illegal immigrant was equated to potential criminal. The list of rights which, more or less idealistically, filled the Russo- Iervolino law, was replaced by administrative and enforcement measures that actually make immigration very complicated.

Undoubtedly, with the approval of the last security decree<sup>32</sup>, the government wished to give an image of strength and capacity of defending the interests and safety of the Italians. The security decree (Law 92/08) intends to tackle all the lawlessness phenomena, in some cases related to illegal immigration and organized crime. In particular, it introduces the aggravating of “clandestinity” in the evaluation of the crimes committed by a citizen, and sentences up to three years (and the seizure of their property) for those who rent a property to an illegal immigrant. It also renames the CPT (Centers of Temporary Permanence) in CIE (Center of Identification and Expulsion) and introduces the DNA examination for the family reunification requests. Basically, this law introduces the crime of illegal immigration, punishing those who help illegal immigrants to enter and overstay in the country.

Immigration laws are now included in a "security decree", together with rules to fight the mafia, with rules to sell the “pepper spray”, with the introduction of a register of homeless people and the measures against abusers and rapists. Clearly, immigration is not considered as a resource but as a crime, and every immigrant as a potential illegal immigrant.

Despite the efforts that are being made, through these various decrees to combat illegal immigration, there is still a large amount of total immigration in Italy. This is due to structural problems. If Italy were a country where all transactions are governed by social and legal transparency, illegal immigration would have no reason to exist. However, Italy is a country where not only is there a strong demand for foreign workers, but also of illegal foreign workers. This, of course, favors immigration. In Italy even without papers you can find a job, especially seasonal work, and employers run minimal risks in recruiting illegally. The number of illegal immigrants that every amnesty highlights, confirms this widespread situation (Sciortino 2006). Finally, it must be said that illegal work is also practiced by many Italians, which shows that illegality is an integral part of the work practices.

#### **Table 10 - The Security Decree**

The so-called “security decree” indicates new rules to promote public safety. The decree (which includes the Law n.125/2008 and the Law n.94/2009) introduces changes in immigration laws, known as the Testo Unico sull’ Immigrazione (L.286/1998), as well as in some articles of the Penal Code.

First, it introduces the crime of illegal immigration, punishing more severely those who assist in any way illegal immigration and illegal immigrants already staying in the country.

<sup>32</sup> See Table 10.

Imprisonment is added for those who rent apartments or beds to migrants not having a residence permit, and imprison terms are worse for employers who hire illegal immigrants. In addition, foreigners are required to show the permit in public offices, except for schools and hospitals, and to demonstrate that they have suitable accommodation, in case of family reunification. Green cards may now be required after two years of marriage, and not after six months, as before.

The fact of including new rules relating to immigration in a public safety decree leaves little doubt about how the government approaches the issue. The following section reports the summary of changes in immigration<sup>33</sup> policy from the website of the Ministry of the Interior:

#### Section: FIGHT AGAINST ILLEGAL IMMIGRATION

- The crime of illegal entry and stay in Italy punished with fine from 5,000 to 10,000 Euros is introduced [Act 94 / 2009].
- The aggravating circumstance of clandestinity is introduced [Law<sup>34</sup>125/2008].
- Imprisonment from 6 months to 3 years and confiscation of the apartment for those who rent to illegal immigrants [Law 125/2008].
- Aiding in illegal immigration is punished more severely [Law 94/2009].
- The crime for immigrants who alter their fingertips to avoid identification is introduced [Law 125/2008].
- The consequences for employers who employ illegal immigrants are aggravated [Law 125/2008].
- Introduction of the possibility to hold illegal immigrants in refugee camps for up to 180 days, allowing the identification and subsequent expulsion [Law 94/2009].
- The construction of new CIE and expansion of existing is decided Law 186/2008].
- The agreement between Italy and Libya, which signed the Additional Protocol for joint patrolling of the Mediterranean sea is ratified [Law 7 / 2009 and 4 February 2009 Protocol].
- Eviction for those who are sentenced to more than two years [Law125/2008].
- Effective expulsion of foreigners who overstay even though already recipients of a removal order [Law 94/2009].
- Establishment of a fund to finance the costs of repatriation [Law 94/2009].

<sup>33</sup> "Downloadable from the website: [http://www.cir-onlus.org/MinInterno%20Norme\\_pacchetto\\_sicurezza\\_e\\_collegati.pdf](http://www.cir-onlus.org/MinInterno%20Norme_pacchetto_sicurezza_e_collegati.pdf)

<sup>34</sup> Then declared unconstitutional by the Constitutional Court with the decision no.249 of 2010.

- Requirement for the services of "money transfer" to acquire and retain for ten years a copy of residence permits of foreigners carrying out the operation, and the obligation to report to the authorities activities by one who does not possess a permit [Law 94/2009].

*a) obligations to exhibit the residence permit*

- Introduction of the requirement to show the permit in public offices for the purpose of issuing licenses and permits, enrollments and other measures of interest, except for the provisions concerning access to health services and those relating to school, as well as sports and recreational activities of temporary nature [Law 94/2009 Art. 1, co. 22, read. g)].

- The deletion of the foreigner from the registry office after six months from the expiration of the permit is scheduled [Law 94/2009 Art. 1, co. 28].

*b) conditions of life*

- Introduction of the possibility of verification of the sanitary condition of the house by the municipality offices [Law 94/2009 Art. 1, co. 18].

- Introduction of the obligation to demonstrate the housing conditions of hygiene and sanitation, for the foreigner who requests reunification.

*c) fight against immigration laws' circumvention*

- Foreigners are required to submit a residence permit for the celebration of marriage [Law 9 / 2009 Art. 1, co. 15<sup>35</sup>].

- They are now required to demonstrate two years of residence (not more than six months, as before) to obtain a green card [Law 94/2009 Art. 1, co. 11].

- No family reunifications are allowed in cases of polygamy [Law 94/2009].

- In situations of emergency, the Minister of the Interior may appoint a local representative of the Territorial Commission for the recognition of International protection, on the recommendation of the mayor of the town at the seat of the Commission itself, giving timely notice to the State-Cities and Local Governments [Decree. 159/2008 Art. 1].

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<sup>35</sup> The consultation with Judgement n.245 of July 25, 2011 - said the partial illegality of Article 116 of the Civil Code as amended by the point of the so-called Security Package 2009, where it is written that a non-EU citizen wishing to marry in Italy must present to the registrar a "document certifying the correctness of your stay in the Italian territory." The Constitutional Court adds: "In particular, the referring court states that marriage is an expression of freedom and autonomy of the person and the right to freely enter into marriage is the subject of protection under Articles: 2, 3:29 of the Constitution, as part of the inviolable rights of man, characterized by universality. In addition, Article. 31 of the Constitution, enshrining the Republic assists the formation of the family, "excludes the legitimacy of restrictions on freedom of any type"



## SECTION: PROMOTING INTEGRATION

### *a) agreement of integration*

- Introduction of an Italian language test for issuing an EC long-term residence permit [Law 94/2009].

- Introduction of the obligation to subscribe an Integration Agreement - at the time of the submission of an application for a residence permit - on credits, the total loss of which involves the revocation of the residence permit [Law 94/2009].

### *b) incentives for qualified employment*

- Introduction of incentives for skilled employment: foreigners who have obtained a Masters Degree or a PhD in Italy can convert the study permit to a residence permit for a maximum of twelve months [Law 94/2009].

- Simplification of procedures for certain categories of highly qualified workers [Law 94/2009].

- Regularization of illegal non-EU citizens employed as domestic workers or carers [Law 102/2009].

## **Table 11: The residence permit<sup>36</sup>**

Law n.94/2009, called “Security Decree”, introduced the crime of clandestinity, whereby one who enters and stays irregularly in Italy commits the crime of illegal immigration, punishable by a fine of 5,000 to 10,000 euros.

The non-EU citizens who plan to come to Italy for a period exceeding three months must apply for a residence permit.

If it is the first time in Italy, individuals will have 8 days to apply for a residence permit.

The validity of the residence permit is:

Up to **6 months** for seasonal work or up to **9 months** for seasonal work in the specific sectors requiring this extension;

Up to **1 year** if attending a duly documented course of study or a vocational training course;

Up to **2 years** for self-employment, open-ended employment, and family reunification.

<sup>36</sup>Sources Ministry of the Interior, *In Italy in order*, Ltd. publishing services., Milan, 2008; <http://questure.poliziadistato.it>; [www.portaleimmigrazione.it](http://www.portaleimmigrazione.it); Ministry of Labour / Italian Lavoro "The labor migration in Italy. Evolution and Prospects" (2011).

No residence permit is needed to come to Italy for **short visits, business, tourism, or study** for a period not exceeding 3 months.

According to the institutional sites, the cost of the request is about 71 euros.

Before entering the country, applicants must demonstrate to already have a job with a regular contract or to be financially able to support their own business, in case of self-employment.

The **employer**, in order to hire a foreign worker coming from outside Europe, must submit an application complying with the Quota agreement on the maximum number per year of non-European foreigners allowed to come and work in Italy<sup>37</sup>.

Once the **worker** has obtained the six-month-work authorization, he shall obtain the documents in his home country within thirty days.

Then, maximum eight days after entering Italy, he must go to the immigration office to sign the residence contract and submit an application for the residence permit in order to avoid being considered illegal.

He shall obtain a receipt for the application, which must be sent by post, and then he has to wait for the response from the police.

A foreigner legally resident for five consecutive years, having a regular job with minimum income, regular home, and no pending criminal charges, needs to take an Italian language test. After that, he can ask for an **EC residence permit for long-term** residents, which is permanent.

There are other kinds of permits, such as family reunification, asylum, and of course, Italian citizenship.

Thus, in Italy, there is no rule of law allowing the regularization of immigrants who already reside in the country, except for amnesties.

In the last twenty years the Italian government established six different amnesties (1986, 1990, 1995, 1998, 2002, 2009), regularizing about 1.7 million immigrants, according to recent estimates (Fasani, 2009), more than a half of all immigrant residents in the country. The 2009 amnesty focused only on domestic workers and caregivers, leaving out all other categories.

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<sup>37</sup> In 2010, the Prime Minister's November 30, 2010, "programming quota agreement for non-seasonal immigrant workers in Italy" established a total of 104,080 eligible non-EU workers, divided by nationality of origin.

However, the total number of applications is 295,126. Only 215,255 of these were accepted in February 2011.<sup>38</sup>

## Papers: Obtaining the permit

As Table 11 shows, obtaining the permit in Italy is not an easy process. In fact, when arriving in Italy, migrants instantly clash with the harsh and confusing procedures in obtaining a residence permit. Interviewees told us that those procedures are characterized by excessive bureaucracy, sometimes combined with little sensibility of the operators, making the process difficult to follow.

G., for example, a sixty year old Nigerian immigrant living in Italy for more than 20 years, reports that the institutions responsible for issuing residence permits give the impression of discretion and lack of will in welcoming foreign workers. This element, led him not to apply for Italian citizenship:

*And I said that one of the reasons why I did not ask for citizenship was precisely this concept of ... arbitrariness in granting a residence permit, which depended more or less on the good mood of the officer. So there is no legitimacy, a law, a law which says: "Well you do these things and I'll give you that", do you understand? [...] The second is, that every time I applied for the permit, they never did it in the right time! The law says, you have to apply for it fifteen days before it expires, and you do it on time because it is in your interest. But at the same time the State has its own obligations. These were never respected. It happened to me that they gave me the permit after one year! [...] I don't know, a series of things that made me think not to apply for citizenship, because there is no respect. (G, Nigeria, man)<sup>39</sup>*

A small error in the documents to be submitted is enough for rejection, often rude, after hours and hours in a queue inside the police offices, even in case of a mistake of the police officer her/him self. It is the case reported by F., a young Moroccan woman, who had to come

<sup>38</sup> Cfr. [www.programmaintegra.it](http://www.programmaintegra.it).

<sup>39</sup> Original quote: *E dicevo che uno dei motivi per cui io non ho chiesto la cittadinanza era proprio su questo concetto di... discrezionalità per concederci il permesso di soggiorno che dipendeva sempre del buon umore o meno del funzionario. Quindi non c'era una, diciamo così, una legittimità, una legalità, una legge in cui si dice: "Beh, questo fa queste cose e io ti do tot", no? E lo prendi e lo fai. Invece... tutto un po' mosso, un po' più ampio e... Questa è la prima motivazione. La seconda è che, tutte le volte che mi facevano... mi davano questo soggiorno... mai a tempo! Se la legge diceva, tu devi fare una domanda quindici giorni prima, uno lo faceva perché, eh! era di tuo interesse. E poi allo stesso tempo lo Stato aveva i suoi obblighi. Mai si rispettavano. Magari io stavo, più mi concedevano il soggiorno e molte volte stava per un anno lì. Magari per tre anni già avevo che un anno l'avevo consumato lì per la questura, no? E mi trovavo con un soggiorno di due, due anni, no? [...] Non so, tutta una serie di cose che non, non c'è, non c'è. ovvio, questa cosa mi ha fatto pensare che non è il caso di chiedere la cittadinanza, perché non c'è un rispetto di base. (G., Nigeria, uomo)*

back to the police station after a few months because her fingerprints were not properly taken, thus undergoing a further delay:

*Yes, sometimes they send you back because of the lack of a simple photocopy of a file and stuff like that. And after you have been waiting three months for the appointment! They ask you everything. Do you have a daughter? They want the document that proves that she's your daughter ... [...] But she is already in my passport! It doesn't matter, you have to wait forty days for the birth certificate [...] Oh, But if I applied to renew the residence permit, they already have it. You have to do it again! They ask you so many things ... no, no, no, no. Too much, too much really. We still make photocopies of passport, we are in 2010, huh? The fingerprints, after two months they send you a message. I had to do them two times: "Madame, come to repeat this because they are not good." (F., Morocco, woman)<sup>40</sup>*

As told by F., not only is the first permit difficult to obtain, but the foreigner is required to produce the same documents also for the simple renewal, even if he/she stayed in Italy for years and despite being permanently and lawfully resident in the same household. Who lives in Italy for several years, relates these troubles to the Bossi-Fini Law (Law 289/2002), which created a more complex procedure, with the hidden agenda of discouraging the inflow of immigrants, even though the Italian labor market needs them.

The procedure fits neither the complex reality of immigration, in terms of time, (because you can wait from a few months to one year or more), or everyday life, because the receipt does not possess the same value as the permit.

This procedure, as our interviewee said, can be very hard to follow, it is discretionary “*depending more or less on the good mood of the officer*”, and shows a lack of will to welcome foreign workers.

In some cases the complexity, also promotes corruption, which according to the interviewee is very common, even if we have no official data to confirm this.

The permit, we have been told, is easier to obtain by paying bribes to employees in the offices, or through intermediaries found using informal networks. Falsifying the documents or

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<sup>40</sup> Original quote: *Si, qualcuna sì, ti mandano veramente indietro per una fotocopia di qualcosa che è una cosa banale, veramente. Poi prendi appuntamento per tre mesi e stai aspettando questo appuntamento, quando non c'è soltanto una fotocopia di una cosa, ti dicono: “La fotocopia non c'è allora, devi portarla...”, pure una cosa banale ti chiedono veramente, ti chiedono qualsiasi cosa. La figlia, già è tua figlia... il certificato che è tua figlia... [...] Ce l'hai nel passaporto, c'hai l' anagrafe, c'hai nel... “No, porta il certificato...”. Per avere il certificato di nascita devi aspettare quaranta giorni. [...] Eh, ma scusa ma se io voglio fare rinnovo di soggiorno, loro avevano già quello precedente. Devi fare un'altra volta! Ti chiedono tante cose che... no, no, no, no. Troppo, troppo veramente. Ancora facciamo le fotocopie di tutto il passaporto, siamo nel 2010, eh? Le impronte, le fai l'impronte, dopo due mesi ti mandano un messaggio. Io due volte mi hanno fatto. Ha fatto le impronte per quello nuovo... Mi hanno mandato un messaggio dopo due mesi: “Signora vieni a ripetere questa operazione perché non sono usciti bene”. (F., Marocco, donna)*

alternating data can cost up to 10,000 Euros. Corruption, they told us, is present both in Italy and at the home countries' consulates, as emphasized by these two women from Nigeria:

*Well, people are frustrated because if ... if ... there is valid documentation and everything, before they give you a visa takes at least a year. After you ... you've done everything!. This is not something ... something clear.*

**Q:** *But the Italian Embassy?*

**A:** *The Italian embassy in Nigeria.*

**Q:** *But why do they do that? Because of corruption?*

**A:** *Corruption ... for corruption! Well, for example, if you want to come here for work, ... or to study ... you have to do many steps, you have to wait, [...] At the Italian Embassy in Nigeria, if you do not know anybody, if you don't give money, you will never take the Visa!*

**I:** *Hum. And you know someone that tried to come to Italy...*

**A:** *Oh, many!*

**I:** *And they failed?*

**A:** *No, no, no, no. But if you got money ...you'll have your visa, even if your documents were not valid! You have to pay! (A., Nigeria, woman).<sup>41</sup>*

And in the same frame:

**B:** *Yes he came under the Quota Agreement..*

**I:** *And he's got his documents?*

**B:** *At the end. Because he came under the Quota Agreement, through a man that took 4.000 Euros from him to do a fake hiring. When he arrived here the man told him he couldn't help him anymore. [...] So the police took him and gave him the deportation paper. [...] At the end we had to pay another guy... let's say another friend... and...he helped him a bit. (B, Nigeria, women)<sup>42</sup>*

But these are not the only issues. As S., a Nigerian cultural mediator, strongly claims, if a foreigner loses his job and his permit expires, he will obtain no more than a short-term permit to search for another job, then he will fall back into clandestinity even if he was a long-term

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<sup>41</sup> Original quote: *Eh, frustra le persone perché se...se...c'è un documento... la documentazione valida e tutto quanto, prima che ti danno il visto ci vuole almeno un anno. Dopo che hai... hai fatto tutto... questo non è una cosa... una cosa valida, pulita; I: Ma l'ambasciata italiana questo?; A: L'ambasciata italiana in Nigeria.; I: Ma per corruzione... perché fanno così?; A: Per corruzione... per corruzione! Eh, per esempio, se uno vuole venire qui per motivo di lavoro, per... o per studiare... devi fare tanti giri, devi aspettare, devi... guarda ti... ti mettono... in difficoltà... Io voglio dire la verità quello che succede lì. Perché lì all'ambasciata italiana in Nigeria, se non c'hai nessuno, se non c'hai soldi, eh... avoglia di prendere visto lì.; I: Hum. E qualche tuo conoscente o parente ha provato a venire in Italia...?; A: Eh... tanti!; I: E non ci riuscivano?; A: No, no, no, no. Ma se c'hai i soldi... subito, subito, senza... anche se non c'hai qualche valide documento... basta pagà... (A., Nigeria, donna)*

<sup>42</sup> Original quote: *Sì. Quello è arrivato, diciamo quattro anni fa, con Flusso...va bene...; I: E lui ce l'ha i documenti? (...); B: Alla fine, da poco. Perché è venuto con questo Flusso che ha fatto un signore, questo signore ha preso quattromila euro per fare questo Flusso, è venuto, mi aveva detto che faceva documento per due anni o va beh, e... é venuto... lui ha detto: "No, no, non posso fare nessun documento perché l'ho fatto per tante persone". E quindi siamo andati alla questura,...), quindi l'hanno preso, polizia, eh, l'hanno detenuto là per un paio di giorni poi hanno fatto l'espulsione a lui (...).Quindi abbiamo dovuto pagare a un altro, diciamo, qualche amico così. Eh, quello ha aiutato un pochetto. (B., Nigeria, donna)*

resident, despite the presence of children, and even though in possession of a house. Our informant, in Italy for 20 years, is an active member of the Nigerian community, and refers to cases that occurred to his countrymen:

*Then the problem with the Bossi-Fini law is that, if the residence permit will expire when the factory where you were working is shutting down, if you do not already have a residence permit, if you are unemployed, it is a trouble! [...] According to the law, you are illegal, because they don't have in their mind that a foreigner could be irregular and unemployed, no. A person, who has worked in Italy ten years [...] maybe he's got a family, a property house! And you lose your job and your stay will expire, if you're lucky you may renew the permit for six months. Usually people don't know this reality lived by many immigrants. Eventually you come back with the expired residence permit in your hand, as an unemployed. It is difficult also for an Italian to find job in six months! [...] If you don't work you are deleted. (S. Nigeria, man)<sup>43</sup>*

We can easily imagine how the legislation appears more punitive than anything else and is not fully capable to fit the current socio-economic situation.

There is also a gender difference regarding the perception of obtaining the permit: women appear to almost all our interviewees to be favored over men, and as we will see below, not only in this case. According to a common opinion, in fact, women, finding work mostly as carers or housekeepers, find it easier to obtain work contracts from families, even though with the minimum wage and overwork, which will be discussed in the next section.

With respect to the documents, the Rosarno group is a special case. Most of our interviewees actively participated in the meetings of the ALAR (Assemblea of African workers in Rosarno), which had among its main objectives to obtain: a) a residence permit for labor, and b) an employment contract, for those who irregularly worked in agriculture. Through a long process of negotiation with State institutions, in the end, the Assembly was able to obtain a permit on humanitarian grounds for all those who had worked in the Rosarno area. In this case, migrants had benefits from the support and the help of activists and volunteers, who made a list of the victims to be submitted to the Ministry of Interior, who mediated between the group and the lawyers and also between asylum seekers and the

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<sup>43</sup> Original quote: *Poi il guaio con la legge di Bossi-Fini, se ti scade il permesso di soggiorno quando ti sta chiudendo la fabbrica già che non ci ho il permesso di soggiorno, se io sono disoccupato sono dolori! [...] Secondo loro se il clandestino, perché non è che ci hanno in mente quello che si chiama irregolare e disoccupato, no. Uno che ha lavorato in Italia dieci anni [...] hai una famiglia, hai una casa, ma anche la casa è tua! E tu perdi il lavoro e il tuo soggiorno ti scade, forse se sei fortunato ti rinnovano il permesso di soggiorno per sei mesi. Ma il tuo permesso di soggiorno che hai, che sei andato a rinnovare come disoccupato per sei mesi, te lo do dopo otto mesi! Mentre sta al rinnovo è già scaduto! Cioè è una cosa, anche la gente non conosce questa realtà che molti immigrati vivono. Alla fine tu torni con il permesso di soggiorno scaduto in mano, come disoccupato. Non è detto che un italiano in giro di sei mesi trova lavoro...Allora cosa dice la legge: "Tu devi lasciare l'Italia, quanto prima, devi andare nel tuo paese". Perché se no, se ti beccano, sei clandestino, devi fare la prigionia come hanno previsto. [...] O lavori o sei cancellato. (S., Nigeria, uomo)*

Commission for Refugees, who accompanied them to doctors and guided them in making the requests.

# “Illegal” Migrants in Portugal and Italy

Tatiana Ferreira, and Marzia Grassi

In order to organize the social and demographic data of the interviewed, all the information gathered was systematized in individual records and later treated in the form of quantitative variables in SPSS. It should be noted that the data have no statistical purpose, as the characterization of our sample its only objective. The aim is to present a comparative overview of the main socio-demographic characteristics, using the most common indicators including age, profession, etc.

## Age and gender

Our interviewees are mainly working-age adults with less than 50 years of age, but there are significant differences between the two countries. Italian respondents are younger (between 20 and 40 years (23.3%). In Italy the predominance of men is due to the Rosarno case, where only men were interviewed. Although not significant, in Portugal there are respondents older than 50 (total of 12.3%, 7.6% between 51-60 years and 4.7% men older than 60), mainly men. This is due to the fact that migration flows from PALOP countries are long-standing, starting before the independence of the former colonies, as was described above in the description of the main historical characteristics of migration flows in Portugal (see Immigration contexts – Portugal). They are mainly men due to the fact that the early migration flows from PALOP countries were mainly composed of men who migrated first, and later the partners and children joined them through family reunification mechanisms.

**Table 12 - Age by gender**

Years	Portugal			Italy			Total
	M	F	Total	M	F	Total	
< 20 years	2.3%	2.9%	5.2%	-	-	-	2.6%
21-30 years	11.6%	2.9%	14.5%	<b>23.3%</b>	11.8%	35.1%	26%
31-40 years	11.6%	29.4%	41%	14%	14.7%	28.7%	33.8%
41-50 years	14%	26.5%	40.5%	9.3%	8.8%	18.1%	28.6%
51-60 years	4.7%	2.9%	<b>7.6%</b>	4.7%	-	4.7%	6.5%
>60 years	4.7%	-	<b>4.7%</b>	-	-	-	2.6%
N/A	.	11.1%	11.1%	13%	13%	26%	100%



Table 13 illustrates the immigration year of our interviewees. Most arrived in the destination country in recent years, 15.4% between 2001 and 2005 and 31.9% before 2005.

**Table 13 - Immigration year by gender**

Years	Portugal			Italy			Total
	M	F	Total	M	F	Total	
<b>Before 1980</b>	6.1%	-	6.1%	4.1%	4.8%	8.9%	7.7%
<b>1980-1985</b>	2%	4.8%	6.8%	4.1%	4.8%	8.9%	7.7%
<b>1986-1990</b>	4.1%	2.4%	6.5%	2%	2.4%	4.4%	5.5%
<b>1991-1995</b>	2%	14.3%	<b>16.3%</b>	2%	-	2.0%	8.8%
<b>1996-2000</b>	8.2%	-	8.2%	2%	7.1%	9.1%	8.8%
<b>2001-2005</b>	4.1%	4.8%	8.9%	12.2%	9.5%	<b>21.7%</b>	<b>15.4%</b>
<b>After 2005</b>	14.3%	19%	<b>33.3%</b>	18.4%	11.9%	<b>30.3%</b>	<b>31.9%</b>
N/A	2%	11.9%	13.9%	12.2%	2.4%	14.6%	14.3%

Notwithstanding what has been stated in the Portugal fieldwork context, that migrations flows from PALOP countries are one of the oldest, the table shows that a large percentage of our respondents arrived in Portugal before 2000 (33.3% before 2005). This can be explained by the fieldwork conditions where the individuals were reached, in NGO's and other institutions specialized in supporting the recent migrants in the regularization process, for example. Regardless of this fact, we cannot ignore that these numbers also illustrate the continuity of migration flows from PALOP countries and their feminization. Still we must stress the 16.3% PALOP migrants that arrived in Portugal between 1991 and 1995.

African migration flows to Italy are more recent and do not have the same historical background as the Portuguese (21.7% arrived in Italy between 2001 and 2005 and 30.3% after 2005) - (see Immigration context – Italy).

### **Household composition**

Cohabitation is an important socio-demographic variable enabling insights into the composition of respondent family households.

**Table 14 - Household composition by gender**

Household	Portugal			Italy			Total %
	M %	F %	Total %	M %	F %	Total %	
<b>Partner</b>	4.1	2.4	6.5	4.1	2.4	6.5	6.6
<b>Partner+children</b>	4.1	16.7	20.8	15.2	16.7	31.9	<b>25.3</b>
<b>Children</b>	-	<b>19</b>	19	-	4.8	4.8	<b>11</b>
<b>Other relatives</b>	2.4	5.5	7.9	2.4	2.2	<b>4.6</b>	5.5
<b>Friends</b>	<b>8.2</b>	7.1	15.3	4.1	3.5	7.6	<b>12.1</b>
<b>Alone</b>	2	-	2	2	2.4	4.4	3.3
<b>Siblings</b>	<b>7.2</b>	3.4	10.6	-	-	-	5.5
<b>Parents+siblings</b>	2	4.8	6.8	-	-	-	3.3
<b>Other(s)</b>	2	-	2	4.1	2.2	6.3	4.4
<b>N/A</b>	12.2	4.8	17	26.5	9.5	<b>36</b>	27.5

Most of our interviewees live with their partner and children (25.3%), with friends (12.1%) or with their children (11%).

The main variations emerge in Portugal, especially in terms of gender. A large percentage of women (19%) live alone with their children. On the other hand, men who do not live with their partner and children, live with friends (8.2%) or with siblings (7.2%). A nother difference that must be mentioned is the importance of family networks in Portugal, given the percentage of migrants that live with other family members besides their partner or children, such as siblings or parents. On the contrary, in Italy only 4.6% of migrants live with other relatives. We also have to highlight the large number of “no responses” (36%) in Italy.

### **Education by gender**

In terms of educational levels, most of our respondents have secondary school diploma (29.7%) or higher education (29.7%).

A comparative analysis of the educational level reveals different trends. The Italian sample shows higher levels of education in which the majority has higher education (41%). On the opposite side, in the Portuguese sample we found the lowest levels of education, and the majority of the respondents have secondary education. In Portugal women are the ones with the lowest education levels. We also have to highlight the large number of “no responses” (52%) in Italy.

**Table 15 - Education level by gender**

	Portugal			Italy			Total
	M	F	Total	M	F	Total	
<b>1st cycle</b>	2%	7.1%	9.1%	-	-	-	4.4%
<b>2º/3º cycle</b>	6.1%	14.3%	20.4%	-	-	-	9.9%
<b>Secondary school</b>	22.4%	14.3%	36.7%	2.0%	4.8%	7%	<b>22%</b>
<b>Higher education</b>	8.2%	9.5%	17.7%	24.5%	16.7%	<b>41%</b>	<b>29.7%</b>
<b>N/A</b>	4.1%	11.9%	16%	30.6%	21.4%	<b>52%</b>	34.1%

**Professional background by gender**

Concerning professional background, among our interviewees we have to observe the large percentage of unemployed (24.2%) and those who work in cleaning services, only women (17.6%). Analyzing professions by country, we again encounter considerable differences.

**Table 16 - Profession by gender**

Profession	Portugal			Italy			Total
	M	F	Total	M	F	Total	
<b>Building</b>	<b>6.1%</b>	-	6.1%	-	-	-	3.3%
<b>Student</b>	6.1%	-	6.1%	4.1%	-	4.1%	5.5%
<b>Unemployment</b>	<b>14.3%</b>	<b>21.4%</b>	<b>35.7%</b>	<b>10.2%</b>	2.4%	12.6%	<b>24.2%</b>
<b>Cleaning</b>	-	<b>19%</b>	19%	-	19%	19%	<b>17.6%</b>
<b>Catering</b>	<b>4.1%</b>	<b>7.1%</b>	11.2%	2%	2.4%	4.4%	7.7%
<b>Seasonal work</b>	-	-	-	<b>6.1%</b>	-	6.1%	3.3%
<b>Hawker</b>	-	-	-	<b>4.1%</b>	<b>4.8%</b>	8.9%	4.4%
<b>Cultural mediator</b>	-	2.4%	2.4%	<b>4.1%</b>	<b>2.4%</b>	6.5%	4.4%
<b>Retired</b>	4.1%	-	4.1%	-	-	-	2.2%
<b>Merchant</b>	-	-	-	4.1%	4.8%	8.9%	4.4%
<b>Others</b>	6%	2.2%	8.2%	14%	4.4%	18.4%	14.2%
<b>N/A</b>	2%	4.8%	6.8%	8.2%	2.4%	10.6%	8.8%

In Portugal, as described earlier in the Portuguese fieldwork context (see Immigration contexts – Portugal), PALOP migrants are concentrated in a few and unqualified jobs.

Women are concentrated in the cleaning services (19%), which demonstrates a clear segmentation of the labor market. It is also the case of the building sector in Portugal, where only men work (6.1%). In Portugal the percentage of migrants working in the catering services (7.1% female and 4.1% men) is also significant.

However, the aspect highlighted in the table is the high number of unemployed in Portugal (35.7%), especially women (21.4%). Given the high number of unemployed in Portugal, we proceed with a deeper analysis of data in order to understand this phenomenon. Despite the fact that this high number may be due, as said before, to our fieldwork circumstances, where several interviews were made in the context of NGOs and institutional services that provide help to the migrants, we cannot attribute this number to this fact alone.

In order to understand this high number of unemployed in Portugal we have analyzed the relationship between the profession of the respondents and the reason why they migrated (for a more detailed analysis of the reason for migration, see page 11). The analysis of this crosstab showed us that five of the respondents that came for health reasons declare themselves as unemployed (three of them hold a health visa). In addition, the analysis showed that four of the respondents that declared to be unemployed have informal activities (for example, one does occasional jobs using the receipts of a friend, another does informal work in the construction services and others).

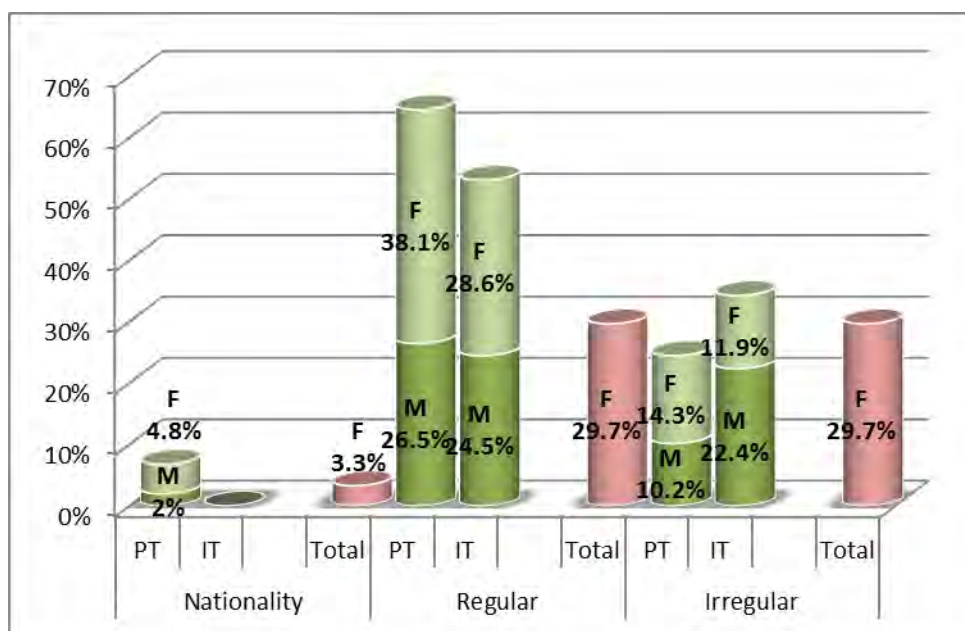
In Italy there is a greater dispersion across the different professional categories. Notwithstanding this, we have point out the importance of seasonal work (6.1%), mainly of men interviewed in the context of the Rosarno case, and the existence of hawkers (4.1% male and 4.8% female) and cultural mediators (4.1% men and 2.4% female). Being a younger sample, with higher educational levels, they have access to a more heterogeneous range of professional choices. On the other hand, although not as significant as in Portugal, the number of unemployed migrants in Italy is considerable, mainly men (10.2%), of which half are from the Rosarno group.

### Legal status – at arrival

Regarding the legal status of the respondents, we can analyze their status at the moment of arrival in the receiving country and their current status.

For legal status at arrival, as Graph 3 shows, the number of migrants that entered with an irregular status in the destination country is higher in Italy.

**Graph 3 – Legal status at arrival by gender**

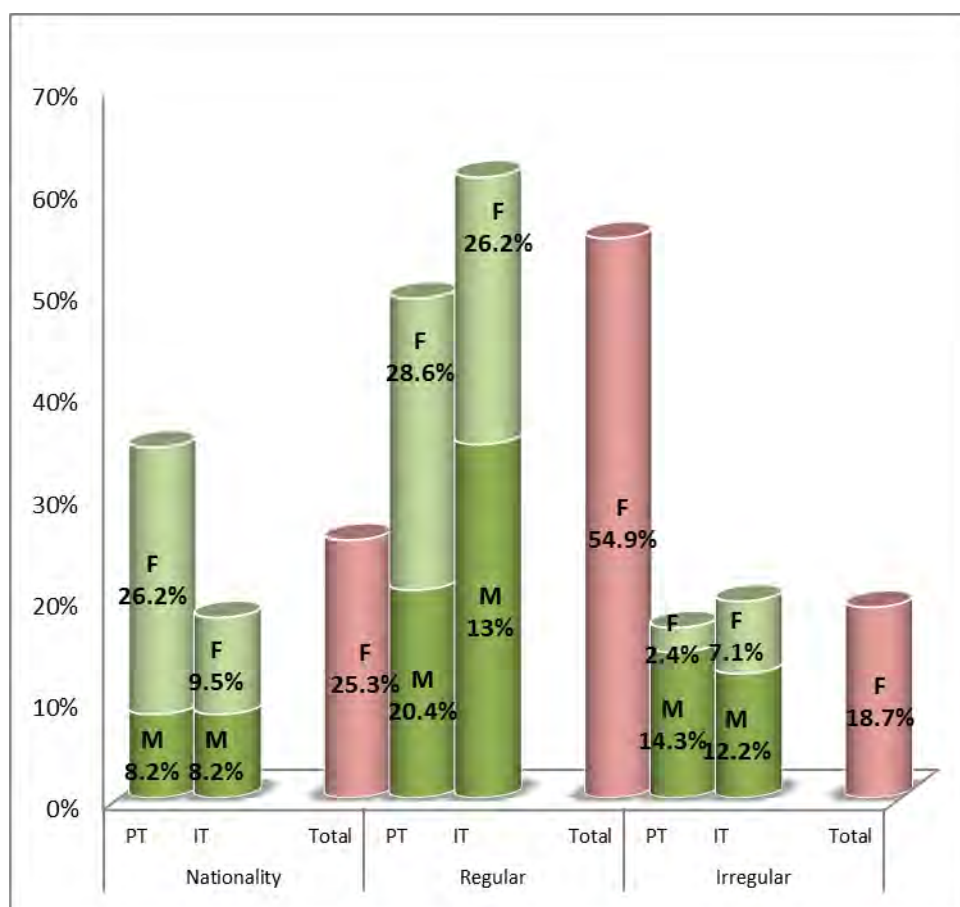


Regarding the variations in the legal status, in Italy migrants entered mainly with a student or work visa. In Portugal, most migrants entered with a tourist or health visa. The percentage of interviewees that entered with a student visa is also significant. We have to stress the importance of the mutual agreements between Portugal and the PALOP countries in terms of health and education.

### **Legal status – Current**

There are few differences between the two countries regarding the current legal status. The main difference is that in Portugal the percentage of migrants with Portuguese citizenship is higher (34.4% in Portugal and 17.7% in Italy), and these are mainly women. In part these numbers can be explained by the context of migratory flows from PALOP countries, as being older than the African flows to Italy.

**Graph 4 - Current legal status by gender**



In terms of the current regular status, besides nationality, the respondents have mainly a residence visa.

### **Country from where people migrated, by origin**

The migration trajectory cannot be seen as a linear process, where an individual moves from his/her country of origin to another country. It is instead dynamic and circular and one person can move across several countries.

Analyzing the qualitative data from the interviews concerning the country from where individuals have migrated, different trends emerge between African migrants in the two countries. The tables below organize these data by country, showing the origin country and the countries where people have migrated.

PALOP migrants have a more linear trajectory, since most of them move directly from their home country to Portugal. As shown in Table 14, only some Cape Verdeans and migrants from São Tomé have a trajectory marked by the passage in different countries before coming to Portugal. In the case of Mozambique and Guinea- Bissau there is only one case, and in Angola all the individuals have migrated directly from Angola to Portugal.

**Table 17 - Migration countries - Portugal**

<b>São Tomé (9)</b>	5 São Tomé (1M/4F) 2 Angola (F) 1 Cape Verde (M) 1 N/A (F)
<b>Cape Verde (10)</b>	8 Cape Verde (3M/5F) 1 France (F) 1 Italy (M)
<b>Mozambique (4)</b>	1 Germany (M) 3 Mozambique (M)
<b>Guinea-Bissau (12)</b>	11 GB (7M/4F) 1 Angola (F)
<b>Angola (10)</b>	10 Angola (5M/5F)

On the other hand, African migrants in Italy have a more dynamic and circular trajectory and many of them arrive in Italy having been in several countries (see table 15).

An exception is the case of Nigeria, where among the nine migrants interviewed, eight came from Nigeria to Italy.

**Table 18 - Migration countries - Italy**

<b>Eritrean (10)</b>	5 Eritrea (4M/1F) 1 Germany (F) 1 USA (M) 1 Israel (M) 1 Yugoslavia (M) 1 United Kingdom (F)
<b>Rosarno group (8)</b>	1 Congo (M) 1 France (M) 2 Libya (M) 2 Mali (M) 4 N/A
<b>Senegal (10)</b>	4 Senegal (2M/2F) 4 France (M) 1 Greece 1 Portugal (F)
<b>Morocco (9)</b>	5 Morocco (2 M/3F) 1 Spain (M) 2 France (M/F) 1 Líbya(M)
<b>Nigeria (9)</b>	8 Nigeria (4M/4F) 1 Spain (M)

**Summary**

One of the first conclusions to be reached after the comparative analysis of the results is how the specific characteristics of each migratory flow and each country's context is crucial.

Concerning age and gender, our interviewees are mainly working-age adults younger than 50. In Italy there is a high proportion of young men between 20 and 40 years. African flows to Portugal are historically grounded and long-standing, leading to the presence of respondents with ages above 50, mainly men.

However, being an older flow, in our sample there is a large percentage that has arrived in Portugal before 2000, showing the continuity of PALOP flows.

In terms of household composition, the importance of family networks in Portugal emerges in our sample.



African migrants in Italy have higher levels of education and there is a greater dispersion across different professional categories. In Portugal we have to highlight the significant number of unemployed.

In terms of legal status, the number of migrants that entered with an irregular status in the destination country is higher in Italy. In Portugal we emphasize the importance of the mutual agreements between PALOP countries and Portugal, which enable many migrants to come to Portugal with a health visa.

In terms of the current legal status, the main difference between the two countries is that in Portugal the percentage of respondents with Portuguese nationality is higher.

Finally, another main difference between the African flows in the two countries is that migrants in Italy have a more dynamic and circular trajectory, and many of them have been in several countries before arriving in Italy.

# **Part 3**

**Networks, labor market, and illegality**

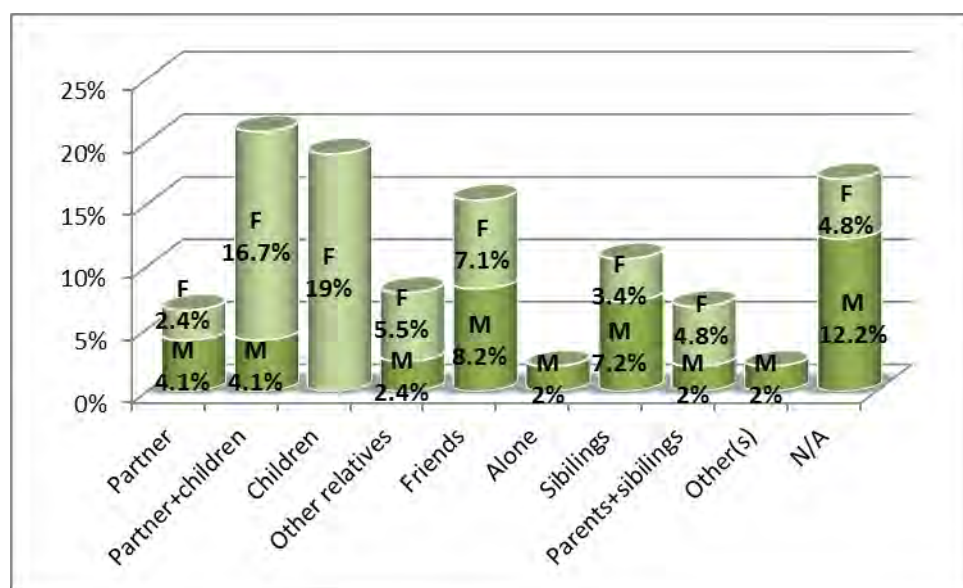
## Illegality and gender across generations in Portugal

Tatiana Ferreira

PALOP migratory flows to Portugal, as we have stated, is one of the oldest in Portugal, and many migrants have descendants. A generation of children (between 0 and 14 years) and young (15 and 30 years) were born and/or have grown up in Portugal (Machado and Matias 2006).

Almost all of our interviewees have children (84%) and, in terms of household composition, a large percentage of our interviewees, mainly women, live with the partner and their children (20.8%) or with their children only (19%) (Graph 5).

**Graph 5 - Household composition in Portugal, by gender**



The existence of a high percentage of immigrants with children who live with them invites us to question how illegality and access to citizenship are reproduced generationally. Although the generational analysis was not one of the main initial goals of the project, some of the interviewees, especially women, revealed a particular concern about the repercussions of their legal status in their children's lives.

Our main objective is to analyze the ways in which the legal status of the parents affects children, adolescents, and young adults, taking into account the perceptions that emerged in the interviews. The children of migrants live, as some authors say, in the *shadow* (Suarez

Orozco 2011), as they are members of illegal families in the eyes of the law. Their experience, resulting from their family's legal status, has multiple consequences in their lives and this has been understudied under study in the context of the studies on illegal migration.

The theoretical discussion around illegal migration is mainly focused on the study of adult individuals, not taking into account the existence of children in undocumented families. Therefore we seek, in this analysis, to draw attention to some research avenues to develop in the future.

Many children and young people growing up in families with undocumented members are also undocumented, or at least, experience difficulties in access to citizenship. Even those who have legal documents face difficulties due to the legal status of their parents, and experience complex legal situations.

Below we will present the different types of situations and families among our interviewees.

First, we must observe that it is above all women who show concern about the legal status of their children and with the repercussions of their own legal status in their children's lives. All of the examples we cite below are from women. Some authors have already shown that the reproduction of the household is the woman's responsibility (Grassi and Évora 2007).

## **Pathways to citizenship - one undocumented member in the family**

### **Angolan woman, Portuguese nationality, undocumented partner, 5 children**

This is the case of children and young people living in a kind of mixed legal status, in which at least one member of the family is undocumented. Our example is an Angolan woman living in Portugal for 19 years with her five sons, a stepdaughter, and her undocumented partner.

She entered in Portugal with a tourist visa, remained without documents for several periods until obtaining the residence permit, followed by the permanent permit, and finally being granted citizenship.

She experienced difficulties in registering her eldest daughter, who was born when she had already lived in Portugal for three years. The daughter spent long periods without papers.

*Already, all of them already have ( nationality)... I had difficulties for..for the first one...to obtain her documents. I really had. It was at the last minute I managed. (The others) had straight away, straight away. She, since I only had been here for three years...*

*For long, long (period without documents). Because it only was..when did I obtain the residency permit? She already was in 10<sup>th</sup> or 12<sup>th</sup> grade when I obtained the residency.*

*Because even in school when she did the exam for 4<sup>th</sup> grade they had to give her an internal register number from the school...*<sup>44</sup>

In cases like this, many migrants have difficulties in the delivery of some documents that are required to obtain the residence permit or citizenship. In many cases, documents such as the criminal record in the country of origin are required to children or young adults that have grown up or were born in Portugal.

*I had to obtain the criminal record from Angola, I said: “How can I get it if she never lived there? I can’t. And with what documents may I state that she was...she was there. At that time the registration that was done was from..from the first to the fourth year she spent here. She had to go...in the schools where she studied, asking everything, until the year...she was in... everything was written. That’s how it was. After I had to pay one hundred and twenty euros (120,00€) for her to obtain nationality.”*<sup>45</sup>

## **Pathways to citizenship - mother undocumented for several years**

**Woman from Guiné Bissau, Portuguese nationality (undocumented for several years), three children**

Our example is a Guinean woman living with her three children who has lived in Portugal for 11 years. She migrated to Portugal because of the war.

She was undocumented until 2006 (for 7 years), thereupon obtained a residence permit, and finally about two years ago obtained citizenship.

She had difficulties in obtaining the residence permit for her eldest daughter because she also had no documents. After her partner obtained the residence permit she could register her children, but she remained undocumented.

*At the time for school...she had a document they gave her, after it expired, and after that she didn’t have it. But after two or three years, when she already was in 4th grade,*

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<sup>44</sup> Original quote: *Já, já todos têm [nacionalidade]...Tive dificuldade é na...na primeira, que pra...pra tratar dos documentos dela. Tive mesmo. Foi mesmo na última que eu consegui. (os outros) tiveram logo (automaticamente), tiveram logo. Ela como eu tava aqui só há três anos...*

*Muito, muito [tempo sem documentos]. Porque só foi...quando é que eu tratei a residência? Ela já...acho que ela tava no... tava no...tava no décimo ou décimo segundo, que eu tratei a residência. Porque mesmo da...da escola quando ela fez o...o exame do quarto ano tiveram que lhe dar um número interno lá da escola...*

<sup>45</sup> Original quote: *eu tratar do Registo Criminal lá de Angola, eu disse: “Como é que eu vou tratar se ela nunca lá viveu? Não posso. E com que documentos é que eu vou tratar que ela...teve lá. Lá como então o registo que ficou foi até de...do primeiro ano até ao quarto ano feito cá. Ela teve que ir nas...nas escolas onde ela estudou, pedir tudo, até o ano onde é que ela...onde...que ela tava, tudo por escrito. Foi assim. Depois tive que pagar cento e vinte euros [120,00€] que é pra ela poder ter a nacionalidade*

*they gave her a residency authorization. But mine never appeared, was never again ready, I never saw it. I only received the residency authorization, if I'm not mistaken, in two thousand and six.*

*Residency authorization (the older one). They were registered because their father already...already had had residency authorization for some time, they were registered, they managed to get registered. And...and they already had the birth certificate. (...) Only after they did their Identification Card... the ninety nine one did...his ID when he already was two years old.<sup>46</sup>*

## **Pathways to citizenship - undocumented children**

**Woman from Guinea-Bissau, residence permit, four children, one of them undocumented (15 years old)**

Our example is a Guinean woman who came to Portugal in 2007. She has four children; three of them live with her in Portugal (20, 15, and 2 years old) and one in Guinea (8 years old).

She arrived in Portugal with a health visa and obtained her resident permit after six months. She has a daughter that arrived recently in Portugal who has no documents.

*Yes. For me it was like this: a person that has no document and comes to Portugal he's a zero! He's really zero! Because for me, I am also in the same situation! I have, I have a son that arrived from Guinea a short time ago he still doesn't have papers! She, she started school last week, I go to the school to obtain the missing papers. That lady says to go to the Social Security, I have, I have to... she gave a declaration from the school to be handed over to the social security in order to receive the subsidy. I went to the social security, the social security said "no". He, they understood nothing because the child is illegal, he doesn't have residency. To process the subsidy you have to have the residency...authorization. A person that...that has illegal in Portugal is zero. He doesn't have anything. He has right to nothing! Really nothing! Registration in school was fine, they registered. They registered, they even did a declaration to hand over to the...thing...the Ministry of Education. She says we have to wait now until there is a vacancy. After, one day a lady called saying the child could go there to the school.*

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<sup>46</sup> Original quote: *Na altura pra escola... tinha um documento que lhe deram, depois caducou, a partir daí não teve. Só que passando dois ou três anos, quando ela já tava no quarto ano, deram-lhe autorização de residência. Só que a minha nunca mais é...aparecia, nunca mais tava pronta, nunca mais vi. Eu só recebi autorização de residência, se não me engano, em dois mil e seis [2006].*  
*Autorização de residência (a mais velha). Eles foram registados pois o pai deles já...já tinha autorização de residência há um bom tempo, foram registados, conseguiram ser registados. E...e já tinham a cédula de nascimento. (...) Só depois é que fizeram o B.I. [bilhete de identidade] ... o de noventa e nove (99) fiz o...o B.I. quando ele já tinha dois anos.*

*Ministry of Education already answered there was a vacancy for her. Now, to process her other papers we have nothing! We don't. A person without papers here is zero.*<sup>47</sup>

## **Pathways to citizenship - single mother, father living in São Tomé**

### **Woman from São Tomé, Portuguese nationality, two children**

Our example is a Woman from São Tomé who has two daughters, one living in São Tomé (26 years old) and another who lives with her in Portugal. She arrived in Portugal in 1992 with a student visa and later she decided to stay because she was pregnant. She obtained several work visas, then obtained the residence permit, and later, about four years ago, she was granted Portuguese citizenship.

She had trouble in getting her daughter's residence permit, because some documentation from São Tomé was required and also because her daughter's father lived in São Tomé.

Although her daughter was born in Portugal, she only recently obtained the Portuguese nationality although her mother already had Portuguese nationality for about four years.

*But this situation of children that were born here and the person has to pay to acquire nationality. One has to pay one hundred and twenty Euros for the child...to acquire nationality and that... to acquire it it's if the father or mother have it. That's what's a bit...my child has been very complicated! Really a lot! Because my child, her father is not here, her father is in São Tomé. So, ah...I had to request...I requested... she did not obtain nationality. I had to request...when she was...when she was around 12 years old...she just had a receipt, at first only receipt. When she was around 12 years old they required to me that...she got residency. And I...how could I get her residency if she wasn't even...wasn't even born here? So I had to go to the embassy, to register her in my embassy. Afterwards, I paid there some money. After I acquired the passport for her. So I had to acquire the consulate card, passport, and register her at the embassy. Although I already obtained nationality 4 years ago, she obtained nationality around three, four months ago. Because it was the same thing: the father had to send an entrustment. I could do nothing without the entrustment. He only sent it last year. And after it was me who requested her nationality. I paid one hundred and twenty Euros...one hundred and twenty five. Because afterwards it was the entrustment fee... I*

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<sup>47</sup> Original quote: *Sim. Em mim era assim: uma pessoa que não tem documento vem pra Portugal ele é zero! Ele é zero mesmo! Porque a mim eu também tou na mesma situação! Tem, tenho um filho que chegou da Guiné há pouco tempo ainda ele não tem documento! Ela, ela começou a escola a semana passada eu vou lá na escola pra tratar de papel que falta. Aquela senhora diz que vou lá pra Segurança Social, tem...tem que...ela passou uma declaração da escola pra entregar na Segurança Social pra tratar do abono. Eu vou lá à Segurança Social, Segurança Social diz não. Ele, eles não perceberam nada porque criança é ilegal, ele não tem residência. Pra tratar de abono tem que ter autorização de... de residência. Pessoa que... que tem ilegal a Portugal é zero. Não tem nada! Ele não tem direito a nada! Nada mesmo! Matricula na escola tudo bem, eles matricularam. Eles matricularam, fizeram até declaração pra levar pra...coisa...Ministério da Educação. Ela diz tem agora que esperar até ter uma vaga. Depois um dia senhora ligou diz criança pode ir lá pra escola. Ministério da Educação já respondeu tem vaga pra ela. Agora pra tratar outros papel assim não tem nada! Não tem. Pessoa que não tem documento aqui ele é zero*

*paid one hundred and twenty five. And afterwards from there she managed to obtain nationality in the month of...I think it was April.*<sup>48</sup>

As can be seen through these examples, the illegal resident's condition (one's own status, one's parent's status, or another member of the family's status) has several consequences in children's, adolescents and young adults lives. The legal status of the family imprisons these individuals in a complex situation that unbalances the different stages of their development. As a consequence, they face several constraints in the process of transition to adult life and in the access to education and health. Below we will give some examples given by our interviewees.

## **Legal status constraints**

In our interviews, several women gave examples of how legal status has repercussions in every day life and in the access to several resources, such as access to school.

### **Angolan woman, Portuguese nationality, undocumented partner, five children**

In the case of the Angolan woman, whose daughter was undocumented for a long period of time, she talks about her problems in registering her in the formal school.

*She trained futsal and she couldn't play, she couldn't enter competitions because she wasn't...she wasn't...she did not have nationality. (...) They always denied and even the club where she trained they said that no... they did not take responsibility if something happened to her, because she was the same as if she wasn't enrolled.*

*When the time came to do the enrollment my husband had to provide a declaration saying that she was in this situation, I don't know what, that was to do the enrollment. Because I...I said like that: "Since she is processing the nationa...the residency, if Natália was born here she will then have to change everything", I don't know what. But*

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<sup>48</sup> Original quote: *Mas essa situação de crianças que depois nasceram cá e a pessoa tem que pagar para adquirir nacionalidade. A pessoa tem que pagar cento e vinte euros pra criança... pra adquirir nacionalidade e esse... Pra adquirir é se o pai ou a mãe têm. Isto é que é um bocadinho... A minha filha foi muito complicado! Muito mesmo! Porque a minha filha o pai dela não tá cá, o pai dela tá em São Tomé. Então, ah...eu tinha que pedi...eu pedi...ela não teve nacionalidade. Eu tinha que pedir...quando ela foi...quando ela teve prai doze anos...ela só tinha cédula, primeiro era só cédula. Quando ela tinha mais ou menos doze anos exigiram-me pra...ela ter residência. E eu...como é que eu fazia pra dar a residência se ela nem...se ela nasceu cá? Então eu tinha que ir pra embaixada, ir registar ela na minha embaixada. Depois paguei lá uns tantos dinheiro. Depois tirei o passaporte pra ela, era obrigatório tirar o passaporte pra ela. Então eu tinha que tirar o cartão consular, passaporte, e fazer registo dela na embaixada.*

*Enquanto eu já tenho nacionalidade há quatro anos ela teve nacionalidade há mais ou menos três, quatro meses. Porque era mesma coisa: o pai tinha que mandar uma procuração. Não podia fazer nada sem a procuração. Ele só mandou no ano passado. E depois é que eu meti a nacionalidade dela. Paguei cento e vinte euros... Cento e vinte e cinco. Porque depois era taxa da procuração... Paguei cento e vinte e cinco euros. E depois daqui é que ela conseguiu ter nacionalidade no mês de... acho que foi Abril.*



at last I had to really do it because there already were schools that didn't accept, they would actually ask for a document.<sup>49</sup>

***Woman from Guinea-Bissau, Portuguese nationality (undocumented from several years), three children***

This is another example of the difficulties in the access to extra-curricular activities and preschool.

*(...) in registering my children, for example ah...at first I gave the embassy card and they said it wouldn't do, afterwards I had to go and look for passport... I felt difficulties in...in...regarding...in...inserting my children in some...some activities(...) My children, the...the middle one was born in ninety-nine, he only entered to...he was the only one that managed to get in pre-school because to get enrolled in the crèche I didn't manage. The...the youngest one also never went to the crèche until he got into pre-school. I think all of this affected...affected them in...in getting to pre-school, because I didn't have papers, I had no receipts to show and they couldn't get into the...the crèche.*<sup>50</sup>

***Cape Verdean woman, Portuguese nationality, one child***

Another case of a Cape Verdean woman who lives with her daughter, and after entering in Portugal and remaining undocumented for several months, obtained a residence permit for several years, until she acquired citizenship about eight years ago. During the period in which she had a residence permit she was unable to buy a house because she lacked Portuguese nationality, which had indirect consequences on her daughter's life.

*There were some competition for...for a house in the Oeiras municipality...I went...I participated...and I won a house. But at the time I didn't...I had residency, and so the president didn't give me the house (...) It was only for..the nationals (...) I remained a*

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<sup>49</sup> Original quote: *ela treinava futsal e não podia jogar, não podia fazer competições porque não era...não era...não tinha a nacionalidade. (...) Negavam sempre e até o clube onde ela treinava diziam que não...não se responsabilizavam se lhe acontecesse alguma coisa, porque ela era a mesma coisa que ela não tava inscrita Chegava a altura de fazer as matriculas o meu marido tinha que fazer uma declaração a dizer que ela tá assim nessa situação, não sei quê, que era pra poder fazer as matriculas. Porque eu...eu dizia assim: "Como tá a tratar da naciona...a residência, se a Natália nasceu cá vai ter que depois tar a mudar tudo...", não sei quê. Mas em último caso tive que fazer mesmo porque já há escolas que já não aceitavam, pediam memo um documento.*

<sup>50</sup> Original quote: *(...) em registar os meus filhos, por exemplo ah...eu primeiro apresentei acho que foi o cartão da embaixada e disseram que não dá, depois tive que ir procurar passaporte...Senti dificuldades em...em...em relacio...em...aliás aliás em inserir os meus filhos em alguns...algumas actividades (...) Os meus filhos, o...o do meio que nasceu em noventa e nove (99), ele só entrou pra...ele foi o único que conseguiu entrar pra pré porque pra inscrever na creche não consegui. O...o mais novo também nunca andou na creche até entrar na pré. Eu acho que isso tudo afectou...afectou-os em...em chegar à pré, porque eu não tinha documentos, não tinha recibos pra apresentar e não conseguiram entrar na...na creche.*

*bit, a bit annoyed. I was very upset, yes. Because there we are, in the situation in which I was, I don't know, with a daughter, I wanted to have my own place, no?*<sup>51</sup>

This is the reason why some transnational families choose to migrate first and leave their children behind. They prefer to migrate and undergo the complex process of regularization alone.

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<sup>51</sup> Original quote: *Havia uns concursos pra...de casa na câmara de Oeiras... eu fui...eu concorri...e eu ganhei uma casa. Só que naquela altura não...eu tinha a residência, e aí o presidente já não me deu a casa.(...) Era só para os...nacionais (...) eu fiquei um pouco, um pouco aborrecida. Fiquei muito chateada, sim. Porque pronto, na situação que eu tava, não sei quê, com uma filha, eu queria ter o meu canto, né?*

# Papers, labor market, and everyday life in Italy

Caterina Cingolani

## Everyday life underground

Obtaining a residence permit is, first of all, a legal necessity. It is also indispensable to renting a house and to finding a regular job, but becomes immediately an existential need.

As we hear from G., a Nigerian cultural mediator of 60 years age, K., a Moroccan woman, and M.S., a man from Guinea and former employee of Rosarno:

*For a person the residence permit is crucial. Keeping him in anxiety, in anguish, in a permanent state of tension ... You do not have anything ... so you're there.. ... You're stuck!. It is a silent distress that only those who feel it, understand. (G., Nigeria, man)<sup>52</sup>*

*When you have no documents, you are always anxious, you fear the police... on the bus, hum ... everywhere. When you have the permit, the troubles becomes bigger because you do not have to lose your job, because the permit the work and the house are all connected. And you have to bear this burden for a piece of paper, on which everything depends, I mean, without the permit for example, if your parents die, you can't go back to Morocco. Got it? If your parents are sick you cannot go because the document has expired and you must renew it...[...], this is like a chain if you miss a link you have nothing. (K., Morocco, woman)<sup>53</sup>*

*No, as long as you do not have the documents you are a clandestine. And while you don't possess the permit, you always think about it. And even if someone hurts you, if you call the police, the first thing they ask for your documents [...] Here in Europe the most important thing... it's documents. Documents are the first thing that identifies you, because here nobody trusts you. For us it is important to get the permit [...] ... to have a chance to live. (Interview with M.S., African in Rosarno)<sup>54</sup>*

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<sup>52</sup> Original quote: ... una persona quando fai il soggiorno che è il punto vitale. Tenerlo sempre lì, in ansia, in angoscia, in tensione permanente... (...) Tu non hai niente ... sei lì così. Non puoi andare né avanti né indietro. (...) È un, è un, è un dolore silenzioso che solo chi lo passa conosce... (G., Nigeria, uomo)

<sup>53</sup> Original quote: Sempre, quando tu non hai i documenti, sempre c'è l'ansia (...), c'è una paura per polizia (...) sull'autobus, hum... (...). Quando tu hai i documenti (...) il pensiero diventa più grande perché non devi perdere il lavoro e il lavoro, il permesso di soggiorno, il lavoro e casa sono tutte collegate. E tutto questo peso devi sopportarlo l'immigrato per un pezzo di carta che ti fa perdere anche... se muoiono anche i tuoi genitori in Marocco non puoi andare. Capito? Se i tuoi genitori stanno male non puoi andare perché il documento è scaduto, devi rinnovare (...) Tutto questo è una catena, veramente, se non ci hai una, eh, non hai niente. In questo gioco sul quale giocano i politici, capito? (K., Marocco, donna)

<sup>54</sup> Original quote: No, finché che non hai i documenti, è così loro che... come si chiama? Clandestini. E qualcuno che non hai i documenti se cammina, anche tutti cose che tu stai facendo tu sta pensando a documenti (...) anche se qualcuno ti fa male qua, se tu chiami polizia, prima di parole è documenti. (...) Quindi tutte cosa qua in Europa, prima è importante, cose importanti...è documenti. È documenti prima cosa perché per capire chi è tu, (...), se tu non hai documenti (...)...nessuno non ti fida. (...)...è importante per noi per avere documenti (...)... per avere possibilità di vivere. (Intervista a M. S., Africani di Rosarno)

As our informants have told us in these pages, underground immigrants experience an everyday feeling of fear and insecurity, because police can stop them at any time to check their documents, or for no apparent reason. This police behavior has worsened in recent years, especially after the last security decree, and seems also to be linked to several racist attitudes. Illegal immigrants usually avoid going out for a walk, especially at night, especially in crowded streets, experiencing an important limitation of personal liberty.

A "silent distress", to use the effective words of G., can lead to a "crisis of presence" which, is linked to self-perception and the way of being in the world. Without a valid permit, as K. puts well into perspective, you cannot even go home for your parents' funeral.

Without a permit, an immigrant **cannot rent an apartment**, and recent strengthened penalties for renting to illegal immigrants has trapped them in the underworld. In the illegal renting market, controlled by organized crime and Italian citizens, there are many levels of exploitation: excessive rents for run-down houses, a single bed in a crowded flat, and also blackmail.

For example, a boy from Senegal reports:

*And then there, in Monte Mario, I found a family, huh ... with a bunk bed that was so [gesture to indicate that it is small]. The bed was exactly this big! [I found this house] through an ad on a wall. And so I went there, okay, in this bed that was so little. And do you know, how much I was paying? Two hundred euros. In a place like this ... And it was in a room that they had divided in two. And we were two in that place. That is, we paid two hundred euros as well. [...] Underneath there was a Romanian guy. And then, okay, in the first day I was fine with them and then little by little they began to steal my things. The shoes, because I go crazy for shoes... at that time I was working only at night, like from six in the afternoon until midnight or one o'clock. Everytime I left home one of them took my shoes or my clothes! (J., Senegal, man)<sup>55</sup>*

A residence permit is also needed for opening a bank account or sending money home; that is why immigrants use so often members of the national community as intermediaries.

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<sup>55</sup> Original quote: *E poi lì, sempre a Monte Mario ho trovato una casa che è una famiglia, eh... con letto a castello che era proprio così [Gesto per indicare che è piccolo]. Il letto era proprio così. [Ho trovato questa casa]... sugli annunci che mettono avanti a quella cosa. E poi sono andato lì, va beh, in questo letto che era così. Cioè manco ci dormivo, quanto pagavo? Duecento euro. In un posto così... E poi quando era grande tipo... era una stanze che la stanza la hanno, la stanza la hanno divisa in due che era tipo qua e qui che... tuo posto. E poi lì quel posto stavamo in due. Perché il posto letto e il letto a castello, cioè, io ero sopra, quello era sotto. Cioè pagavamo pure duecento euro. [...] Sotto c'era tipo un romeno. E poi lì, va beh i primi giorni non mi sono trovato bene con loro e poi dopo piano, piano hanno cominciato a rubarmi le cose. Eh... Le scarpe, perché io sono uno che... per le scarpe vado pazzo, tipo se io... Là, perché in quel momento lavoravo soltanto di, di notte, tipo alle sei di pomeriggio fino a mezzanotte, all'una. Loro alle sei quando esco da casa già uno di loro porta le mie scarpe e va in giro, porta i miei vestiti. E poi io, va beh, prima che torno già prendono i vestiti e li mettono a posto. (J., Senegal, uomo)*

Sometimes, in an interesting reutilization of stereotypes and prejudices, illegal immigrants take advantage of the alleged Italian inability to "tell black men apart" using legal documents of friends or relatives, according to a confidential story given to us by a Senegalese immigrant.

They also need to "behave well", a term used by some interviewees.

In other words, it is a kind of submissive behavior, a sort of passive attitude induced by fear of being caught by the police. For instance, a Senegalese woman told us that she never takes buses when boys get out of school, fearing racism and bullying. Such an attitude is clearly an effect of the daily limitation of freedom and individual rights lived by immigrants.

Here is what M., a young Moroccan student, says when asked if anything has changed since he obtained a residence permit:

*The first thing I feel that I am getting fat because there is a little relaxation. In the past it happened to me that when I was in the subway the police stopped and checked on me. When they look at your black face the first thing they do is to open your bag. If you are Moroccan, they will also open your pockets to see if you have something. [...] Then, I was always careful not to go to crowded places, where there are problems ... Well, when you leave your house you're never sure if you come back. So you are forced to stay often at home. [...] Now with the residence permit I don't have these problems anymore. I go out when I want. Before, for example, I could not ride the bike, I could not drive and I could not move wherever I wanted because there were places where I could not go ... [...] This has now changed... I also have, I also have the power to defend myself ... When I worked at the bar, for example, even if a person treated me rudely I could not ... because if a fight breaks out or if you called the police, you were the loser, not him. [...] Now I feel better because if someone treats me badly I can respond. Before if someone treated me bad I was quiet, calm, good ... (M., Morocco, man)<sup>56</sup>*

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<sup>56</sup> Original quote: *La prima cosa mi sento che sono ingrassato perché c'è un po' di rilassamento. Poi uno si rilassa perché per esempio mi è capitato i casi che sto uscendo dalla metro e mi ferma la polizia per controllarmi. Già che ti vedono scuro ti aprono zaino, la prima cosa. Se sei marocchino, ti aprono anche le tasche per vedere se ci hai qualcosa. [...] poi diciamo sto sempre attento di non andare i luoghi sovraffollato, dove ci stanno i problemi... Cioè non sei mai sicuro, quando esci di casa non sai mai se torni, se torni o un'espulsione o se non torni ti prendono e ti mandano via. Quindi cerchi anche di uscire di meno. Poi quando uno non ci ha il permesso di soggiorno è difficile di trovare anche una casa...[...] Adesso col permesso di soggiorno non faccio più questi problemi, io esco quando voglio, non potevo prima avere la moto per esempio, non potevo guidare e non potevo spostarmi come voglio perché ci stanno dei posti dove non posso andare... E lavoravo in discoteca, quando esco la mattina e vedo i carabinieri cambio la, la strada, per paura, hai paura che ti beccano... Questo adesso è cambiata anche se... altri livelli, anche ci hai, ci hai anche il potere di difenderti... Quando lavoravo al bar, per esempio, anche se uno ti parla male o ti tratta male non puoi... perché se scoppia una rissa o se chiama i carabinieri sei te il perdente e non lui. E quindi, eh... se trovi di fronte a una situazione che tu devi, tu devi cedere a cento per cento perché se no sei, sei a rischio. Adesso sto un po' meglio perché se uno mi tratta male posso risponderli, prima non potevo rispondere. Se mi tratta male sto zitto, tranquillo, buono... che se, se succede qualcosa sono io che pago. Perdi il lavoro, poi espulsioni e poi i casini. È quello... (M., Marocco, uomo)*

With regard to transnationalism or, specifically, to the networks with the country of origin, these are strongly influenced by obtaining a residence permit, which allows foreigners to leave Italy and return home, or go elsewhere in the diaspora. Illegal immigrants, in general, keep in touch with family members through a widespread use of the Internet and social networks (as regular migrants), or by telephone, unable as they are to return home even in case of important family reasons (recall those who leave their children in the country of origin and are forced to stay away from them for many years or who, as in the case of S., cannot return home for the funeral of a family member).

Similar to the housing question is that of a regular job, which cannot be secured without papers, as will be explained further in the next section.

## **Labor market**

### **Stereotypes: drug dealers, prostitutes, clandestines.**

There are many strong stereotypes about immigrants, in particular regarding their work. Some communities are subject to a real social stigma, and it is the case of all the five groups involved in the research.

Here, for example, the point of view of V., a 45 years old Nigerian woman and a cultural mediator, of B., a Nigerian woman of about 50, who owns a grocery store near Termini Station, and M., the Moroccan student we have already talked about:

*V: Among Italians?*

*I: Yes, yes. Stereotypes, ignorance ...?*

*V: Uh .... There is ignorance, yes, yes. [...] For example, I always start badly. In two apartment buildings where I went to live, at first there was always a war. But I knew it was a war destined to finish because you have to give them time to know us, how we are made. But yes, there's so much ignorance ... (V., Nigeria, woman)<sup>57</sup>*

*I: And for the Nigerian women is easy to find work, domestic work or is it more difficult than ...*

*B: No, now, now it is more difficult ... since, eh, they found out that many of them work as prostitutes. So it's harder for them now.*

*I: Oh. Because there is the prejudice that they are ...*

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<sup>57</sup> Original quote: *V: Fra i italiani; I: Sì, sì. Stereotipi, ignoranza...?; V: Uh...c'è, c'è, c'è, c'è. C'è la ignoranza, sì, sì. [...] Per esempio io comincio sempre male. In due condomini dove sono andata a abitare è stata sempre una guerra prima di tutto. Però sapevo che era una guerra destinata a spegnersi perché bisogna dargli tempo di conoscere, eh... noi come siamo fatti. Quindi alla fine poi cade questo. Però c'è, c'è tanta ignoranza... (V., Nigeria, donna)*

**B:** Well, of course. If, if I am a woman, if I am a woman, right? I've got a husband, I need someone to clean my house. If I take a woman that comes and maybe steals my husband then maybe ... (B, Nigeria, women).<sup>58</sup>

**M:** Then yes, I have already seen that there is ... as they say in French stereotype ... I do not know

**I...:** Stereotype.

**M:** Stereotype, huh ... so ... Moroccans are farm laborers or are drug dealers... people just see you and they ask you "Do you sell weeds? You people have good weeds". Can you believe that? An entire nation reduced as weeds or as olives or tomato picking! [...] I noticed that in Italy, for example, in most of the jobs they don't ask you to use brain, you are a foreigner, they need your muscles not your brain. They need you to work, to run to... to work like an animal and that's it! They don't care if you are smart, if you have a PhD or a Masters degree. (M., Morocco, man)<sup>59</sup>

As shown by M., for example, Moroccans are considered to be drug dealers or street vendors, or at least, farm workers. Senegalese are all seen as street vendors, and the group from Rosarno, according to common opinion, are all considered illegal immigrants, although most of them have a regular visa. Nigerians, as noticed by B. and V., have a double stigma, because men are seen as drug dealers while women are considered prostitutes. Eritreans are a special case, because they suffer from a sort of reverse stigma, a lack of consideration, as Italians ignore and deny their colonial history. So, no preferential procedure is offered to the former colony.

The five groups confirm that the black one's skin is, the more one is a victim of discrimination and police inspection, and it is even more difficult to find work.

About their practical consequences, things are more ambiguous because sometimes stereotypes can be used to migrants' advantage. This is the case of some young men from Senegal, who use the sexual stereotypes about black males. For instance, J., an athletic young

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<sup>58</sup> Original quote: **I:** E anche per le nigeriane è facile trovare lavoro, lavoro domestico oppure è più difficile rispetto...; **B:** No, adesso, adesso è più difficile... da quando, eh, hanno scoperto che tante di loro lavorano sulla strada. Quindi è più difficile per loro adesso.; **I:** Ah. Perché c'è il pregiudizio che sono persone...; **R:** Eh, certo. Se, se io sono una donna, se io sono una donna, no? Io c'ho marito, ho bisogno di una persona per fare domestica a casa mia. Se prende una che viene e poi magari ruba mio marito... È meglio di... (B., Nigeria, donna)

<sup>59</sup> Original quote: **M:** Poi già, già io ho visto che c'è... come si dice in francese stéréotype... non so...; **I:** Stereotipo.; **M:** Stereotipo, eh... quindi... che marocchino o lavora ai campi o è spacciatore o così diciamo, poche cose... già basta che ti vedono e ti dicono: "C'hai il fumo? Ah, voi ci avete il fumo buono", quindi...[...] ho detto: "Ammazza!", ho visto che siamo arrivati proprio, siamo ridotti... sì un popolo tutto ridotto a un fumo o, o a una raccolta di olive o di pomodori e c'è chi ti dice: "Ma ci avete anche le macchine. [...] io ho notato in Italia ad esempio la maggior parte del lavoro adesso non ti chiedono anche il cervello, sei straniero, non vogliono il tuo cervello, vogliono solo i muscoli. Tu sei utile a lavorare, a correre, a, a lavorare come un animale e basta, non interessa che sei intelligente, non interessa che ci hai il dottorato, non interessa che sei laureato... (M., Marocco, uomo)

man, told us how some of his countrymen spend their evenings moving from one night club to another looking for Italian women in search of "strong feelings", getting money in return. Or, to take another example, the habit, already mentioned, to use friends' documents taking advantage of the alleged Italian inability to "recognize a black man".

However, the four communities and the Rosarno group are united by racism linked to skin color. According to many of our interviewees, in fact, the more you are black skinned the more you are a victim of discrimination, of controls by the police, and the most difficult thing is to find a job. It is the case reported by B., who tells of the difficulties for Nigerian women to find work as housekeepers, because people see them all as prostitutes or "husband stealers"; or the case of S., mentioned in the second chapter, the Nigerian cultural mediator, who, invited to a library to speak to children about Africa, was mistaken as a street vendor by the librarian and treated badly; or V., also Nigerian, who struggled to be accepted by neighbors, who treated her and her husband as criminals. In the case of the Rosarno group, racism tied to skin color is extreme. Some informers told us that they were chased, hit by speeding cars, and beaten just for being black.

This strong stigmatization has also influenced our research. As a reaction, in fact, immigrants felt the need to create a positive image of themselves and their communities to the outsiders (including us). That's why an essential narrative horizon for our informers is to prove their honesty and the integrity of their work. A recurring theme in almost all interviews.

That is why it was impossible for us, for example, to interview prostitutes or former prostitutes from Nigeria, using the informal networks among immigrants, who, indeed, denied direct knowledge of prostitutes, instead of providing examples of successful migrations; or, to make a further example, why it was almost impossible for us to meet young Eritrean illegal immigrants using the network created with long-term migrants, who, on the contrary, wanted to keep separate the two periods of the Eritrean migratory history.

### **Mobility and informal networks**

The five groups are different regarding job specializations, or stereotypes; but they have some aspects in common.

The work, in particular, is characterized by extreme mobility, due to different factors. First of all, foreigners are fired much more easily than Italians (Caritas 2010), and even with the same skills it is more difficult to find a new job.



Of course, short-term contracts, illegal work (often accepted even by legal immigrants) or partially illegal-work (as when the employee accepts into a part-time contract, but works full time) make dismissals easier. In these cases, the foreign worker is a victim of the situation.

Many of our informants, however, showed their own *mobility*. Especially during the early years, they usually undertake work in many parts of Italy, from North to South, trying different jobs, and following the family or community networks (relatives or friends). In these cases, the immigrant is not a passive victim of the situation, but also an active subject in search of economic improvement.

The group that showed a higher degree of job mobility is the Rosarno's. Most of our informants, worked in Libya one or two years before arriving in Italy, then, once in Italy, moved from one area to another according to agricultural cycles (during summer in the Foggia province to harvest tomatoes and during autumn and winter in Rosarno to pick oranges<sup>60</sup>). But also in big cities they continued to show a strong mobility. For example, M. (a Congolese man of 30, who worked in both the province of Foggia and Rosarno) at the time of the interview was doing an apprenticeship as a mechanic, when we asked where he had worked since arriving in Rome about ten months earlier, told us that he worked at a gas station, then in the construction sector, and then as a leaflet boy.

Immigrants do not change job for economic reasons only. In Italy the "phenomenon of unrecognized expertise" is very common and also brought to attention by recent studies (Caritas 2010; Fasani 2009; Feltrin 2011). Many of the foreigners who arrive, in fact, are in possession of diplomas or certificates, and even university degrees, but they are not accepted in Italy, so they are forced to do unskilled labor, or jobs that would be considered degrading, if not a real taboo, at home. This leads to a continuous search for a job closer to their interests and skills.<sup>61</sup> "They need arms not brains", bitterly complained M., the Moroccan PhD student in Bari, mentioned above. This phenomenon involves not only immigrants with university degrees (people of recent migration often have a good education, while long-term migrants often came to Italy to attend universities, and many of them have graduated, as many of the Nigerians we interviewed), but also people who already run a business in the home country. In Italy the image of the poor and unskilled immigrant is so strong that it permeates almost totally the labor market. In fact, M. told us about the meaning of his PhD in Bari, that he, a Moroccan immigrant, is seeking the degree also as a sort of compensation. He wants to demonstrate to Italians that not every Moroccan is a farmer or a drug dealer:

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<sup>60</sup> cfr. INEA (2009).

<sup>61</sup> See Caritas-Rome (2010).

*In fact, attending my PhD, I tried to change this idea, to tell everybody that there are also Moroccans who attend PhDs, who work in the offices, who teach in schools. There are! It is what I will demonstrate, even in the future, that we are not only weeds, hawking and so on. In fact when I earned the PhD, I wasn't only happy for myself, but also for my family and my people, too! (M., Morocco, man)<sup>62</sup>*

Job searching, our interviewees say, is usually done through immigrants and Italian **informal networks**. It is difficult to get a job without previously knowing the employer or without a nomination. As with the search of a house, immigrants often are not taken into account by those who offer work through institutional channels, such as employment agencies or job offering papers.

It is true that finding a job "with a personal recommendation" rather than through official channels is very common for Italian citizens too. It is a sort of widespread corruption, unfortunately common in the country.

Perhaps for this reason we have not found a widespread use of institutional resources (such as employment offices or union offices), but we must also keep in mind the employment characteristics of Rome and Province. Domestic work or commerce, in fact, hardly follow institutional channels, unlike what happens in industry and corporations.

### **Illegality and its various models**

In the labor market, illegality acts at multiple levels, and often it is not perceived as such by immigrants. Unlawful immigrants, of course, cannot find a regular job. There are many cases of illegal labor, experienced also by our informants, as well as situations where employers do not want to regularize the worker, making it impossible to obtain or renew a residence permit.

In addition to the exploitation itself, as in the case of Rosarno where migrants live in a situation that can become real slavery<sup>63</sup>, there are other phenomena in which one can see both combined forces of immigrants and Italians. This is the case of "fictitious contracts" through

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<sup>62</sup> Original quote: *E infatti facendo il dottorato io ho cercato anche di, di cambiare questa idea, di dire che, che ci sta anche i marocchini che studiano, ci stanno i marocchini che fanno i dottorati, che c'è i marocchini che, che occupano anche i posti (...)... non so, come docenti... Eh, ci stanno. È quello che cercherò anche di dimostrare magari in futuro che non siamo solo ridotti tra fumo, raccolta a campi e queste cose qua. Infatti anche quando ho fatto il dottorato, (...)non ero contento solo per me, ero contento anche per altre cose, per mia famiglia, per il mio paese... (M., Morocco, uomo)*

<sup>63</sup> This is the case, for example, of the phenomenon of illegal hiring that the government has tried to combat, transforming it into a crime, with the DL 138/2011, and increasing penalties for pimps and employers who use such intermediaries.

which illegal immigrants are able to obtain the permit, thanks to Italian citizens who allow them to enter into a false employment contract. In this case, although he apparently works on a regular basis, the immigrant works illegally for a different employer.

M., a 45 year old Moroccan man who lives in squatter dwellings and K., a Moroccan woman of 40 years, also living in squatter housing, have told us about their experience. M. now is unemployed after being fired by the construction firm where he worked, and he was able to renew his permit thanks to a friend in a cafeteria. He now does a different illegal job:

*I Always go to this cafeteria ... And little by little I knew this family, and there was this Italian woman who understands French, you know? And then I told my situation to this family. [...] The woman swore to me, told me: "Listen, when there is an amnesty, I will do a fake contract, at least you can improve your situation". With the permit now I can go on, I can search for a regular job. So, when there was the amnesty, the woman went with me to the post office and applied for me. After three or four months I took ... no, after six or seven months ... I got the permit. (M., Morocco, man).<sup>64</sup>*

Thanks to an Italian friend, K. was able to obtain the permit through a lady who she did not even know, but then she found an illegal job somewhere else. Only after this lady made the fake contract for her, did they become great friends:

*In the end, however, I found a friend of mine... she talked to another friend... and immediately, in two days... she did not even know me! Thank God, she gave me the documents right away. And then, uhm, I've started to pay my insurance premiums by myself... She helped me but she cannot pay for me...[...] Yes, yes. Now we're friends, more than friends ... she's a sister! (K., Morocco, woman).<sup>65</sup>*

In these two cases, people did not ask for anything in return, perhaps also because they knew each other, but there are cases of extortion and blackmail. Corruption of ordinary citizens, in this area, is quite widespread.

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<sup>64</sup> Original quote: *Sempre vado a quel bar per prendere il caffè... E piano, piano ho conosciuto questa, questa famiglia perché, c'è una donna italiana che capisce francese, non parla bene bene, ma capisce francese, capito? Anche la sua figlia e poi io ho raccontato la mia situazione a questa famiglia. [...] Quella donna mi ha dato parola, parola d'onore, mi ha detto: "Senta, M...", lei prima non sapeva che c'è la sanatoria quella donna, quella famiglia diciamo, mi ha detto: "... senta si può aggiornare...", mi ha detto. E mi ha dato la parola, ha detto: "Senta quando c'è la sanatoria, io ti faccio un contratto senza problemi, almeno ti va meglio la situazione", con il permesso di soggiorno posso, posso andare davanti, cercare un lavoro regolare. E... e niente quando ci aveva la sanatoria, quella donna, quella famiglia diciamo, sono andati con me alla posta, mi ha fatto la pratica, tutto quanto. Dopo tre, quattro mesi ho preso... no, dopo sei, sette mesi... ho preso il permesso di soggiorno. (Mo., Marocco, uomo)*

<sup>65</sup> Original quote: *Alla fine, eh, comunque, ho trovato una amica... Sì, mi ha fatto... Ha parlato con un'altra amica... e subito, due giorni, lei non mi conosce nemmeno! Grazie a Dio, lei mi ha fatto i documenti subito, subito. E poi, eh, ho cominciato a pagare io i contributi... Lei mi aiutato perché non, non può pagare e soltanto lei mi... la ricevuta, la ricevuta che faccio... Già lei ha fiducia, grazie a Dio, lei mi ha mandato questo, veramente... Sì, sì. Adesso siamo amici, più di amici... è una, una sorella! (K., Marocco, donna)*

Another case of illegal behavior is linked to moonlighting, i.e. those cases where the immigrant has a regular job and another job off the books. This situation concerns mostly women, who work as household staff or carers. The immigrants in these cases are active subjects rather than passive. They need more money, and they often prefer an illegal job because it allows greater mobility.

There are also jobs (for instance street trading) that are considered illegal under administrative laws, but that are not perceived as such by the immigrant, mostly because that kind of work was allowed in the country of origin. It is the case reported by M., a Senegalese street vendor, who having just arrived in Italy, was selling counterfeit goods without knowing that this activity is illegal in Italy. In this specific case, when the Senegalese boy realized it, he stopped selling those goods and today sells books.

*When I started, in Milan, I was selling lighters and stuff and... CDs. But I was lucky because they never took me! I was lucky.*

*I: And when the police came?*

*M: Well, I ran! I ran away and then, step by step I learned that counterfeit selling... is no good. So, I preferred to quit. I prefer other stuff, but counterfeit goods... no, I don't like. (M., Senegal, man)<sup>66</sup>*

A separate discussion has to be made regarding the **Rosarno group**. The men were all employed in seasonal agriculture<sup>67</sup> and this provides to migrants a strong mobility around the country. According to a recent INEA study (2009) about the characteristics of agricultural work in Calabria, about 90% of those who are employed in agriculture are immigrants with seasonal or temporary jobs, as evidenced by the growing requests made, in recent years, under the Quota Agreements. Apart from the small proportion of migrants regularly present or resident in Calabria (INEA 2009), the greater part of migrant workers in these sectors would be in conditions of exploitation and illegality (as evidenced also by the second MSF report), so that INEA estimates that in the Gioia Tauro- Rosarno area, 95% of immigrants work illegally in the harvesting sector (citrus, olives, grapes), while in the livestock sector it is more common to find regular workers with long-term contracts. Migrants find this kind of work

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<sup>66</sup> Original quote> *All'inizio a Milano vendevo roba, accendini e... cd. Però sono fortunato, non mi hanno mai preso, sono fortunato.; I: E come facevate quando arrivava la polizia?; M: Eh! Come sempre si scappa! Scappiamo e poi piano, piano ho saputo che vendere di contrabbando è... non è bello. Ho preferito vendere le collane e gli accendigas, i fazzoletti, le calze. Ho preferito vendere questo però il contrabbando io non lo... non lo voglio. (M., Senegal, uomo)*

using family or community networks, who introduce them to the “corporal”, who runs the illegal operations with employers. The daily wages are, of course, given without a contract, without Social contributions, and well below the minimum wage (INEA, 2007). Exploitation also occurs regarding accommodation, which is most often cramped, dilapidated, and deprived of basic services (electricity, heating, bathrooms, running water, gas). In addition, some newspaper articles have brought to attention the phenomenon, again in the South of Italy, of “fake farmhands” (Avvenire, 1/12/10). Italian people registered with INPS to receive the dole even if they never worked in agriculture. But illegal immigrants work for them. INPS inspectors found, for example, women registered at the time they became pregnant in order to receive the maternity allowance, or fake names to please mafia families. A “widespread lawlessness” that the journalist connections to the ‘Ndrangheta and its diffuse networks.

A very tricky issue related especially to street trade is the relationship with the police. By all testimonials, women without the permit or employed in illegal work are less subject to controls. According to our sources, Italian police think that women are less inclined to commit crimes, and rarely check on them. We also heard many stories about local police officer’s corruption (bribes or receiving stolen goods), to detriment of the street vendors.

In contrast, other interviews describe permissive local policemen who wish to help immigrants. In these stories, the police exercise purely formal checks, and letting illegal street vendors collect their goods and run away.

M., the Moroccan man who lives in squatter dwellings, mentioned above, told us:

*The first time I saw the plainclothes policemen I didn’t recognize them...one of them spoke to me in French and told me: “Have you got the permit?”, I answered:” No”. But he was a good person, in fact he told me: “Run, run, runaway!”. It is true!*

*I: Did he take your goods?*

*M: No, no. I took everything in my arms, like this... do you understand? He told me :”Go, go, go!”. I took my stuff and ran away! (M., Morocco, man)<sup>68</sup>*

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<sup>68</sup> Original quote: Allora... di quelli borghese, la prima volta non conosco che sono borghese, civili diciamo da noi. Civili sono difficili ma borghese sono... Ma ho preso la roba tutto quanto io ho fatto, eh... mi ha detto... mi parla in francese, mi ha detto, mi ricordo che ha detto: “C’hai il permesso di soggiorno?”, li ho risposto in francese: “No, no, no, no”. Ma era una brava persona, infatti mi ha detto: “Scappa, scappa, scappa, scappa...” È vero eh?; **I:** Però la merce se l’è presa?; **Mo:** No, no, no. Io l’ho preso così... capito? E là... e gli altri hanno preso tanta roba, invece i giovani... Mi ha detto: “Vai, vai, vai, vai, vai, vai...” Io Ho preso la mia roba e poi scappato. Ma le prossime volte tanto mi hanno preso tutto eh? Tutto, tutto, tutto. La roba che stava per terra e anche quella che, che stava dentro la borsa. (Mo., Marocco, uomo)

The last law by decree, however, took the situation to the extreme. The cases of unjustified persecution have certainly increased, as well as the cases of tolerance, when policemen seem to understand the difficulties of the immigrants.

Here is what S., a Nigerian cultural mediator and African dance teacher, previously quoted, tell us about the arrogance of the police against him, even though he has the permit as a long term resident:

*Last Monday I had to go to work. A person called me and said to me: "You! Come here!" I stopped. "Come here! Are you deaf? Do you have a document?" Like this! He spoke to me like a child! I turned around, and I looked at him totally amazed. "Passport, passport, do you understand? Why do you look at me like that?" He took my document and then gave it back to me. Then comes another policeman: "Is he bullying?" [...] There are no distinctions between those who arrived today, and who came one hundred years ago. We are all put ... I speak of Africans, ok? We are all put at the same level, without any distinction. You are considered a criminal before they even prove your innocence, and it hurts. [...] I've traveled a lot, I was in Germany, have been to France several times, I was in Switzerland, but I've never been in a situation like this ... when someone asks you your document, first of all they greet you and they call you Sir. Because he doesn't know you and he treats you with politeness. (S. Nigeria, man)<sup>69</sup>*

The assertion of S. is very strong: " *You are considered a criminal before they even prove your innocence, and it hurts*". It hurts to be treated like a child, as if he did not understand Italian after many years in Italy ("Do you understand passport?"), without respect, without education, without dignity. The same thing is reported by Z., a Moroccan journalist, who lives in Italy and is married to an Italian woman, who describes to an episode that occurred at the post office, where the employee, as soon as she realized that he was an immigrant, started to use his first name, a practice considered very rude in Italy:

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<sup>69</sup> Original quote: *Lunedì scorso dovevo andare ad un corso che stiamo facendo sulla genitorialità, di corsa, avevo il mio coso per andare a... all'Ostiense qua alla Piramide... Mi chiama uno: "Vieni qua, vieni qua". Mi sono fermato. "Vieni qua. Ce lo hai il documento?". Cioè così come... "Ma vieni qua, non senti? Ma hai un documento?".; I: Ma ti dava del tu poi?; S. No ma così! M'ha parlato come a un bambino! Mi sono girato, lo guardo e manco si è accorto che sto a rimanere a bocca aperta. Lunedì scorso. "Passaporto, capisci passaporto? Documenti ce li hai?", "Ah... ci guardi pure". Carabinieri. Ha visto il documento e mi ha dato, e poi un'altro viene: "Ma che fa il prepotente?", e questo viene, sempre in borghese: "Guarda quando scade il documento, guarda [...] Non ce ne sono distinzioni tra chi è arrivato oggi e chi è arrivato cento anni fa. Tutti siamo messi... parlo degli africani, è? Tutti siamo messi allo stesso livello, allo stesso livello senza nessuna distinzione. Tu sei già delinquente prima ancora di provare la tua innocenza e questo fa male. [...] Io ho viaggiato molto, sono stato in Germania, sono stato in Francia più volte, sono stato in Svizzera ma non mi sono mai trovato in una situazione così... anche se per breve periodi, però quando stai a fare che qualcuno ti chiede il documento prima ti saluta ti dice signore. Cioè perché non ti conosce ti dice le parole che serve come educazione. Sono stato a Londra, nessuno ha mai osato a dirti: "Vieni qua", qualcuno ti insulta a dirti le cose. Soltanto qui che succede. E guarda se te li chiedi: "Ma perché mi devi trattare così?", ti dice: "Io ti rimando nel tuo paese". (S., Nigeria, uomo)*

*One day, at the post office, it happened that my wife and I reacted. At that time I did not speak well Italian yet, then while I was talking to the post officer, she suddenly stopped to saying “Mister” to me... because she understood I am an immigrant. She called me by my first name, even if she didn’t know me at all! At the precise moment she became aware that I am a foreigner, it was automatic in her head. My wife immediately responded: “Hey, how dare you? Do we know each other?”. (Z., Morocco, man)<sup>70</sup>*

In any event, the 2009 security decree, with the inclusion of the crime of illegal immigration (regardless of the repeal of the Constitutional Court) has certainly given new legitimacy and strength to all forms of discrimination that first occurred in a more latent form. This trend is highlighted by the story of Z., and which emphasizes the general tendency, even in the structures of public administration, to call immigrants by their first name, and by the story told by S., where the “you”, this time given by the police, is tied to the prejudice that all African immigrants are criminals or clandestines. This is a racism that the current immigration laws seem to support.

The current immigration laws and the bureaucratic procedures to obtain a residence permit are perceived as complex, and are not easily accessible. Some of our sources interpret this complexity as a deliberate practice to exclude immigrants from Italy.

Italian people, as we have seen, have an ambivalent attitude toward immigrants: there are those who exploit the difficult condition of the newcomers (policemen as collectors of stolen goods, people who rent dilapidated beds, illegal jobs, illegal hiring, etc.), and those who do risk bypassing the rules to assist immigrants (fake assumptions to give the permit, tolerant policemen, etc.). All Italians involved in the stories, however, are united by the attempt to circumvent the law or, rather, to tame it to their advantage.

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<sup>70</sup> Original quote: *Le persone meno intelligenti che cosa succede? Succede un giorno alla posta una volta, e mia moglie ha reagito e non io. Ero, ancora non parlavo bene l’italiano, allora mentre che parlavo con... cioè io ho detto una cosa e lei, guarda, lei è passata dal lei a tu, rapidamente, dal momento che ha capito che io sono un immig... nel momento che lei non lo sapeva mi dava del lei. Nel momento che si è accorta che sono straniero, iniziato il tu, che è automatico nella sua testa, la mia moglie subito ha reagito: “Ma chi ti conosce?”. (Z., Marocco, uomo)*

# **Part 4**

**Illegal migrants' representation in the press**



## **In Portuguese Press**

**Pedro Rodrigues, and Marzia Grassi**

The media are today one of the main forms for the transmission of signs, which promoted through a profusion of media content, help in the social construction of “the other”. Through the Migratory Trajectories from Africa, Illegality and Gender: comparative analysis of Portugal and Italy, we reflect on the concepts of illegality and gender within the context of the media’s portrayal of immigrants in Portugal. This is achieved through the content analysis of a sample taken from the daily newspapers, *Público* and *Correio da Manhã*, two of the most popular in the country in volume circulation and sales, but which opt for different editorial styles.

Our starting point will be articles with references to the background of actors in their description of events, in order to evaluate the main lines of the media’s representations of people coming into Portugal from Portuguese Speaking African Countries.

Recent changes in migratory contexts in southern Europe have enhanced the debate on this issue and led to other changes in migratory policies in the host countries. Acknowledging the complexity of the phenomenon and its repercussions for those who opt for or are forced to lead transnational lives, the revision of concepts like “illegality” becomes urgent. What does it mean to be an “illegal” person, and what are the repercussions of this supposed “illegality”? What forms of “illegality” exist, and why? By searching for answers to these questions, other issues relating to gender become unavoidable as they define paths and forms for “illegality”.

In our project we seek clues in the Portuguese press that will allow us to shed some light on these questions. By acknowledging the media as one of the main platforms for the transmission of meaning in contemporary societies, their role in the definition and reproduction of social difference in “the other” is revealed, this being an immigrant or a member of any other minority. The enhancement of social difference, when joined by political or social implications with the potential to divide and bring up instances of discrimination, will provide the grounds for setting up different identities (Carvalheiro 2008) based upon dividing concepts of ethnicity or nationality.

### **The influence of the media**

The media are an important platform for communication today. Academic debate about its effects has been spirited since at least the early 1920s. But the acknowledgment of media

power, either as a threat or as an ally of institutionalized structures of power comes from earlier still. Different conceptions of this “power” have been advanced in academic debates, conceptions which have evolved through different historical contexts and other developments in the media themselves. From the 1970s on, one predominant idea is that of *agenda setting*. This presupposes a relationship between media’s themes and issues and their value in the public sphere. That is, the idea that the media establish the day’s agenda in the public sphere by determining the hierarchy of specific themes – or, as Bernard C. Cohen put it, “the media doesn't tell us what to think; it tells us what to think about” (Cohen 1963, cited by Mesquita 2004). Implicit in this is the capacity of the media to lay the grounds for a specific perspective on issues. The individual, as a newsreader or as part of an audience, operates his own selection of contents to be exposed to from a limited selection offered by the media (Mesquita 2004).

However, the power of the media can also take shape in questions regarding access to the means and resources for communication. Despite other social circumstances, social power of a specific group may be enhanced or diluted by its capacity to access, actively or passively, discourse on the media. On this aspect, van Dijk (1997) assumes that most citizens will have open and active access to different forms of knowledge, for instance, in conversation with family members and other peers. However, their access to the discourse and the way issues are presented in the media will usually be passive. Most people have no influence over the contents of news and will rarely be the main actors of the events in the news. Even this passive access will be conditioned by what information the person has about the issue being presented. To understand a newspiece, the reader or audience member will have to possess knowledge relating to the context of a specific issue. If there is no background information, or if it is insufficient, perception of the event described in the news will follow pre-established journalistic formulas that frame the event in a specific fashion, determined by the media. For McQuail (2003), framing is a mode for the interpretation of isolated items (p.348), which is almost unavoidable for the journalist, who is, after all, also a social player like other actors present in the story he reports. And as a social actor, and part of a particular logic of production institutionalized in a specific media organization where he works, his autonomy will also be conditioned to the hierarchy of economic interests of the entities associated with the media.

Still, there is always room for journalistic autonomy. The media are not passive social elements, and can even sometimes dictate the rhythm to which political elites try to adapt (Correia 2003; van Dijk 1997). But the main picture is that of a reproduction of the establishment (Hall 1993, cited by Correia 2003). The media are part, also for van Dijk (1997), of the reproduction and dissemination of a consensus that is convenient to “power elites” of a political and corporative nature. Even if journalistic discourse is often at odds with official power structures, these conflicts remain within flexible, but still well-defined, boundaries delimited by editorial policy.

### **The media’s framing of immigrants and minorities**

When evaluating the media’s portrayal of immigrants and other minorities, we need to have in mind the importance of *news values*. Not all events are printed as news, this being dependent on criteria of *newsworthiness* that, according to Correia (2003) are passed on to the public and its perception over the importance of any event in the news. Consensus regarding the different factors that define the newsworthiness of an event, which often is conditioned by factors derived from economic competition among institutions in news production, is more easily achieved through negative value – disasters and crime are, for instance, events that are unusual in everyday life, where the unexpected and the unpredictable assure the best gratification for the public, and are able to increase audience numbers (Correia 2003, p.147). This is also true for the media’s portrayal of minorities, making it commonplace to frame issues relating to immigration as problems or threats. Cultural differences in language, religion, looks, or even behaviors are put forward as explanations for “problems of integration”, weak performance at school for younger generations and other issues. Information that would contradict prevailing stereotypes is avoided except for a few issues that present no threat to the establishment (Dijk 1997).

Thus, stereotyped images stand up, where immigrants are portrayed as threats and usually associated with crime. This association can be observed in some studies in the European press showing this to be the norm for the “popular press” (Walter, D’Haenens and Koeman 2005). Newspapers labelled as “reference press” will, according to the same investigation, pay more attention to issues relating to discrimination, while even then enhancing differences of identity. Further observations lead the authors to conclude that in news articles about minorities, the main actors are still usually from the “majority”, in the role of political and

institutional actors – roles that are usually out of place for members of any ethnic minority, for instance.

### **The media's portrayal of migrants**

A study undertaken by Observatório da Comunicação (Obercom), in the period between January 2001 and March 2002, sought to evaluate the image of immigrants and ethnic minorities in the Portuguese press. In this investigation (Cádima, Figueiredo, Alvares, Ormond, Azevedo, and Carvalho 2003) a total of 4076 published articles were gathered, from which the authors concluded a greater presence of immigrants with origin in East European (“immigrantes de Leste”) countries (in 29.7% of the articles). The general description of “immigrants/imigrantes” was the second most common (28%), followed by “gypsies/ciganos” (12.5%) and “african immigrants/imigrantes africanos” (12.3%). The main theme observed in the articles was, at this time, “delitos (actos judiciais e policiais)” (12.2% of all articles), where the most common actors were immigrants from East-European countries, (gypsies) and African immigrants. Also interesting in this study was that the immigrants themselves accounted for only 7.8% of all sources mentioned. The analysis done by the authors does not allow to infer anything on the type and grade of mediation to the source's speech.

In 2004, a similar investigation was published, from Observatório da Imigração (Ferin, Santos, Silveirinha and Peixinho 2004) with an analysis of articles published in the press during 2003. Several follow-ups were done during the next few years, by the same institution. The results of an analysis of articles published in the press in the year 2004 (Ferin, Santos, Valdigem and Filho 2006) followed another for the years 2005 and 2006 (Ferin, Santos, Filho and Fortes, 2008a) and a fourth study for articles published in 2007 was published the following year (Ferin, Santos, Filho and Fortes 2008b). A brief look into these shows that, in relation to the actors portrayed, the Brazilian nationality was the most commonly mentioned, usually accounting for 12 to 15 percent of all articles. “Citizens from eastern countries” was the second most common category mentioned in articles in 2003 (13%), but declining from there on. In 2007 these citizens accounted for only about 1% of ethnic references and references to nationality of the actors in articles published in the press. People identified as “Africans” were present in about 3 to 4 percent of articles between 2003 and 2006. In 2007 this category was present in only 1.3% of all articles in the sample. When the origin of actors was mentioned, people from Portuguese-speaking African countries were present in 3 to 4 percent, annually, of all articles that were part of the sample. The specific mention of

“PALOP” (Países Africanos de Língua Oficial Portuguesa or Portuguese-speaking African Countries) never exceeded 0.6% in the annual total. Taking apart the numbers for these nationalities, in the period between 2003 and 2007, people from Cape Verde were the most common, although their statistical relevance in all articles where nationality or ethnic background is mentioned decreased from 3.7% in 2003 to 1.5% in 2007. Only in 2004 were people from Angola present as actors in articles more often than other Portuguese-speaking African Countries nationalities (32 articles, which accounted for 2.6%). People from Guinea-Bissau never exceeded 0.7% in all articles, a value still greater than the number of articles mentioning people from Mozambique, who were only referred to once in 2004 and in 3 articles in 2005/2006, and people from S. Tomé, who were only mentioned once in 2004 and twice in 2005/2006.

Men were always the most frequent. In Ferin *et al.* (2008), which analyzed articles published in the year 2007, the authors report that the male gender is mentioned particularly in articles relating to crime (p.24) while women are usually associated with themes around prostitution. In fact, “crime” is the most common theme in all of the years analyzed. Only in 2007 did the theme “clandestine issues” rise to first place along with the “crime” theme, of equal statistical proportion (14%). Because of this, the investigation dealing with data from 2005 and 2006 added a new variable seeking to account for the role of the immigrant or actor in the article, who was defined as being a member of a minority or his/her nationality in the crime being described. The authors observed that for articles in this theme, these actors appeared most often as being responsible for the crime (in 70% of all articles), only sometimes appearing as victims (16.2%), or in both roles (13.9%). In the data from the 2007 sample, the same trend was upheld, although with a narrower gap – immigrants now appeared as responsible for the crime in 56.2% of articles within this theme, as a victim in 24.8%, and in both roles in 18.8%. Still considering the same theme, in 2005-2006 Brazilians were the most often nationality mentioned, which leads the authors to assume the possibility of an over-estimation of this association. It is also interesting to note that in the “crime” category, actors were more likely to be identified through their ethnic background or nationality (93.3%) than the mean for the total sample (87.9%).

As to mentions of actor’s professional status, non-qualified positions were the most common (48.1%) in 2003. From 2004 on, “prostitution” was singled out as a category and became the most often mentioned category in articles dealing with immigrants and ethnic

minorities from 2004 to 2007. Another common trend in all of these investigations was the lack of information about the professional status of actors overall. There was also usually little or no information on the legal status of the immigrant or member of a minority, and when this information was available in the article, “undocumented” was always the most common reference. Sources were also accounted for. Beyond the always-present “Governo/Government” among the most statistically relevant categories, most other voices in the articles were dispersed among many different categories.

Another investigation, whose body of analysis was also taken from publications of *Correio da Manhã* and *Público*, in the period between November 2006 and April 2007, also sought to tap into the way the press portrays immigrants and ethnic minorities. Carvalho (2008) found most articles related to crime (69.1%) in *Correio da Manhã*, an example of the “popular press”. In *Público*, this theme accounted for 23.9% of all articles in the sample, while most of them (44.1%) related to the “social and political discussion of immigration and ethnicity”. In both newspapers, most actors in the articles that were part of the sample were of Brazilian nationality. In *Correio da Manhã*, Cape Verdeans occupied the second most-mentioned nationality, appearing in 31% of all articles as non-qualified workers, and in another 31% as “assembly line workers, artisans, and similar workers”. The predominant gender was male (79%). In articles published in *Correio da Manhã* in the “crime” theme, Brazilians (85%) and people from Cape Verde (69%) were the most commonly mentioned. In *Público*, “gypsies/ciganos” were the second most common.

Overall, the portrayal of immigrants and ethnic minorities in the Portuguese press seems to be associated with crime, and in some cases there also seems to be an over-estimation of the role of specific nationalities with crime in Portugal. The “immigrants” portrayed are usually described, when such information is available, as males with a dubious legal status (“undocumented” or “illegal”) and working in unskilled.

### **Immigrants and crime**

We have confirmed the frequent association in the Portuguese press of immigration and ethnic minorities with crime. Another investigation by Seabra and Santos (2005), “A criminalidade de estrangeiros em Portugal/Crime by foreigners in Portugal” may help to shed more light on the issue. These authors sought to verify this assumption in the press by looking

into statistics from the judicial system and police authorities. Through data available for each municipality, there is no correlation between a greater presence of foreign people and registered crime. This relationship is actually non-existent when other effects due to economic class are taken into account (p.121). This fact alone suggests a greater role of other social and economic factors well above that of nationality in explaining why people resort to crime. By connecting their data with other investigations abroad, the authors found that social and economic marginalization, as well as structural problems inherent to modern societies are more plausible reasons for the justification of crime by some groups and minorities. Moreover, they noted how the pattern and type of crime are overall identical for both Portuguese people and foreigners living within the national borders. Four of the five most common types of crime are common to both (driving under the influence, writing bad checks, illegal driving, and threats to the physical well-being of others). Drug trafficking appears as the fifth most common crime for foreigners, while for people of Portuguese nationality qualified theft is the fifth most common offense.

Other differences are interesting to point out. The authors observed that in relation to coercive methods used, preventive imprisonment is more often applied to foreigners (as the authors note, this could be ascribed to the fact that this measure is suggested in the Portuguese Penal Code for foreign crime suspects in “irregular situation/situação irregular” in the country). The probability of being judge guilty is also greater for people of other nationalities than Portuguese, something that may be related to prejudice on the part of the system’s officials and staff and “official defense attorneys of dubious quality” (p.122). This is true, for instance, according to Seabra and Santos (2005) at the level of the application of penalties, as effective sentences are more frequent than suspended sentences, in the case of foreigners. Further, the authors also mention how highly unfair trials usually are for someone who is accused but lacks adequate skills to mount a persuasive defense.

In summary, is interesting to us, from this investigation, how when controlling variables for gender, age, and professional status, the crime index for foreigners is quite “equivalent” between foreigners and Portuguese, thereby seeming to provide no justification for the constant association of immigrants and minorities with crime in the popular press.

### **The consequences of the media’s image of the immigrant**

As already stated, the media have an influence over the debate in the public space, through constant focus on specific meanings, ideas, and associations repeated everyday, while

remaining oblivious to other themes. This reconfiguration of the social sphere is influenced in turn by the capacity to access the production of journalistic discourse by different social actors and their particular perspectives and interests. Active access to the media's discourse by immigrants and members of ethnic minorities is, at most, marginal. At the same time, the growing commoditization of social media does invite the simplification of the message being reported (Esteves 2007; Bourdieu 1997). The narrative goes on in a de-contextualized fashion through models and patterns that facilitate the consensus (Rebelo 2006) and are usually favorable to the perspective of the majority (van Djik 1997). Through the investigations described above, we gather the "perspective of the majority" to be assumed in the press as one where immigrants are easily associated with having no documents and having a low-skill job.

But these associations do not seem to survive a careful perusal of all data available, as Seabra and Santos (2005) have shown quite the opposite. Not only do foreigners opt for the same patterns in types of crime that Portuguese people do, but they also do it under the same socio-economic conditions that Portuguese people do. Differences do appear, but these have to do mainly with the way the judicial system deals with foreigners. Therefore, we find it fair to question the evidence, by evaluating the consequences for those who live behind simple and de-contextualized descriptions.

In some of our interviews with people originating in Portuguese-speaking African Countries we noted strategies for delimiting boundaries among "those who steal" and "those who have come to work "Ah! Pff...There are some that come here only to steal and...and all these things that appear now on television!"<sup>71</sup> When questioned about this, the same interviewee mentioned that

*P:...if it is a negative image?*

*R: Negative*

*P:And what is your opinion on this?*

*R: Ah...I think very well of it*

*P: That they transmit this image?*

*R:Of them. That they put them there...that they take us to, to go inside, no? Someone coming to work doesn't have to do these things! And time ago ah...there is a lot...a lot of mess that they're doing! Assaulting people...the pizzeria, the bank...I don't know. But it's the Brazilians, isn't it? The Ukrainians...it's less the Cape Verdeans. Never...they don't do these things, no. Only if it's the youngsters now, isn't it? That were born here, that sometimes do silly things. Assaults on trains and all these things.*

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<sup>71</sup> Original quote: "Ah! Puff... Há uns que vêm práqui é só para fazer roubos e...essas coisas que tão a aparecer agora na televisão!"



**P:** *And why do you think they do this?*

**R:** *I think it is lack of education! The parents work, they leave their children unaccompanied, and there you are. They stop seeing these things, no?*<sup>72</sup>

This delimitation is accompanied by an attitude of resignation toward members of the media, who, in the opinion of some of the interviewees, are simply doing their job:

*Ah! When those...those assaults happened, those robberies that happened, I don't know what...Eh! They have to, they have to show, isn't it?*<sup>73</sup>

This is but one example. The relationship of individuals with the media's "ethnic representations" goes well beyond simple identification with the object, forming on a par with other social relationships that, in turn, also provide a basis for the reading of the news (Carvalho 2008). Individual trajectories will also have their weight and, like gender, should be taken into account not as monolithic categories, but as "flexible points for identification" (Ruddock, cited by Carvalho 2008). Thus, different methodological approaches (content analysis of press articles and interviews with immigrants) converge in *Migratory Trajectories from Africa, Illegality and Gender: comparative analysis of Portugal and Italy*, allowing for some reflections into a complex problem.

On the 16<sup>th</sup> of December, 2009, *Correio da Manhã* published an article where one of its directors stated, in relation to the newspaper's dealing with events related to crime, that

*"Correio da Manhã focuses on security because it is important for our everyday lives. During the last 10 years there have been changes in the typology of crime, and because of this it's not always possible to tell the story without making reference to the ethnic background of the ones involved."*<sup>74</sup>

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<sup>72</sup> Original quote **P:** *...se é uma imagem negativa?*; **R:** *Negativa.*; **P:** *E qual é a sua opinião sobre isso?*; **R:** *Ah...eu acho muito bem!*; **P:** *Que transmitam essa imagem?*; **R:** *Deles. (RISOS) Que ponham eles aí...que levem-nos pra, pra ir dentro, né? Uma pessoa que vem pra trabalhar não deve fazer essas coisas! E esses tempo atrás ãh...tá a haver muita...muita porcária que eles estão a fazer! Assaltar as pessoas...a pizzeria, o banco....não sei quê. Mas é os brasileiros, né? Os ucranianos... Os cabo-verdianos é menos. Nunca... Eles não fazem essas coisas, não. Só se é os miúdos agora, não é? Que nasceram cá, que às vezes fazem asneiras. Assaltos nos comboios e essas coisas todas.*; **P:** *E porque é que acha que eles fazem isso?*; **R:** *Eu acho que é falta de educação! Os pais trabalham, deixam os miúdos à balda, e pronto. Deixam de ver essas coisas, né?*

<sup>73</sup> Original quote: *Ah! Quando houve aqueles...esses assaltos, esses roubos que há prái, não sei quê... Eh! Eles têm, eles têm que passar, né?*

<sup>74</sup> Original quote *"O Correio da Manhã dá destaque à segurança, porque é importante para o nosso quotidiano. Nos últimos 10 anos houve uma mudança da tipologia do crime, pelo que muitas vezes não é possível contar a história sem fazer referência à etnia dos envolvidos"*

Considering the results of the investigations mentioned above, it is important, then, to question what is being assumed with this sentence: what are the “changes in the typology of crime” that make it impossible not to mention the “ethnic background of the ones involved” in what is described in a newspiece? The association between specific ethnic backgrounds and crime leads to a particular vision where not only entire segments of the population are marked, but marked through associations of negative social and political value and relevance. We have also seen how these associations bear little or no resemblance with the image gained through an educated look into other sources of information, making it valid to question the purpose and consequence of a trend with hardly any positive outcome to transnational populations as well as for the host societies where these people try to live their lives and through which they make their trajectories.

### **Data gathering and content analysis of articles gathered from two newspapers**

To perform further content analysis, the group discussions about this task with other project members led to it being restarted three times, thus tapping the group’s expertise with each new trial.

The sample was gathered from publications of these two newspapers from the year 2009. These newspapers were chosen because of their printing and circulation volume. According to statistics from the Associação Portuguesa para o Controlo de Tiragem e Circulação (APCTC), *Correio da Manhã* was the newspaper with most printed and circulated copies during 2008 and 2009. Because the intent was to consider different styles of the press, *Público* was also included as the best-selling “reference” newspaper.

The distinction between “popular” and “reference” newspaper is debatable and is far from being an all-inclusive description of the whole of the Portuguese press. Still, these are convenient concepts, sustained by general characteristics noted in the literature. Thus, “reference” newspapers are characterized by the predominance of political, social, economic and cultural themes, favoring commentary and studies; on the other hand, the “popular” press is supposedly characterized by sports and diverse matters. While “reference” newspapers are aimed primarily at political decision-makers and other stake-holders, and adopt a “distanced view” in relation to what is reported, “popular” newspapers are seen as targeting the “general public”.

Data were gathered at the Hemeroteca da Câmara Municipal de Lisboa and coded into a an SPSS database. Examples were taken from each publication every four days. Thus, two papers for each week were read, for both publications. Newspieces were selected based on direct references to nationality, origin, and other characteristics used to mark ethnic differences, or differences in relation to place of origin of news actors. These references were also added as variables.

Data were gathered in relation to the *form* (date, day of the week, type of article, first page headline, size, number of images, and section) and *content* (title, main theme of the article, gender, age, professional status, place of residence, legal status, references to the name of the actors, motives for the migration, organizations mentioned, and place of the event) of each news article. In news articles classified in the *crime* theme, further data were gathered regarding the portrayal of actors and their responsibility in the crime being described – actors were classified as being the party *responsible for the crime*, as *victims*, or *both* (in articles where more than one person was singled out by origin or ethnicity); “Crimes” were themselves classified under the official chart published in Diário da República (n.º 39, de 25 de Fevereiro de 2008, II Série).

The sample gathered amounted to 180 newspapers (89 editions of *Correio da Manhã* and 91 of *Público*) and 413 news articles (337 from *Correio da Manhã* and 76 from *Público*) (Table 16). Photos were also taken with examples of articles in each category. A total of 70 photographs were taken as illustration.

#### Procedures for gathering data

The sample comprises 413 news articles taken from 180 newspapers published in 2009 (89 editions and 337 news articles from *Correio da Manhã* (CM) and 91 editions and 76 news articles from *Público*).

**Table 19 - Totals for the sample, by newspaper**

	Frequency	%
<i>Público</i>	76	<b>18.4</b>
<i>Correio da Manhã</i>	337	<b>81.6</b>
<b>Total</b>	413	100

337 news articles from CM correspond to 81.6% of the sample and 76 news articles from Público make up the remaining 18.4%. This do not mean there are more news articles related to migrants and foreigners either of these newspapers, but that CM probably pays more attention to such details as nationality (Table 19).

General description of the data: variables pertaining to form

**Table 20 - Type/form of the articles, by newspaper**

Newspaper		Frequency	%
Público	News	55	<b>72.4</b>
	Report	5	6.6
	Opinion	3	3.9
	Analysis	1	1.3
	Studies	4	5.3
	Follow up	7	9.2
	Personal Testimony	1	1.3
	Total	76	100
Correio da Manhã	News	294	<b>87.2</b>
	Editorial	2	.6
	Report	2	.6
	Analysis	2	.6
	Studies	4	1.2
	Interview	2	.6
	Follow up	30	8.9
	Personal Testimony	1	.3
	Total	337	100

In matters of *form*, the common news-piece is the most usual form of article in both newspapers (n=55, 72.4% in Público, n=294, 87.2% in CM) (Table 20).

Of the total sample, only 12 articles gathered from Público had a first-page headline (15.8%), while a total of 34 (10.1%) had the same function in CM (Table 21). Presence as a first-page headline implies greater importance for that particular theme or newspiece.

**Table 21 - Frequency of first-page headline articles in the sample, by newspaper.**

Publication		Frequency	%
<b>Público</b>	No	64	84.2
	Yes	12	<b>15.8</b>
	Total	76	100
<b>Correio da Manhã</b>	No	303	89.9
	Yes	34	<b>10.1</b>
	Total	337	100

As to the size of articles in the sample, both newspapers seem to favor smaller articles, i.e. less than half a page. In Público, 73.7% were within this category, (n=56) and 82.2% (n=277) of our sample from CM was also half a page or less (Table 22).

**Table 22 - Size of the articles, by newspaper**

Newspaper		Frequency	%
<b>Público</b>	<1/2	56	<b>73.7</b>
	1/2	4	5.3
	from 1/2 to 1	4	5.3
	1	5	6.6
	> 1	7	9.2
	<b>Total</b>	76	100
<b>Correio da Manhã</b>	<1/2	277	<b>82.2</b>
	1/2	21	6.2
	from 1/2 to 1	24	7.1
	1	4	1.2
	> 1	11	3.3
	<b>Total</b>	337	100

The number of photos for each article was also recorded. In our sample of articles from Público, most articles had only one picture (n=34; 44.7%) or none (n=30; 39.5%). In CM, from a total of 337 articles, 145 articles (43%) had only one picture while 144 (42.7%) had no picture (Table 23).

**Table 23 - Number of pictures with each article, by newspaper**

Newspaper		N	%
<b>Público</b>	0	30	<b>39.5</b>
	1	34	<b>44.7</b>
	2	7	9.2
	3	3	3.9
	4	1	1.3
	6	1	1.3
	Total	76	100
<b>Correio da Manhã</b>	0	144	<b>42.7</b>
	1	145	<b>43</b>
	2	26	7.7
	3	9	2.7
	4	8	2.4
	5	1	0.3
	6	3	0.9
	10	1	0.3
	Total	337	100

With very different graphic styles, in our first approach to the material we can easily see how CM recurs more often than Público to pictures and graphic imagery. The maximum number of pictures per article in this newspaper was 10 (in one article of our database) while Público had a maximum of 6 pictures per article.

Both newspapers work with general themes that guide the layout for the sections in each newspaper, and these are fairly similar. In our sample, and in both cases, a section named “Portugal”, filled with “national” news, ranked first place in terms of frequency (n=40, 52.6% for Público; n=232, 68.8% for Correio da Manhã). Both newspapers also carry similar “Last page” sections, although these are frequently not labelled or are labelled with different names, in CM (Table 24).

**Table 24 - Frequency of articles, by section, by newspaper**

Newspaper		N	%
<b>Público</b>	[last page]	2	2.6
	[Crónica]*	1	1.3
	Culture	1	1.3
	News	10	13.2
	Economy	2	2.6
	Local	15	19.7
	P2	5	6.6
	Portugal	40	<b>52.6</b>
	Total	76	100
<b>Correio da Manhã</b>	A fechar	2	0.6
	A fechar/Últimas	3	0.9
	Actualidade	19	5.6
	Ciência	1	0.3
	Correio de Hoje	1	0.3
	Cultura e Espectáculos	1	0.3
	Economia	2	0.6
	Editorial	1	0.3
	Especial	7	2.1
	Mundo	1	0.3
	Política	2	0.6
	Portugal	232	<b>68.8</b>
	Reportagem	2	0.6
	Sociedade	42	12.5
	Última hora	18	5.3
	Últimas	3	0.9
	Total	337	100

## General description of data: Content

Categories for content analysis were created using mixed procedures. Despite size and other factors, articles were considered as units of analysis (see Annex I - Articles distribution by thematic category, by newspaper).

As expected, the “crime” category had considerable weight in our sample, in both newspapers. This theme amounted to 25% of all pieces gathered from Público (n=19) and 66.2% from CM (n=223) (Table 25). “Migrations” and “politics” were both (n=7, 9.2%) the most frequent categories after “crime”. In CM, the next most frequent categories were “Accidents” (n=18; 5.3%), “Health” (n=17; 5%) and “Police investigations” (n=15; 4.5%). Thus, these were the most frequent categories in our sample of articles that make specific references to the nationality or ethnic background of actors in the stories they publish. This might be of special interest going back to the predominant category, “crime” (see Annexe 1 – Articles distribution by thematic category, by newspaper).

**Table 25: The “crime” theme, in both newspapers**

Newspaper		N	%
Público	Crime	19	<b>25</b>
	Missing	57	75
	Total	76	100
Correio da Manhã	Crime	223	<b>66.2</b>
	Missing	114	33.8
	Total	337	100

As shown in the Table 26, in our sample the actor singled out for its nationality or ethnic background was pointed out as the one responsible for the crime in three quarters (n=150) of the articles classified under “crime”.

**Table 26 - Actor role in the articles classified under “crime”**

	Público	Correio da Manhã
Actor as the one responsible for the crime	14	<b>150</b>
Actor as the one responsible for the crime	3	49
Actor as the one responsible for the crime	2	14
Other	-	10



As the Lisbon editions for each newspaper were considered, we found it normal to have a greater number of articles relating to this city. When possible, events described in the articles in our sample were considered using the NUTS III classification (Annexe II – Articles distribution by place, by newspaper). Lisbon was the most frequent place for news stories (n=16, 21.1% of all articles in our sample from Público and n=84, 24.9% of all articles read from CM). Both Algarve (n=54; 16%) and Península de Setúbal (n=24; 7.1%) were also important focus points for CM.

As to institutions, Public Authority figures and organizations were the most commonly mentioned in our sample of articles taken from the reference newspaper (n=21; 27.6%), followed by references to the State (n=24; 31.6%). In CM, institutions related to Public Authority were also the most common, appearing in 60.5% of all articles from this newspaper (n=204) (see Annexe III - Reference to different organizations, by newspaper).

References about each actor in the news articles was also taken into account. Little or no legal context was usually provided. Therefore, the exact terms used in the articles were considered and accounted for, even if these did not really amount to any specific “real” legal status. Terms like “legal” or “illegal” were counted, just like references to “undocumented” people, “irregular” people, citizen, and even tourist. The analysis remains incomplete. The same happens with the information relating to place of residence and, in the “crime” theme, the type of crime committed. Information about motives for the migration, when applicable, was also a variable to consider, but this proved virtually non-existent. The same happened with information about legislation and the type of residence of actors. Because of this, these variables will not be commented on any further, despite appearing as variables in the database.

The professional status of actors described in each article was also one of our variables. However, only 34% (n=26) of all articles from Público and 19% (n=62) had this information. From these totals, 21 references (27.6%) in Público pertained to Qualified Professions (Annexe IV - Professional status of actors, by newspaper). In CM, the most common references were to non-qualified professions (n=26; 7.7%).

In relation to the age of actors in these articles, a total of 18 articles from Público (32.9% in the overall sample from Público) contained references to adult actors (20 to 64 years old), from a total of 25 articles where this information could be found (Annexe V- Actor’s age, by newspaper). In CM, where a total of 175 articles (51.9%) made some reference to this information, a total of 136 articles (40.4%) made references to actors within the same age range. There were very few references to actors younger than 12 or older than 65.

As stated above, all references used to distinguish nationality or ethnic background were noted down. The most-mentioned nationality was Portuguese, for both newspapers: 25 mentions in Público (which corresponds to 18.7% of all mentions to nationality and/or ethnic background in this newspaper) and 54 (12.5%) in CM.

In Público we found the expression “immigrant” used 17 times (12.7%) and there were also 12 mentions (9%) to “foreigners”. The second most common nationality was “Brazilian” (10 mentions, 7.5%) in Público, as well as in CM (n=47; 10.9%), where there were also 37 mentions of “foreigners” (8.5%) and 32 mentions of “immigrants” (7.4%) (see Annex VI - References to Nationalities and ethnic backgrounds in Correio da Manhã (number of articles) and Annex VII - References to Nationalities and ethnic backgrounds in Público (number of articles))

Articles that mentioned the actual name of the actors singled out by their ethnic background and/or nationality were also accounted for. In Público, 46.1% of articles in our sample made this reference (n=35) while in CM only 28,2% (n=95) mentioned names for these actors. This might suggest a greater care with context and/or the personalization on Público, when compared to CM (Table 27).

**Table 27 - Articles mentioning actor’s name**

		N	%
<b>Público</b>	No	18	23.7
	Yes	35	<b>46.1</b>
	Total	53	69.7
	Missing	23	30.3
	Total	76	100
<b>Correio da Manhã</b>	No	210	62.3
	Yes	95	<b>28.2</b>
	Total	305	90.5
	Missing	32	9.5
	Total	337	100

Note: Missing values equal number of articles where this variable was not applicable (for instance, articles with no actors).

## Gender

We noticed, overall, a greater presence of male actors in our sample; 38.2% of all articles taken from Público (n=29) had references to male actors, which only 13.2% references to female actors (n=10). The same happened in our sample from CM, where 67,1% (n=226) of all articles mentioned male actors and 30% (n=101) mentioned females (Table 28 and 29).

**Table 28 - References to female actors, by newspaper**

		N	%
<b>Público</b>	No	24	31.6
	<b>Yes</b>	<b>10</b>	<b>13.2</b>
	Total	34	44.7
	Missing	42	55.3
	Total	76	100
<b>Correio da Manhã</b>	No	184	54.6
	<b>Yes</b>	<b>101</b>	<b>30</b>
	Total	285	84.6
	Missing	52	15.4
	Total	337	100

**Table 29 - References to male actors, by newspaper**

		N	%
<b>Público</b>	No	5	6.6
	<b>Yes</b>	<b>29</b>	<b>38.2</b>
	Total	34	44.7
	Missing	42	55.3
	Total	76	100
<b>Correio da Manhã</b>	No	59	17.5
	<b>Yes</b>	<b>226</b>	<b>67.1</b>
	Total	285	84.6
	Missing	52	15.4
	Total	337	100

Of these, only two articles with references to female actors were mentioned in first-page headlines in Público. In CM, only 10. As to references to male actors in first-page headlines, there were only four in Público and 22 in CM (Table 30 and 31).

**Table 30 - Female actors in first-page headlines**

Newspaper	1st page headline		Total
	No	Yes	
<b>Público</b>	8	2	10
<b>Correio da Manhã</b>	91	<b>10</b>	101

**Table 31 - Male actors in first-page headlines**

Newspaper	1st page headline		Total
	No	Yes	
<b>Público</b>	25	4	29
<b>Correio da Manhã</b>	204	<b>22</b>	226

In our sample, and as already noted, there is a greater presence of male actors (n=255) than female actors (n=111). Also noted above was the significance of the “crime” theme in articles where references to ethnic background are present. In Table 32 below, both genders show a similar proportion in this theme (n=175; 68.6% for male actors and n=66; 59.5% for female actors), well above every other theme. Gender does not seem to play a big role here. But considering the “police investigation” theme, there is a considerably greater number of male actors (n=14; 5,5%) than female actors (n=1;0,9%). However, these numbers might be misleading and they would require a more specific content analysis to understand this difference (Table 32).

**Table 32 - Gender of actors, by theme and newspaper.**

Theme	Male	%	Female	%
<b>Accidents</b>	14	5.5%	8	7.2%
<b>Adoptions</b>	3	1.2%	3	2.7%
<b>Associations</b>	0	0.0%	0	0.0%
<b>Science</b>	5	2%	1	0,9%
<b>Living conditions</b>	2	0.8%	3	2.7%
<b>Border control</b>	1	0.4%	0	0.0%
<b>Crime</b>	175	<b>68.6%</b>	66	<b>59.5%</b>
<b>Culture</b>	4	1.6%	3	2.7%
<b>Sports</b>	2	0.8%	1	0.9%
<b>Discrimination</b>	0	0.0%	0	0.0%
<b>Economy</b>	0	0.0%	0	0.0%
<b>Education</b>	1	0.4%	2	1.8%
<b>Job market</b>	1	0.4%	2	1.8%
<b>Events</b>	4	1.6%	1	0.9%
<b>Habitation</b>	4	1.6%	2	1.8%
<b>Illegality</b>	0	0.0%	2	1.8%
<b>Police investigations</b>	14	<b>5.5%</b>	<b>1</b>	<b>0.9%</b>
<b>Justice</b>	4	1.6%	1	0.9%
<b>Migrations</b>	1	0.4%	1	0.9%
<b>Public order</b>	0	0.0%	0	0.0%
<b>Politics</b>	1	0.4%	0	0.0%
<b>Legalization process</b>	3	1.2%	1	0.9%
<b>Religion</b>	1	0.4%	0	0.0%
<b>Health</b>	12	4.7%	11	9.9%
<b>Security</b>	1	0.4%	0	0.0%
<b>Other</b>	2	0.8%	2	1.8%
<b>Totals</b>	255	100%	111	100%

In Público, and where this information was available in our sample, male actors are shown predominantly in skilled jobs (n=13), while CM had a greater number of references to unskilled jobs (n=15). Still, CM balances the act with 13 references to skilled jobs (see Table

33). As to female actors, most references in Público were related to skilled jobs (n=4) while CM shows more references (n=15) to unskilled jobs, as many as for males.

However, in our sample, this information was usually not given about actors singled out for their ethnic or national backgrounds.

**Table 33 - Professional status of actors, by gender and newspaper.**

Newspaper	Professional Status	M	F
<b>Público</b>	Unskilled jobs	1	1
	Skilled jobs	<b>13</b>	4
	Students	1	0
	Unemployed	0	0
	Article mentions actor has no profession	0	0
	Actor has profession but its not specified	0	0
	Other	0	0
<b>Correio da Manhã</b>	Unskilled jobs	<b>15</b>	15
	Skilled jobs	13	5
	Students	1	1
	Unemployed	2	2
	Article mentions actor has no profession	1	2
	Actor has profession but its not specified	1	1
	Other	7	0

One possibility would be that once these actors acquire identity through national or ethnic backgrounds, the remaining context (such as their professional status) becomes secondary. In the output files we crossed professional status, gender, and the origin of actors by newspaper – however, available data from our sample is too scarce to be drawn upon for any conclusions.

**Table 34 - Actors as responsible or victim of the crime described, by gender and newspaper (number of articles)**

	Público		Correio da Manhã	
	M	F	M	F
<b>Actor as responsible for the crime</b>	6	1	119	30
<b>Actor as victim of the crime</b>	0	1	29	26
<b>Actor as both responsible and victim</b>	0	0	14	6

We found more references to male actors in articles categorized under the “crime” theme. Crossing this information with the position ascribed to actors singled out by their ethnic background, as it was the criteria for our sample, we might conclude that male actors were more often portrayed as responsible for the crime being described in the article, in both newspapers. For female actors, there is little difference. Again, we believe these data to be insufficient for any meaningful analysis.

### **Suggestions for further work**

The data described above were gathered for the “Migratory Trajectories from Africa, Illegality and Gender: comparative analysis of Portugal and Italy” project. Even though these are only raw data, some suggestions might be advanced at this point. As noted above, our criterion for the inclusion of articles was the presence of references to actor’s ethnic background or country of origin, even when this was not a crucial element for what was described in the article, and it is to these actors that the data above refer.

Even considering that this might be a pertinent element for the news or what is described in *some* of these articles, our contact with the material suggests that this is an element that is usually used unnecessarily. This possibility is most evident in CM, judging by the quantitative data described above. As already suggested, one possibility would be that once these actors acquire identity through national or ethnic backgrounds, the remaining context (such as their professional status) becomes secondary. Further content analysis of expressions gathered from articles would probably yield interesting results.

According to SEF data, in 2008, Brazilians were the most common nationality (106, 961 persons), amounting to 24% of all foreign population residing in Portugal, followed by people from Ukraine (52, 494, 12%) and Cape Verde (51, 352, 12%). In relation to gender, male foreign population, as in the years before, was above the number of foreign female

population, despite a trend for a decrease in this gap, due to family reunion (SEF 2009). These data are reflected in our sample, to some extent namely in the predominance of references to Brazilian and male actors. There is also consistency of data with past studies. In 2004, Observatório da Imigração published the first of a series of studies on the images of migrants in the Portuguese media. These already noted how common references were to people from Brazil, while at the same time there was already evidence of a decline in references to people from the PALOP countries. References to the professional status of these people were also few and far between, and the same occurred with references to legal status. “Undocumented” people were also a common reference (see Cunha, Santos, Silveirinha and Peixinho 2004; Cunha, Santos, Valdigem and Filho 2006; Cunha, Santos, Filho and Fortes 2008 a; and Cunha, Santos, Filho, and Fortes 2008b).

We have also noted the prevalence of the “crime” theme. In reference to the studies mentioned above, only in 2007 was the theme “clandestinity” on a par with “crime”, with the same statistical significance (14%). Immigrants also commonly appeared usually (in 70% of all articles related to this theme) as responsible for the crimes being described in articles published in 2005 and 2006. Only in 16.2% did they appear as victims and in 13.9% in both roles. The same occurred for data in 2007. Brazilians appeared the most often in articles categorized in the “crime” theme, leading the authors to conclude for an over-estimation of this association.

We therefore suggest, and taking into account both our data from CM and Público and other past studies, that representations of immigrants and ethnic minorities in the Portuguese press is greatly related to crime and illegal practices. These are usually portrayed as people with a dubious legal status and part of a non-qualified workforce, if working at all, and are usually male.

The importance of these data relates to the significant role of the media in the perpetuation of representations that define social relationships, even in the absence of both parties (Esteves 2007). The media does play an important role in the delimitation of representations of gender, class, ethnics, and religion (McQuail 2003). The representations put forward by the media might, in the context of minorities, lay the grounds for exacerbating social differences (Carvalho 2008). This has also been dealt with, through discourse analysis, by Van Dijk (2006) and others.



## Rosarno and the media in Italy

Francesco Fanoli

In the European public debate and in the media, migration issues are often discussed in connection with illegality issues. The migration is seen as a problem of public order. Immigrants are seen as bearers of illegality, as those who destabilize the established order, and undermine cultural homogeneity; illegal simply because of being culturally different.

This policy stance started in the early 1990s, not only in Italy, and as noted by Stolcke (2000), it has led to a strong return of cultural fundamentalism and the formation of new practices of exclusion, highlighting the cultural differences, "justifying" inequalities creating a new "de-biologized racism" increasingly common in Europe today.

A crucial role in the creation of the "other" as illegal and as the enemy is held by the mass media, which shapes the figure of the immigrants, representing them as those who come and stay in Italy illegally, often carrying out violent and illegal acts.

We can read an extract, for example, of the articles in the book written by Stella "When we were Albanians" (2005) of one of the many newspapers of the late nineteenth century early twentieth century, which in the United States and Australia spoke of the Italian immigrants, to realize the extent of the phenomenon: reports of the Australian Workman 10/24/1890 article entitled *Lazy intrusive like locusts*: "[The Italians] are thieves, beggars, lazy, corrupt in soul and body. [...] If the boycott is something, we have to apply it in the case. We are confident that our capitalists will derive no benefit from the importation of these locusts"(p. 268).

The many titles dedicated to Italians from the American and Australian newspapers of that period confirm this trend: "Assassins after two glasses," "The worst waste of Europe", "Holders of record of crime," "Beggars by profession and pleasure "; "They live in a filthy promiscuity ", " The dirtiest people ever met" "Steal jobs from Protestants"... and many others seem to echo the titles, less explicitly racist, of many Italian newspapers that speak of migrants in Italy. Emblematic of that issue is the comment of Emergency on the clashes between Tunisian and islanders that have occurred in recent days on Lampedusa. Emergency on "La Repubblica" of 21 September speaks about criminal policy:

*What is happening in Lampedusa is the result of a criminal policy which for many years the governments of this country are implementing against migrants. Migrants, deprived of the most basic human rights and at the same time perceived as "different" and "enemies", are deliberately used to create an atmosphere of exasperation between them and Italians. [...] The tension and violence of the last hours, both in Lampedusa and in*

*Pozzallo are the inevitable consequence of the policy of a government that treats foreigners as criminals, as a matter of public order, like animals. The overcrowding of facilities, the lack of basic care, the deprivation of fundamental rights, besides being a shame for a "civil" country, inevitably involve the escalation of distress and violence ... we are confident that Italian citizens have the reasonableness and humanity that has been lacking in the government, that humanity that allows to understand that the 'foreigners', the 'illegal', the 'seasonal migrants' are before anything else, just 'people', human beings. And as such should be treated. (La Repubblica, 21/09/2010)*

## **The Riot, the Counter Riot, and the Deportation.**

Starting from January 8<sup>th</sup> 2010, for a few weeks, the little town of Rosarno, in Calabria, jumps from the periphery to the media headlines. The reader alert to Italian news reports perhaps remembered *Servi*, a book published in 2009 by the journalist Marco Rovelli. From the *Black hunting* chapter:

*"The most practiced sport by Rosarno's youngsters is the black hunting. Where black doesn't mean a Sub-Saharan, but, without distinction, an African: to darker from lighter skin doesn't matter. On Monday morning, on the school buses, the white boys boast of their beatings [...]. There are some techniques to beating a black. First, evidently, be a group. Then placing oneself in strategic places, where blacks must pass. They are illegal workers but without them oranges remain on the trees. Their fathers need them in the fields, but also the sons need to throw stones at the blacks".*

However, it is only after the riot of agricultural laborers in January 2010 and the deportation of all black people, that Rosarno became a national issue. The facts have been told roughly like this. In a municipality dissolved by mafia infiltration in 2008, two migrants were wounded by an shotgun, the news spread quickly via SMS and word of mouth. The night of the 7<sup>th</sup> and some African migrants working in the orange fields took the streets, spilled containers, put up protest signs, staged road blocks, and assaulted passers-by. It is not the first time they were beaten, and it is not the first time they stood up against racial discrimination. It is from 1992 that each year, from late autumn to early winter, many young Africans (from 1000 to 2000) arrive in Rosarno for the citrus harvest. For almost twenty years they have been exploited by foreman, relegated to abandoned factories and ruined buildings, without water or electricity.

For the first time African migrants reacted violently. They work and live under inhumane conditions. They cannot walk the streets without fear of being attacked. The day after the riot some Rosarno citizens, outraged at the failures of the police, decided to take "justice" for themselves. Armed with guns, iron bars, and clubs, they are dedicated to cleaning the area and

ready to beat any dark-skinned human crossing their path. Among the citizens' patrols is Antonio Bellocco, a young representative of the Mafia family that, along with the Pesces, controls the territory. His presence spreads the idea that the counter-riot was directed by the 'Ndrangheta - a possibility that the anti-mafia prosecutor first took into account and then invalidated. By the unpredictable connection of events, it is hard to think of a mafia leadership; although it is very likely that the counter-insurgency had the consent of local gangs.

On January 9th, the Interior Minister Maroni sent a task force to "normalize" the situation. The police intervened to protect migrants, forming protective cordons around the factories to avoid the beating of Africans. The next day, escorted by police, migrants left Rosarno by coach, train and private car. They were going to Rome, Naples, to various northern Italy locations, to Bari and Croton centers. In Rosarno there were no more "blacks".

It is in Rome, at ex Snia squatter town, where we met the great majority of "Africans from Rosarno" we had interviewed. Many of our interlocutors told a similar story: trips lasting several weeks until they came to Niger, then crossing the desert in an off-road truck, then arriving in Libya. Here many decided to stop. They found jobs, got paid well, remained for a time, until police harassment convinced them to take a boat for Lampedusa, from here to one of the many centers of Southern Italy (Bari, Crotone, and Trapani), where they requested political asylum and were refused. Then to Foggia to work the tomato fields and in the Plain of Gioia Tauro to work the orange fields, often passing through Rome or another of the major Italian cities, where they slept at the station and sought work.

In the days of the uprising, different newspapers focused on the combination of legality / illegality. The Rosarno case became the emblem of illegality, not just that of agricultural laborers, migrants without a residence permit (no one knows how many there are, at any rate it is certain that many of them had a residence permit, despite this they all worked illegally), not just the bosses (some of which are migrants themselves), but also that experienced by "normal" Rosarno citizens, always used to coming to terms with the presence of 'Ndrangheta, intimidations, and murders. In addition, a few days after the revolt, some newspapers spoke of fraud against the INPS by "false workers", Italian citizens who receive unemployment benefits but who never worked in the fields.

## Tides, Waves, Emergencies

In the background of the Italian news on immigration, the media representation of the Rosarno case is both emblematic and exceptional. It is emblematic because the news is about men as it relates to crime news, and for the fact that it was one of those moments of emergency when news on immigration is at its peak. It is exceptional for the liberal use made of direct testimonies.

According to recent works (Lodigiani 1996; Conte 2002; AAVV 2010<sup>75</sup>), Italian news on immigration tends to go up and down, reaching a peak in connection with the perception of severe emergency situations. For example, according to Corte, 92% of the ANSA dispatch is about illegal aliens, referring mainly to the landing of illegal immigrants, and to crime news. We talk about tides, waves, and emergencies, as if the migration phenomenon appears and disappears.

The authors of a recent research on immigrant representations in Italian mass-media speak of a blow-up, which tends to over-represent the dark side of the immigration phenomenon, linked to the language of crime, the fear of invasion and degradation. For example, both in newspapers and on the televised news, when it comes to migration, more than half of the time it comes to news reports: 52.8% in the newspapers and almost 60% on the news. The percentages grow exponentially if we add the theme security (only 26 of 5684 articles analyzed did not deal with these issues). Moreover, almost 80% of the news is about men, whose personality is hidden by nationality and ethnicity.

These topics and this fluctuating trend in the mass-media, bind the common-sense linkage between immigration, insecurity, and illegality. Nevertheless, media representations of the Migrant-Other being far from being univocal, they oscillate between opposite images, so to speak, between tragic heroes and villains: on the one hand, victims of structural violence that characterizes our age, on the other hand dangerous intruders who threaten national identity and whom social location automatically pushes into crime.

The aim of the intervention will be to provide some clues to start understanding how African migrants interviewed positioned themselves in relationship to these representations: How do they interpret them? How do they use them in practice? How do they carve out a space of words within these hegemonic discursive formations?

Furthermore, in mass-media representation of migration, voice is rarely given to those affected. When it is not only the reporter speaking, the words of Italian citizens make the

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<sup>75</sup> Morcellini, Binotto, Bruno, and Lai, *Immigrazione e asilo nei media italiani*, 2010.

news. Conversely, in the Rosarno case, we have heard many testimonies, both of African field workers and of “rosarnesi”. It would seem that the media have embraced the ethnographic methodology to listen to the voices. But is this true? What is the form of such testimonies? What is their effect on the construction of news? In search of an initial response, we will identify some recurring images and testimonies in the media representation of Rosarno’s facts.

### **Rosarno in black and white: media slides**

The representations that the newspapers have given of the events of Rosarno, while presenting considerable differences, share some common traits. The strongest dissent is generated by the reasons explaining the revolt. For newspapers closer to the left and center-left (Il Manifesto, L’Unità, La Repubblica) and the catholic Avvenire guilt is: on one side the Bossi-Fini, a law calibrated on permanent contracts and then completely inadequate to regulate the situation of seasonal migrants employed in agriculture, and on the other side, organized crime. While agreeing with the latter point, the newspapers closer to the center-right and right (La Padania, Il Tempo, Il Foglio) blame the laxity of previous governments in combating illegal immigration, as well as Region and Province administered by the center-left.

For example, in Il Tempo on January 10<sup>th</sup>, Giuseppe Sanzotta wrote: "The guideline must be to accept in Italy only those who could have a regular job and could aspire to a civilian life" and described "a hostile territory for forces of law. "In this picture, the journalists of La Padania added the claim that these things do not happen in the North and rail against the party of immigrants, namely the coalition of opposition and Finians who wish to "give a residence permit to the guerrillas that ransacked Rosarno". More nuanced is the position of Il Corriere della Sera, where we find articles that criticized the legislation in force and others who advocated blaming those who would abolish the crime of illegal immigration, threatening the State’s sovereign right to control its territory. Despite sharp differences arising from the newspapers, political affinities, we can point out some common elements and themes.

In newspapers and news, when describing Rosarno facts, an urban warfare scenario emerged. Newspapers abound with semantic lexicon referring to war: only 15% of analyzed articles use the word war explicitly, but in 30% there is the term guerrilla, 35% speak of violent clashes and 40% reported counts of the wounded. In the news we saw: blacks and Rosarnesi armed with iron bars and sticks, uprooted road signs, rubbish bins overturned and

emptied on the asphalt, burning cars, police in riot gear, and talk of mafia leadership in an area characterized by the roots of the 'Ndrangheta. Recurrent was also the presentation of "infernal living and working conditions " (the word hell occurs in 20% of the articles, often in the title or subtitle): suburban favelas, tents set up in abandoned factories, slavery in orange fields, exhausting days' work for 25 euros, a city always characterized by criminal violence, divided and turned into a battlefield. In fact, many testimonies reported in the news reflect such an atmosphere of conflicting blocs. On the one hand, the Rosarnesi claimed not to be racists, that the shots came from a toy gun, "a simple joke", that the Mafia had nothing to do with that, that they had always generously offered work, solidarity and hospitality, that they were attacked by blacks. "We want just legal immigrants. If the state doesn't do anything we'll think about us" quoting the words of men armed with iron bars set by the program *Crash* on March 5<sup>th</sup>, 2010. On the other, African agricultural laborers speak of a widespread climate of racism, the exasperated reaction to the injury of another two of them, that they have been for years the target of ambushes of people armed with sticks and guns, have vented their anger only on the material goods, to be afraid of the Italian citizens' reaction.

With the exception of La Padania, all the major national newspapers give space to interviews with eyewitnesses of the clashes. Reading, watching, and listening to media representations of the days of the revolt, the impression is that of an unreflective use of biographical evidence in most of the media, a rhetorical strategy of extreme realism as a shortcut to arrive to the facts at the expense of a deepening and developing critical view. In the same direction are the images of revolt passed without comment, the use of a visual language and descriptions of places: all useful tools to build an illusion of immediacy of representation. In this case also the representations on migrants come in the "age of witness" (Wieviorka 1998), based on the individual and the authenticity of his experience. The communication context changed: the entry into the public arena of the stories of ordinary people (the oppressed or subaltern classes) goes from a potential "explosion of truth" (Clemente 2007) to a mass cultural phenomenon (as in reality shows and in the use of personal media in recording scenes of life). If at their times Gianni Bosio and Oscar Lewis could think about life histories as a counterhegemonic methodological tool, today various personal narratives are becoming increasingly popular cultural phenomena. Thus, the life history becomes a different object of study, as well as an epistemic resource (Dei 2007).

How have the Africans from Rosarno interviewed placed themselves with respect to such representations?

## Mass-mediated Testimonies

Before giving an answer, it is necessary to speak of the research context, ex Snia squatter zone. There ALAR (Assembly of Rosarno African Worker) meets weekly. This was a framework of movement, characterized by a process of negotiation with the national institutions, seeking to obtain residence permits for the former farm workers for violation of human rights and a regular job.

SNIA was also far from a “virgin field”, crossed by journalists, political activists, and researchers. The interview was not a novelty for those who spoke to us; their biographies were told and recorded by journalists, activists, and the Committee on the right of asylum.

Against this background, it is not surprising that our interlocutors interpreted the role of the witness very well. The result was predictable: the return of the complaints in the media, certain key phrases ("they paid us 25 euros per day," "we lived in abandoned factories with neither light nor water," "it was exploitation").

For example A., Nigerian 25 years old, said:

*The field work is hard, unless you're strong you can't do it. We work without a contract from 7 to 17 for 25 euros. And if it rains you can't stop working. When you come home you have to dry by fire, because there is no gas or electricity. (A, man, Nigeria)<sup>76</sup>*

And M., Congolese, 30 years old:

*[The work in Rosarno was] very, very ugly, very, very exploitive. We began at six in the morning until ... sometimes, if there were a lot of commands, we didn't eat because the owner was there: come on, come on. We worked until 5 or 6. [...] And 25 euros, if you do not agree stay home. That house has no water, no light, no nothing. [...] It is exploitation, even if it rains there's work (M., man, Congo)<sup>77</sup>.*

Compare the testimonies above with what the freelance journalist Antonello Mangano writes:

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<sup>76</sup> Original quote *Il lavoro nei campi è duro, se non sei forte non lo puoi fare. Lavoriamo senza contratto dalle 7 alle 17 per 25 euro. E se poi piove non puoi smettere di lavorare. Quando torni a casa ti devi asciugare con il fuoco, perché non c'è né luce né gas. (Intervista a I)*

<sup>77</sup> Original quote *(il lavoro a Rosarno era) molto, molto brutto, molto, molto sfruttamento, noi cominciavamo alle sei di mattina fino a... qualche volta, se c'è tanta comanda, non mangiamo anche perché il padrone sta lì: dai, dai, dai, dai oggi abbiamo troppa comanda. Lavoriamo così fino alle 5 o alle 6. [...] E 25 euro, se non accetta resta a casa. Quella casa che non c'è acqua, non c'è luce, non c'è niente. [...] è proprio sfruttamento, anche se c'è piove lavoriamo» (Intervista a M).*

Since the early nineties, seasonal workers arrived in the Plain of Gioia Tauro living in unspeakable conditions. They crowded into cold dilapidated factories [...], with no water, worked for starvation wages, about twenty-five euros a day for backbreaking work . (Mangano 2010, 56).

However, the nature of the talks (a degree of familiarity, the different tone of the questions) also revealed new elements. The presence of a continuum of discrimination ranging from small practices of everyday neo-racism to explicit violence, from attacks with iron bars and sticks, to the inability to be seen in the company of a white girl, the use of plastic cups instead of classic ceramic cups to serve coffee in the coffeshops and the division of labor in the fields by color. Many of our interlocutors said that employers preferred to take the Romanians, because if police cars pass nearby, they were not automatically identified as potential illegal immigrants, contrary to what happened to "blacks" in the fields. The Romanians, however, are also the first to be able to collect, while others must content themselves with the work that remains. According to what M. said, the preferential treatment also depended on the fact that Romanians and Bulgarians "offer" their women to bosses (a complaint also present in the book *Bilal* by Gatti). Another new element in relation to media representations are the voices of the boys who rendered the sense of anguish of those hours, the effect of violence on their bodies and minds. For example I. said:

*The uprising shocked me, now I will not return to the country, I have fear. They are able to kill us. Even now, I don't go out at night in Rome. [...] What has happened has made me afraid. Imagine where you go to buy bread they shoot at you . (I., man)<sup>78</sup>*

There also emerges a critical reading of what the mass-media has said about them. In the words of A., an Ivorian waiting two and a half years for his request for asylum and who has worked illegally in the collection of fruits and vegetables in the province of Foggia and Rosarno, newspapers change their words just to earn more, giving the wrong information:

*Here the newspapers want to earn more money [...] change the words to earn more. The information is not correct. Then there's politics. [...] I thought that justice exists in Europe. We talked to journalists, some spoke immediately with the people, others have*

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<sup>78</sup> Original quote *La rivolta m'ha sconvolto, oggi non voglio tornare in campagna, ho paura. Sono capaci di ucciderci. Anche, adesso, a Roma la notte non esco. [...] Quello che è successo m'ha fatto paura. Perché, immagina, là dove vai a comprare il pane ti sparano addosso»* (Intervista a I.).



*waited for government statements. The newspapers that are not in politics have met our word, not the others, only after. Now it is a business, everyone calls me to talk. (A.).*<sup>79</sup>

## **Describing, acting, and governing Rosarno**

The Rosarno case is a prime example of the strong political role and the performative status of the mass media representations on migration. The knot that binds policies, migration, common sense, and mass media is convoluted up and an exhaustive treatment is beyond the scope of this report. However, in this framework, it is worth noting the opportunities for action, the agency of the various agents involved. Compared to some cogs in a political-media machine that make short-circuit (neo) racist practices and criminalized images of the migrant, thus producing security devices, in this case the story seems at least different. The journalistic rhetoric in which complaints abound of labor exploitation, inhumane living conditions, and references to violence in an area governed by the 'Ndrangheta (built in this way as an Other in the body of the nation) have meant that for a slice of Italian and international public opinion, "Africans" employed illegally in agriculture have become heroes. They have become exemplars of that category of immigrants (closer to our "good migrant fathers" of the past) who accept jobs that Italians do not wish to do any longer, who struggle against the mafia, who are victims of a tragic fate, risking life on the "journey of hope". "Africans will save Italy" Antonello Mangano wrote, because "the migrants against the Mafia are braver than us," Roberto Saviano repeated on several occasions. In turn, some movements, such as ALAR, were able to reconnect themselves to representations of a certain effect as that conveyed by Fabrizio Gatti's book *Bilal* (2008) and his reporting.

In this context, we should then add the strong evocative value of what was shown: "the urban riot", "whites against blacks," the deportation" (sure to protect them, but also to bring many in CIE). In short, the ability of events to evoke words like *ethnic cleansing*, *slavery*, *guerrilla* and hunting blacks, as in many newspaper articles. All these elements together with the courage, determination, and intelligence of some migrants, of journalists and activists involved, have created a synergy by which some (few to tell the truth) of "Africans in Rosarno" (also a category produced by the media) have managed to obtain a residence permit on humanitarian grounds. Less than they would have earned, we could say, but also much

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<sup>79</sup> Original quote: *Qua i giornali vuole guadagnare soldi di più [...] cambiano le parole per guadagnare di più. Le informazioni non sono giuste. Poi c'è la politica, la politica decide così ed è così. [...] Pensavo che la giustizia esiste in Europa. Abbiamo parlato con i giornalisti, alcuni hanno parlato subito con le genti, altri hanno aspettato le dichiarazioni del governo. I giornali che non sono nella politica hanno rispettato la nostra parola, gli altri no, solo dopo. Ora è un business, tutti mi chiamano per parlare* (Intervista a A.)

more than others have obtained, for examples those migrants who have dared to protest at other times and places in Italy.

If many of the stories told to us seem to resemble each other so much, seem to repeat what we read and listened to in the media, we do not believe it either a guilty conscience, or a match between social reality and media representation, but a smart political strategy made possible by the convergence of a number of forces in a specific situation, although it is paradoxical to say, in some ways favorable. It is also very likely that the most available to the interview were the ones that could fit more easily into the *hero migrant media category*: those who crossed the desert, were attacked in Rosarno, and slept in abandoned factories.

At the same time we must also remember that in the aftermath of the "Rosarno facts" politicians such as the Interior Minister Maroni and the Defense Minister La Russa called for: the former, the laxity in the repression of illegal immigration and crime in feeding situations of strong degradation as those of Rosarno, and the latter, zero tolerance for illegal immigrants as a remedy. This is the hegemonic rhetoric, often mobilized for political consensus, that illegal immigration naturally produces crimes, justifies (neo) racism and calls for repressive laws. A rhetoric that works in a broader technology of knowledge-power, which in dividing the population present on the territory between deserving and non-deserving citizens, Italian citizens and foreign immigrants, legal and illegal migrants (subdivisions that are "sanctified" by bureaucratic rituals), have a key role in the processes of subjectivity formation.

As a result, it is easy to understand that, to say something new about Rosarno, we should try to go beyond the classical version of events carried out by the Assembly and that is often traced in interviews. However, it poses an ethical problem: by doing so we are likely to go against the intentions of our partners. In doing so, there is also the risk of interfering with the difficult work of complaints and claims carried out by the ALAR Assembly.

## Discussion - Findings and good practices

Marzia Grassi, and Martina Giuffrè

This project contributes to the evaluation of approaches to illegality based on clear-cut categories, emphasizing the fluidity of the borderline between legality and illegality, and challenging the notion of the irregular status as a criminalized concept. We have questioned the extent to which the definition of what is illegal depends on the state and on the representations of migrant social actors. The perceptions, representations, and trajectories of migrant interviews provided us with analytical suggestions regarding the relationship between human mobility and the action of the state through legislation.

Furthermore, by comparing two different contexts in the European framework, this project has allowed us to analyze the importance of gender in understanding the legislative framework and its repercussions on the experience of illegality, with a specific focus on the insights into these mechanisms, which are detectable mostly with empirical approaches. Comparison between Portugal and Italy is immensely helpful to better understand the problematic issues of this project.

We will examine below some of the important similarities and differences that are suggested by the analysis of our data.

Comparing the two case-studies we can conclude that **illegality in receiving contexts is an instrumental transnational product** of the labor market division of work at a global level. The stratification of the labor market in specific sectors (Marshall and Lee 1998)<sup>80</sup> counts on illegal migrants.

In our case studies and considering the specificities of the contexts it has emerged that it is not only the unskilled sector of activities that attracts immigrants. In both countries this occurs in highly skilled sectors as well (academic researcher sector in which the transnational

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<sup>80</sup> Empirical research on industrial societies generally shows women, ethnic minorities, and migrant workers to be concentrated in the secondary labour-market. However, social scientists differ as to whether empirical analysis should focus on workers, jobs, occupations, companies, workplaces, industries, or some combination of these. Professional and skilled craft work requiring occupation-specific rather than firm-specific skills, and often supplied on a contract or self-employed basis, would be typical of the primary external segment. The secondary external segment provides jobs that are low skilled, offer little autonomy and responsibility, low and unstable earnings, and poor working conditions, including casual and seasonal work. The secondary internal sector offers jobs that are generally low grade but with some on-the-job training, security, and promotion prospects. The model makes it clear that movement between the primary internal and secondary external segments would be virtually ruled out, with varying amounts and directions of movement between adjacent segments, determined by changes in human capital and employers' responses to the changing economic environment.

mobility is considered a condition for integration in the labor market of younger generations, including, mostly in Portugal, foreign migrants.

In Portugal, as well as in Italy **gender distinguishes particular sectors of activities. Gender also determines the representations of illegal migrants** in both countries. Informal work, precariousness, and illegal activities as prostitution are growing in the context of the European economic crisis, in both countries.

In general, it is clear from the interviews that in both Italy and Portugal **illegality is attributed primarily to men**. Women are seen as actors of lawlessness only in the case of prostitution. In the general perception the illegal one is always the man: drug dealer, clandestine, (a)‘*vucumprà*’.

As we have seen, in the Italian media, the Rosarno group, composed only of immigrant men, has become the symbol *par excellence* of illegality. This "masculinity" of illegality does not mean that foreign women on the national territory are all legal. The large number of persons, who have been regularized during the various amnesties that have occurred in Italy, indicates the contrary. Much of women's work is illegally done and is part of the informal and "irregular" economy<sup>81</sup>. However, in both countries, the general perception is that the **"illegality" of women is more invisible, less dangerous, and more tolerable, while that of men is seen as potentially dangerous**. Moreover, almost all of our interlocutors, both men and women, have said that for a woman it is much easier both to find a job and to live without papers: men risk many more controls by the police, have a harder time finding work, are more frequently victims of racism by institutions and are always seen as a threat.

Although it is good to maintain a distinction among the different groups surveyed, **there** seems to have a complex connection between gender and transnationalism. We can safely say that **transnationalism affects both men and women, although sometimes in quite different ways**. In Italy, it is obvious that transnational relations are not numerous among those, such as the Eritreans, both men and women, who have requested or already have acquired the status of refugee. In this case, most of the relations with the place of origin, when they are maintained, are only sporadic and virtual. From the interviews of Senegalese, Moroccans and Nigerians it emerged that men often have wider transnational networks and are less tightly bound to the family, while women keep in touch especially at the household level. An example of this expanded transnationalism of Nigerian men comes from the interview of S., Nigerian cultural mediator, who told us that he regularly has meetings via

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<sup>81</sup> See Grassi (2006) for discussion between informality and illegality in migratory contexts.

skype with both members of his clan, emigrated to various parts of the world, and members of his place of origin, creating a male transnational network:

*We make a conference call ... And we get in touch, those who are in South Africa, those who are in Japan and those who are ... we talk to each other ... my other cousins live in Cesano. The majority of my family are in Cesano ... we meet once a month, we have a meeting. And most times we do this sort of "Conference Call" ... and we all get in touch, we talk to each other ... And we discuss the problems of the family. Of course some young people are not coming ... and there are some Nigerians who feel to be Italian, my grandchildren were born here ... many have been born here. So during this conference call we discuss and understand each other ... we send the money home all together ... We have, what is called, the common fund. And then you have to solve the problems individually... for the common fund if someone is not paying the share has to pay the fine. And the fine is not paid in Europe, is paid in Nigeria ... (S., Nigeria)<sup>82</sup>*

As Grassi (2008) summed up: in the Portuguese case, the influx of people from the Portuguese-speaking countries is a constant in its history. If the currents are founded on the oldest colonial ties in different ways according to the period considered, for 90 years, migration flows are mixed with contemporary new flow started after the collapse of the USSR. Contemporary migration flows increased with the war in the Balkans, continue to change, and are beyond the control of any nation state in Europe or the world today. The new arrivals in the 1990s<sup>h</sup> differed from the old the traditional diaspora of Portuguese-speaking African countries - for many complex reasons (Grassi 2007, 24-34). For example, the Cape Verdean diaspora is an old phenomenon that is related to a post-colonial experience, a movement full of identity meaning that has been constantly redefined. It was born and interrelated with ideologies and analogies that are absent in the new migration flows to Portugal. Emigration as a structural factor in the Cape Verdean people, which has its roots in economic and social reasons, seems to have favored the young Cape Verdeans – it is an internalization of the need to move all over the world. In this country the desire to migrate cannot relate exclusively to rational economic criteria (Akeson 2004, 2; Grassi and Évora 2007).

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<sup>82</sup> Original quote *Facciamo una Conference Call... E ci sentiamo quelli che stanno in Sud Africa, quelli che stanno in Giappone e quelli che stanno... Facciamo una...ci parliamo...come altri miei cugini, abitano a Cesano. La maggioranza della mia famiglia stanno a Cesano, ogni...una volta al mese ci incontriamo, facciamo una riunione. E il più delle volte facciamo questo codice di "Conference Call"... e ci sentiamo tutti, parliamo con tutti... E discutiamo anche i problemi della famiglia. Ovviamente alcuni giovani non vengono e ci sono alcuni che...altro che nigeriani si sentono pure di essere italiani, i miei nipoti qua... Sono nati qua, molti sono nati qua. Allora quelli che possono parlare non ci dispiace, discutiamo e ci capiamo... per mandare i soldi giù come gruppo di persone non soltanto l'individuo...Noi abbiamo...quello che si chiama la cassa... di famiglia, la cassa comune. E poi i problemi che devi risolvere individualmente e chi non paga la sua quota c'è la multa. E la multa non viene pagata in Europa, viene pagata in Nigeria... (S., nigeriano)*

The relevance of gender in understanding the migration from Africa has to do largely with the position that women assume in the family structure in the countries of origin and their assigned responsibility for the maintenance and reproduction of the household. Women migrants of PALOP origins can take this responsibility with which they identify themselves and that structure social relations to the host countries with them. The importance of the diaspora for the construction and maintenance of national identity and the reinvention of the nation, the importance of the "far country" in the Cape Verdean community are very pertinent issues in their economic implications to, since remittances are the largest value budget revenue item of the state of Cape Verde. In this context, the presence of immigrant associations in host countries is of central importance to the country.

In Portugal, legislation governing associations of immigrants has seen several changes in recent decades. The visibility of migrant associations in Portugal increased and became significant in the context of increased influx of African migrants at the time of the Schengen Agreement in 1991 and the Treaty of Maastricht in 1992, seeking the control of illegal flows to allow for better integration into communities that already existed (Dias de Sousa 2003, 46; Albuquerque *et al.* 2001).

The claim for citizenship rights is the necessary priority for integration into Portuguese society, and for this they are asked specific social policies, which increase the potential for integration of immigrants and their immediate descendants, by the Portuguese society. In the second half of the decade the High Commissioner for Immigration and Ethnic Minorities - ACIME (Decree-Law 3-A/96) exercised functions as an intermediary with the government. In 1996, the law 17/96 contemplated the second extraordinary legalization process for immigrants. This act authorized immigrant associations and human rights groups to act as assistants in criminal proceedings in the case of crimes of a racist or xenophobic nature. Moreover, the law 50/96 strengthened the rights of citizenship, allowing immigrants the right to vote and stand for local elections on a reciprocal basis. Order number 304/98 of the Ministry of Education and Ministry of Labor and Solidarity legally recognizes the figure of the cultural mediator for education. It creates a Consultative Council for Immigration Affairs (Decree-Law 39/98), under the powers of the above, and a Commission for Equality and Against Racial Discrimination, under the law that prohibits discrimination in exercise of rights by reason of "race", color, or national or ethnic origin (Law 134/99). The current trend is for the professionalization of immigrant associations, in order for them to access state subsidies for the integration of programs and the promotion of equal

employment opportunities within the Community support frameworks. The area of training is one area that stands out as prime for a new generation of young leaders' associations for the integration of immigrants.

To fully analyze the **changes produced by migration in gender relations**, we have to take into account the ongoing and varied links that migrants maintain with their place of origin. Meanwhile, immigration, as it emerged from almost all of the interviews, strongly questions the pre-existing gender relations in both the place of immigration and, consequently, in the place of origin. **In the case of Senegalese, for example, migration seems to partly undermine the institution of polygamy.** In some large cities of Senegal, such as Dakar, this is an institution in decline. In addition, the gender relations are changing very quickly, even if resistance exists. In almost every interview we have done, both men and women have told us that gender relations in migration contexts are going to change compared to those in their place of origin. Here is a page from our field journal describing a meeting with a group of Senegalese:

*At a certain point J. begins to tell us about some problems in her married life: at home her husband (a distant cousin) does not help her at all in the household tasks: "He lies down on the couch, picks up the remote and start asking. Something like that may fit well in Dakar where the husband works and the wife takes care of the house, but in Paris, where both of us leave the house at six o'clock in the morning and return home at eight in the evening, this is not possible. For a period he had lost his job and was sitting at home doing nothing, and when I came back home I also had to mend the mess he had done. I finally got sick-headaches, difficulty breathing and sleeping ... the doctor told me I had anxiety crisis probably exacerbated by stress-and I told my husband that this could not go forward." In the same chat J. claimed to have also changed the way to pray: at the beginning was the husband who was leading the prayer, but now she prays alone: "But if he does a lot of nonsense, why should he guide me in prayer?" she said smiling. Luckily her husband was willing to rebalance the relationship and the couple has found its balance (the year before they also had a child). As J. has finished speaking, M.D. started to speak and tell her husband that things have to change between them, then addressing all: "Do you know what he says when I ask him to help me clear the table or wash? I'm not able to do it... I'm not able to do it...." At this point M. starts to speak joking a little before and then, once J. had left the room, began to criticize her. He said that she had toubabizzata (turned white), as was also evident in the way she was speaking Wolof. He claimed that in the future she would have had big problems with her husband and her compatriots.<sup>83</sup>*

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<sup>83</sup> Original quote: *Ad un certo punto J. si mette a raccontare di alcuni problemi nella sua vita di coppia: in casa il marito (un cugino alla lontana) non si sognava di aiutarla minimamente nello svolgimento dei compiti domestici. "Si sdraia sul divano, prende il telecomando e inizia a chiedere. Una cosa così può pure andare bene a Dakar quando il marito lavora e la moglie si occupa della casa, ma a Parigi dove usciamo entrambi alle sei del mattino e torniamo a casa alle otto di sera non è possibile. Un periodo lui aveva perso il lavoro e se ne stava in casa senza far niente, mentre io quando tornavo dovevo anche rimettere a posto il casino che aveva combinato. Alla fine mi sono sentita male- dolori di testa, difficoltà di respirazione e a prendere sonno... il dottore m'ha detto che avevo delle crisi di ansia probabilmente acuite dallo stress- e ho detto a mio marito che*

This field extract diary shows how **often women in migration contexts put into question certain shared gender models, and that for men it is not so simple to accept this renegotiation**. This difficulty of men to accept new rules in the relationship between the sexes is the reason for most of the cases of domestic violence reported by some Moroccan and Nigerian women. Although there is often a reversal of power in the relationship between men and women in the migratory context compared to their place of origin, and for many women to emigrate also means “emancipation according to the Western model”, there are those who, like this Senegalese woman, view the issue differently and attach these tensions only to mixed couples:

*Marriage between Senegalese both man and woman is not a problem ... not as much as a Senegalese man and an Italian woman ... if there are children problems begin ... this is too difficult ... Because in Senegal it is the man who commands, Alors c'est ça. Parce que l'homme ne veut pas que la femme le commande...le...le... C'est toujours des problèmes . S'ils ont aussi des enfants, la femm...parce que la femme les éduque, je ne sais pas, méttise...ma seulement l'enfant... (M., woman)<sup>84</sup>*

In this case the woman was referring to **mixed marriages**, but M. also stated that the renegotiation relations of power between men and women is seen as deriving from contact with the "emancipated" Italian women. In, talking about J., fact M. said that her behavior stemmed from the fact that she had *toubabizzata* (turned white).

Men in the Italian context often have different attitudes, including the fact that many of them (for example, some Moroccans) told us that they have to do things at home and with the children that in the place of origin they would never have done. Many women told us they have to work and support their family even if in the place of origin it is the man that would have to deal with this. The migratory event changes so radically the social relationships, at the

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*così non poteva andare avanti". Nel corso della stessa discussione J. affermava di aver anche cambiato il modo di pregare, al principio era il marito che guidava la preghiera, mentre ora lei prega da sola: "Ma se lui fa più sciocchezze di me, per quale motivo mi dovrebbe guidare nella preghiera?!" diceva sorridendo. Per fortuna di J. il marito si è dimostrato disponibile nel riarmonizzare i loro comportamenti e la coppia ha ritrovato un suo equilibrio (l'anno dopo hanno anche avuto un bambino). Appena J. ha finito di raccontare, ha preso la parola M. D. per dire a suo marito che le cose tra loro dovevano cambiare; rivolta a tutti: "Lo sapete che cosa mi dice quando gli chiedo di aiutarmi a sparecchiare o a lavare? Non lo so fare.... non lo so fare!". A questo punto prese la parola M. che prima scherzò un po' e poi, una volta che J. era uscita dalla stanza, iniziò a criticarla. Disse che lei si era toubabizzata (diventata bianca), era anche evidente nel modo in cui parlava wolof sosteneva, e che in futuro avrebbe avuto dei grossi problemi con suo marito e i suoi connazionali.*

<sup>84</sup> Original quote: *Il matrimonio tra uomo senegalese e donna senegalese non crea problemi...però non tanto come uomini senegalesi e, uomini senegalesi e donna italiana... se ci sono dei bimbi cominciano i problemi... questo è troppo difficile... perché in Senegal è l'uomo che comanda, Alors c'est ça. Parce que l'homme ne veut pas que la femme le commande...le...le... C'est toujours des problèmes . S'ils ont aussi des enfants, la femm...parce que la femme les éduque, je ne sais pas, méttise...ma seulement l'enfant...*



same time, strongly influencing life in the place of origin, due to the continuing links between "here" and "there".

In the Portuguese case-study of this project the interviews highlight some interesting research path that are being developed in the PhD project named "Gender and generations: processes of transition to adult life of young descendants from Portuguese speaking African countries", developed in the context of this research project. This project is studying in depth some important questions such as: what is the real impact of the parent's legal status on children, adolescents, and young adults? As seen above, due to their own or their parent's legal status, some children experience multiple developmental consequences in their lives, due to the restricted access to many resources, for example in the integration into the formal education system. What is the real impact of these experiences in the transition to adulthood?

These thoughts bring us to the existence of other forms of reproduction of illegality, and, like their parents they might be more vulnerable and having limited choices. For example, in the labor market, they are confronted with situations of illegality and informality.

Although the changes introduced in the nationality law of 2006, which resolved some of the problems presented here in the different cases, the children of PALOP migrants still face constraints in the process of their legal status. Moreover, the law is very recent, and a large number of the young adults, children of PALOP migrants, have lived all their childhood and adolescence in the shadow of the previous law. The implications in their childhood and adolescence cannot be ignored. One of the examples most cited in our interviews, the difficulties in access to school, has serious consequences in their processes of transition to adulthood.

**Media representation** also reproduces gendered sectors of work to show the criminality of migrants in both Italy and Portugal (Rosarno "illegal" workers are all men; Nigerian prostitutes in Italy are mostly women; Informal periodic workers like caring and cleaning workers are mostly women; construction sectors in Portugal are all men, and so on.

Also and despite the changes in the recent laws, not all migrants have the same **access to information**. This circumstance is less mentioned in the Italian interviews since the immigration is quite recent. We can say that this will be considering an emergent problem that could be avoided by opportune and specific laws. In this sense Italy may learn something from the Portuguese experience, not only about the formal legislation, but also about the general attitude toward the representations of immigrant people. Despite the Italian history, a country of a massive and ancient emigration, it seems that toward African immigration Italian

people need to be educated on human rights and ethical values. This is crucial also considering that immigration in Italy is not always seen as a definitive choice for people in movement but a so called **circular migration**.

In Italy immigration is more recent in comparison to Portugal. This does not change the fact that gender dynamics related with stratification in labor market sectors remain the same as in the country of origin of immigrants or create conflicts, as we see above.

The similarities between the two case studies, both in Southern Europe and both considering immigration from Africa, show how much the **European legislation on the regulation of illegal flows needs to be given back to the nation states in implementing the European laws at the local level**. It may be useful to study doctrine versus ethical values grounded in human values.

We can say that within a general panorama that is historically very different, we can find more similarity between the two countries. The non-existence of a perceived and clear difference between legal and illegal dynamics, as well as between formal and informal (Grassi 2006) when we are talking about illegal migrants, is common to Portugal and Italy.

In Portugal, as well as in Italy, common sense allow us to say that everybody is informal or illegal in some part of his or her life. When we are speaking about immigrants, this representation perhaps explains why Portugal and Italy have the world record of amnesties in this last two decades. In both countries we find six opportunities to regularize irregular immigrants over the last 20 years. Immigrants in Portugal who came as regular immigrants tend to overstay, looking to the next opportunity to obtain the legal status. As we saw above, in both countries the demand for workers in specific sectors allows migrants to overstay and protects them until they can legalize themselves. The market seems to be indifferent to the legal status of workers in some sectors.

In Portugal and Italy immigration seems to be closely related to the labor market demand. This seems to be very different from the situation in the North in Denmark, the Netherlands, and Scandinavia, for instance. Immigrants in Portugal and Italy usually are not seeking asylum or benefits.

But while the Italian citizens that violate the rules or evade taxes are commonly called "smart", if not "winners" in the harsh struggle to survive, an immigrant that bypasses the rules is an undesirable, an "illegal" to be deported as soon as possible, as guilty of a criminal offense, according to the latest law.

Paradoxically, despite the attitude toward Italians and immigrants' "illegality" is quite different, sometimes becoming a tool of integration between foreigners and Italians. It has

happened several times, immigrants claim, that their kind of illegality was determined by "how things go on in Italy", because in Italy "everybody behaves like that." Somehow therefore, committing illegal acts becomes part of 'Italianism', with paradoxical consequences.

**Sometimes this ordinary illegality in Italy becomes an instrument of integration.** It is the case, for example, of the squatter dwellings in via del Porto Fluviale, by the Committee "Lotta per la casa", to which belong, without distinction, Italians and immigrants in search of suitable housing. Living illegally in these buildings becomes a shared experience. The fight for housing, thus, does not become an occasion of conflict (as one might imagine), but creates a real community between immigrants and non-immigrants: a sense of belonging and solidarity among "irregulars", born in a country characterized by widespread irregularities from every point of view.

This contradictory feature of illegality is, in our opinion, one of the most interesting of the research, because it is strongly connected to the Italian society, where horizontal bonds count more than vertical bonds, where the civic society is much stronger than the civil, **where the deficiencies of the welfare state are often replaced by a sort of self-organized welfare society, for which immigration is a great contribution.**

The characteristics of the African origin immigrant groups in Portugal are linked to the postcolonial context which explains the lack of great tension toward immigrants comparable to what we see in the Italian Rosarno case. In Portugal there are many continuities of former "colonies". Portuguese people speak the same language as their African immigrants, they also share culture and families; there is no clear rupture between African origin contemporary immigrants and people in Portugal.

**Portuguese immigration and integration policy** has been carried out in a very similar way to that in Italy, but with very different results. The Portuguese High commissioner for immigration does not depend upon the Interior Minister. The High Commissioner for Immigration deals simultaneously with education, justice, and security, and this allows a more coherent approach to immigration. Specifically, the High Commissioner in the last 10 to 20 years has worked with the mass media in order to sensitize its actors to deconstruct the myths, to inform them about the good aspects of migration, to deconstruct the bad picture that exists about migration. Most of the mass media in Portugal are informed, and we can say that the media in Portugal is, at least, "politically correct" in this area.

The use of amnesties in Italy is interesting not only because it establishes (by a decree law) the possibility of existence of pockets of lawlessness also widespread in the country, but also

because by doing so, it rewards in some way those who, in defiance of rules and laws, have acted against the common good.

The amnesty is just one of many examples of how the concept of legality is blurred and porous in Italy. Italian people, as we have seen, have an ambivalent attitude toward immigrants: there are those who exploit the difficult condition of the newcomers (policemen as collectors of stolen goods, people who rent dilapidated beds, illegal jobs, illegal hiring, etc.), and those who risk bypassing the rules to assist immigrants (false assumptions to grant the permit, tolerant policemen, etc.). All Italians involved in the stories, however, are united by the attempt to circumvent the law or, rather, to turn it to their advantage.

The research revealed many interesting points, deeply challenging the classical notion of legality. **Legality is not only defined according to the historical sets of policies, but also according to gender, social status and group belonging.**

The first element soon became clear: the question of illegality / irregularity cannot be confined to the mere possession of a residence permit and a regular employment contract, but in the case of migration from Africa, tends to coincide with the phenomenon itself. It means that, often, by the mere fact of coming from an African country the migrant feels that (s)he is perceived as illegal and/or irregular. Obvious examples of this construction of the illegals are the stereotypes that many of those we spoke to perceive to be related to their national identities. This is why we focused not only on who is formally "illegal", but also on who has a regular residence permit. In fact, many of those who in Italy had a "legal path" have personally experienced *illegality*, the feeling of being illegal without any reason. It is a collective perception of lawlessness which also affects the self-perception.

**The perception of one's being legal/illegal, although connected to the objective legal status of the migrant, is strongly influenced by the relationship between transnationalism and integration.** Some of our interlocutors, for example, although in fact "illegal" from a legal point of view, are not perceived as such because they have a strong community of reference and because they share daily practices with Italian inhabitants, as in the case of some of the inhabitants of the squatter occupied houses in via del Porto Fluviale in Rome. In this case, unity is strength, and illegal housing becomes an instrument of sharing identity and belonging. In other cases, the fragility of the identity and the existence of other speakers, who feel isolated and distant from their homeland, lead to a perception of lawlessness very close to that of existential precariousness. Finally, in other cases, the strong relationship with the country of origin influences in different ways the need to feel or not feel "legal" in Italy.

The concept of legality is the result of a normative attitude that crystallizes the values prevailing in the host society - values that can be articulated to the processes of subjectivity formation, which in Italy takes the mechanics of governmentality and marginalizes social actors that put into play different practices. "Legal" is that migrant who does not weigh on the pockets of the state, a subject that can guarantee the possession of an employment contract or a large enough economic asset, that does not complain about poor working conditions, ready to adapt to fluctuations of the markets; who adapts himself to the "Western" lifestyle, the work rates, medical examinations, the filing of some of its biometric data, and to the controls. Those who rebel, as did workers in Rosarno, those who try to maintain a family with street trading, who can not easily adapt himself, risk becoming one of the many figures of lawlessness.

In the aftermath of the "facts of Rosarno" politicians such as the Interior Minister Maroni and the Defense Minister La Russa called for: first, laxity in the repression of illegal immigration and crime in explaining "situations of strong degradation as those of Rosarno", and second, "zero tolerance for illegal immigrants" as a remedy. This is the hegemonic rhetoric, often mobilized for political consensus, that illegal immigration naturally produces crime, justifies (neo) racism, and calls for repressive laws. It is a rhetoric that works in a broader technology of power-knowledge, which, in dividing the population in the territory between deserving and non-deserving citizens, Italians and migrants, regular migrants and illegal aliens etc. - subdivisions which are then "sanctified"/institutionalized by bureaucratic rituals- has strong practical implications for the formation of subjectivity (of his being-in-world).

Legality is something more than not having the documents; it is a way of existing, of being perceived, a relational fact. This has been defined as "presumption of unlawfulness " (XV), which surrounds the migrants. In fact many immigrant claim to be perceived (and treated) as illegal on the basis of their physical appearance, gender, and stereotypes surrounding their nationality. Illegality goes beyond the possession of valid documents; it is tied to the "existence" itself, to practices and representations of daily life, a true existential condition. As one Nigerian man told us, it is precisely the possibility of a normal life that is denied them, even if they have documents. Not only when they take public transportation, but also when they go to the bank, or to an office, or to school for the first time, the African migrants are deprived of the right to a "normal" routine, to the performance of the "normal" daily life:

*But when you walk into a bank and they say to you, "What are you doing here?", Or when you go to an office or when you go to a school for the first time, from the intercom you hear the person on the other side saying: "Who is it?" and then looks out and says, "Look, we do not want to buy anything "... (S. Nigerian man)<sup>85</sup>*

Migrants daily live a limitation of their personal freedom; as in the inability to move freely throughout the country, the inability to gain respect from the police, as well as being defenseless vis-à-vis violence. But there is more. In many cases, the daily sense of fear leads to severe depressive disorders, very difficult to adequately treat because of the lack of documents and the small number of specialized facilities around the country. This is a real "crisis of the presence", as the anthropologist Ernesto De Martino (1948, 1962 and 1977) defined it, favored by the abandonment of their home country, which the lack of documentation exacerbates and essentializes, undermining the right to be there, to be in the world, to exist. It is a "*silent distress*", as suggested by G., one of our interlocutors, that can lead to a crisis of presence that binds to the perception of themselves and their way of being in the world, to an uncertainty, a radical crisis of their historical being (the "*opportunity to be in a human history*", wrote De Martino). Presence means to be there as people with a meaning, in a context with meaning. It means being able to store memories and the experience needed to act in a particular historical situation, and it is this existential condition of "non-being", this lack of existence, which our interviewees often refer to when they speak of their "illegality". Moreover, the new rules of the security decree seem to institutionalize this existential condition of the immigrants, first of all, seeing them only as foreign manpower not as people, accusing them not so much of illegal immigration but of existing, as evidenced by the thousands and thousands of people who died in the Mediterranean; those who, according to some, should not even land in Italy. Before we even know if that stranger is illegal or not, whether or not entitled to a refugee status, if he is here to escape from his country for humanitarian reasons, the immigrant is guilty of being. We do not blame them for clandestinity, but for their existence.

We can say that gender becomes a structure for the interpretation of the male-female representations on illegal migrants in these societies. Using gender politics as a tool to manage the differences between countries will help to give visibility to the discrimination of migrant groups identified not only by gender but also by ethnicity or social categories.

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<sup>85</sup> Original quote: *No, quando prendo, quando prendo i mezzi pubblici quello, quello ormai non, non ne parlo più... Ma quando entri in una banca e ti dicono: "Che vieni a fare qua?", o quando vai in un ufficio o quando vado in una scuola per la prima volta, dal citofono e chi sta d'altra parte dice: "Chi è?" e poi guarda fuori e mi dice: "Guarda, qui non vogliamo comprare niente"...* (S., Nigeria uomo)

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### **Jornal articles:**

*Un inferno chiamato Rosarno*, Il Manifesto 20/12/2006, di Alessio Magro.

*Le ronde armate dei bravi rosarnesi*, Il Manifesto 9/1/2010, di Raffaella Cosentino.

*A caccia di “neri”. Così si divertono i giovani a Rosarno*, Il Manifesto 9/1/2010, di Celeste Costantino.

*Agguati e botte, pulizia è fatta*, Il Manifesto 10/1/2010, di Raffaella Cosentino.

*La caccia al nero con i fucili a pallini*, Il Manifesto 10/1/2010, di Raffaella Cosentino.

*La cartiera di Rosarno*, Il Manifesto 10/1/2010, di Antonello Mangano.

*Il giorno dei buoni*, Il Manifesto 12/1/2010, di Carlo Lania.

*Via gli immigrati, non i finanziamenti*, Il Manifesto 12/1/2010, di Raffaella Cosentino.

*L'uomo nero di Rosarno*, Il Manifesto 12/1/2010, di Antonello Mangano.

*Noi denunciando*, Il Manifesto 13/1/2010, di Raffaella Cosentino.

*Troppa tolleranza verso i clandestini*, La Padania 9/1/2010, di Igor Iezzi.

*Le barricate da guerriglia*, La Padania 9/1/2010, di Igor Iezzi.

*Al Nord certe cose non succedono*, La Padania 12/1/2010, di Luca Zaia.

*Lavoro “nero”, Calabria regina*, La Padania 12/1/2010, di Stefania Piazzo.

*Campi in nero*, Avvenire 9/1/2010, di Luca Liverani.

*Ma a sfruttarli è la criminalità*, Avvenire 9/1/2010, di Francesco Riccardi.

*Un mondo sommerso e spesso clandestino. Gli ispettori del lavoro? Del tutto insufficienti*, Avvenire 9/1/2010, di Francesco Riccardi.

*«Troppa tolleranza verso gli irregolari»*, Avvenire 9/1/2010, di Marco D'Aquino.

*Anche il sonno della legge genera mostri*, Avvenire 10/1/2010, di Maria Corradi.

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*Il coraggio dimenticato*, La Repubblica 12/5/2009, di Roberto Saviano.

*Rosarno, immigrati in rivolta, centinaia di auto danneggiate*, La Repubblica 7/1/2010.

*Rosarno, caccia all'immigrato. Aggrediti e assaliti nei casolari*, La Repubblica 9/1/2010.

*Gli africani contro i clan sono sempre più coraggiosi di noi*, La Repubblica 9/1/2010, di Roberto Saviano.

*Rosarno si abbattono i campi degli immigrati. Appello del Papa: “Rispetto e basta violenza*, La Repubblica 10/1/2010, di Carlo Ciavoni.

*Rosarno, l'omelia di don Pino "I cristiani aiutano chi sbaglia", La Repubblica 10/1/2010, di Daniele Mastrogiacomo.*

*La Cei: "A Rosarno sconfitto il più povero, molto debole il sistema dell'accoglienza", La Repubblica 12/1/2010, di Carlo Ciavoni.*

*Rosarno, migliaia in piazza: "Non siamo razzisti". I magistrati: "non esclusa mano della 'ndrangheta", La Repubblica 11/1/2010.*

*Gli Africani di Rosarno in piazza: "dateci il permesso di soggiorno", La Repubblica 2/2/2010.*

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*Africani a Rosarno, Carta 8/1/2010, di Angela Lombardi e Gino Sperandio.*

*La rivolta degli schiavi, L'Espresso 21/1/2010, di Fabrizio Gatti.*

*Rosarno: associazione daSud anche noi a manifestare a Roma, Ansa 9/1/2010.*

*Rosarno, la cronaca della guerriglia, Redattore sociale 8/1/2010, di Raffaella Cosentino.*

*Rosarno, spopola su youtube il video dello striscione censurato, Redattore sociale, 14/1/2010, di Raffaella Cosentino.*

*Rosarno, la violenza oscura e vanifica il lavoro dei volontari, Redattore sociale 15/1/2010, di Raffaella Cosentino.*

*Tra 'ndrangheta, arance e schiavitù: "Gli africani salveranno Rosarno, Panorama 8/1/2010.*

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*Rosarno, la grande fiera dell'ipocrisia, Il Tempo 10/1/2010, di Giuseppe Sanzotta.*

*A Rosarno restano solo i "bianchi". Mantovano: cittadinanza inutile, Il Tempo 11/1/2010.*

*Rosarno, Maroni: "Lo stato c'è", Il Tempo 13/1/2010, di Giuseppe Sanzotta.*

*Rosarno, spari agli immigrati: 2 feriti, Il Tempo 8/1/2010, di Giuseppe Sanzotta.*

*Rosarno, Maroni riferisce in Senato, Il Tempo*

*Immigrati in fuga da Rosarno. Il Papa: rispettare i loro diritti, Il Tempo 10/1/2010, di Marino Collacciani.*

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*Sparatoria a Rosarno, un altro ferito. Spari e barricate, scoppia l’inferno,* Il Tempo 9/1/2010, di Andrea Ricciardi.

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*Uomini in fuga,* l’Unità 11/1/2010, di Livia Turco.

*Per tre centesimi,* l’Unità 12/1/2010, di Concita de Gregorio.

*Dall’Europa arma in più ai produttori,* l’Unità 12/1/2010, di Massimiliano Amato.

*Gli immigrati non servono i soldi arrivano lo stesso,* l’Unità 12/1/2010, di Roberto Rossi.

*Ancora scontri a Rosarno,* Il Foglio 8/1/2010.

*Balotelli a Rosarno,* Il Foglio 9/1/2010.

*Che cosa c’è dietro la guerriglia delle arance di Rosarno (che non finisce lì),* Il Foglio 12/1/2010, di Marco Valerio lo Prete.

*Il cuore in mano,* Il Foglio 12/1/2010, di Giuliano Ferrara.

*Rosarno, altri quattro immigrati feriti. Spari e scontri in strada: è battaglia,* Il Corriere della Sera 7/1/2010.

*A Rosarno la rivolta degli immigrati,* Il Corriere della Sera 7/1/2010.

*Immigrati, una giornata di guerriglia a Rosarno,* Il Corriere della Sera 8/1/2010, di Carlo Macrì.

*La gente scende in piazza e urla: “Siamo stati traditi dallo Stato”,* Il Corriere della Sera 9/1/2010, di Giovanni Bianconi.

*A Rosarno esplode la rabbia. Assalti e spari agli immigrati,* Il Corriere della Sera 9/1/2010, di Mario Porqueddu.

*Rosarno, l’ipotesi di un ruolo dei clan,* Il Corriere della Sera 10/1/2010.

*Se non vince la legalità,* Il Corriere della Sera 10/1/2010, di Giovanni Bianconi.

*E il rampollo della 'ndrangheta picchia tutti*, Il Corriere della Sera 12/1/2010, di Giovanni Bianconi.

*Sei su dieci con le carte in regola per l'Italia*, Il Corriere della Sera 12/1/2010, di Mario Porqueddu.

*Arance insanguinate per Rosarno sit-in in Piazza Navona: Maroni dimettiti*, Il Corriere della Sera, 12/1/2010.

*Nei campi di Rosarno tornano gli immigrati fuggiti*, Il Corriere della Sera 21/1/2010, di Mario Porqueddu.

*Schiavi a Rosarno per due euro l'ora*, Il Corriere della Sera 27/4/2010, di Giovanni Bianconi.

*Gli immigrati di Rosarno nelle campagne della provincia romana*, Il Corriere della Sera 27/4/2010, fonte ansa.

*Amadou, senegalese-veneto nell'inferno di Rosarno*, Il Corriere della Sera 2/9/2010, di Francesco Verni.

Programmi televisivi:

*Annozero* del 14/1/2010, Rai 2.

*Ballarò*, del 12/1/2010 Rai 3.

*Crash* del 5/3/2010, Rai 3.

Documentari

*Il Sangue Verde*, di Andrea Segre.

Tg1, Tg2, Tg3, Tg5 e Tgcom dal 8/1/2010 al 12/1/2010.

# **Annexes**



# **Anexxe 1 - Articles distribution by thematic category, by newspaper**

<b>Theme</b>	<b>Newspaper</b>	
	<b>Público</b>	<b>Correio da Manhã</b>
<i>Accidents</i>	3	18
<i>Adoptions</i>	0	5
<i>Associations</i>	2	0
<i>Science</i>	3	3
<i>Living condition</i>	1	6
<i>Frontier control</i>	2	4
<i>Crime</i>	19	223
<i>Events</i>	2	4
<i>Housing</i>	0	5
<i>Illegality</i>	1	4
<i>Police Investigations</i>	0	15
<i>Justice</i>	4	2
<i>Migrations</i>	7	4
<i>Public Order</i>	1	2
<i>Culture</i>	6	1
<i>Sports</i>	0	2
<i>Discrimination Issues</i>	2	0
<i>Economy</i>	2	1
<i>Education</i>	4	5
<i>Job market</i>	3	1
<i>Polítics</i>	7	1
<i>Legalization process</i>	0	7
<i>Religion</i>	0	2
<i>Health</i>	4	17
<i>Security</i>	1	1
<i>Other</i>	2	4

## Annexe II – Articles distribution by place, by newspaper

Newspaper		N	%
<b>Público</b>		39	51.3
	Minho-Lima	1	1.3
	Pinhal Litoral	1	1.3
	Oeste	1	1.3
	Cávado	2	2.6
	Alentejo Central	1	1.3
	Grande Lisboa	16	21.1
	Península de Setubal	2	2.6
	Baixo Alentejo	2	2.6
	Algarve	4	5.3
	Região Autónoma dos Açores	1	1.3
	Grande Porto	1	1.3
	Região Autónoma da Madeira	1	1.3
	Várias	3	3.9
	Entre Douro e Vouga	1	1.3
	Total	76	100
<b>Correio da Manhã</b>		67	19.9
	Minho-Lima	3	.9
	Baixo Mondego	9	2.7
	Dão-Lafões	7	2.1
	Serra da Estrela	2	.6
	Beira Interior Norte	2	.6
	Beira Interior Sul	2	.6
	Pinhal Interior Norte	1	.3
	Pinhal Litoral	6	1.8
	Oeste	9	2.7
	Cávado	3	.9
	Médio Tejo	1	.3
	Alto Alentejo	8	2.4
	Alentejo Central	1	.3
	Lezíria do Tejo	7	2.1
	Grande Lisboa	84	24.9
	Península de Setubal	24	7.1

	Alentejo Litoral	5	1.5
	Baixo Alentejo	3	.9
	Algarve	54	16
	Região Autónoma dos Açores	1	.3
	Grande Porto	17	5
	Região Autónoma da Madeira	2	.6
	Várias	10	3.0
	Alto Trás-os-Montes	2	.6
	Douro	2	.6
	Ave	2	.6
	Entre Douro e Vouga	1	.3
	Baixo Vouga	2	.6
	Total	337	100.0

### Annexe III - Reference to different organizations, by newspaper

Newspaper		Political Parties	Comercial institutions / Companies	Institutions of Public Authority	State	Local Administration	Migrant's associations	Other civil associative organizations	Teaching organizations	Tribunals
<b>Público N</b>	Valid	3	11	21	24	3	5	2	10	2
	Missing	73	65	55	52	73	71	74	66	74
<b>Correio da Manhã N</b>	Valid	11	9	204	36	9	1	3	11	28
	Missing	326	328	133	301	328	336	334	326	309
Newspaper		Other Public Service Institutions	Healthcare Institutions	Banks	Sports organizations	International Organizations	Terrorist and criminal organizations	Prisons	Religious Institutions	Other institutions
<b>Público N</b>	Valid	1	5	1	0	8	1	0	3	13
	Missing	75	71	75	76	68	75	76	73	63
<b>Correio da Manhã N</b>	Valid	17	32	4	4	6	5	3	2	9
	Missing	320	305	333	333	331	332	334	335	328
	Missing									

#### Annexe IV - Professional status of actors, by newspaper

Professional Status	Newspaper			
	Público		Correio da Manhã	
	N	Missing	N	Missing
non-skilled jobs	4	72	26	311
skilled jobs	21	55	18	319
Students	1	75	5	332
Unemployed	0	76	2	335
Article mentions actor has no profession	0	76	2	335
Article mentions a profession but does not specify it	0	76	1	336
Other professions	0	76	8	329

#### Annexe V- Actor's age, by newspaper

Newspaper			N	%
Público	Valid	Up to 12	1	1,3
		13 to 19	1	1,3
		20 to 64	18	23,7
		65+	2	2,6
		Several actors within different age ranges	3	3,9
		Total	25	32,9
	Missing	System	51	67,1
	Total		76	100
Correio da Manhã	Valid	Up to 12	3	,9
		13 to 19	17	5,0
		20 to 64	136	40,4
		65+	9	2,7
		Several actors within different age ranges	10	3,0
		Total	175	51,9
	Missing	System	162	48,1
	Total		337	100

**Annex VI - References to Nationalities and ethnic backgrounds in Correio da Manhã  
(number of articles).**

Origin/Background	N	%	Origin/Background	N	%
o_portugues	54	12,5%	o_bosnio	1	0,2%
o_brasileiro	47	10,9%	o_comunitario	1	0,2%
o_estrangeiro	37	8,5%	o_cubano	1	0,2%
o_imigrante	32	7,4%	o_colomb	1	0,2%
o_cigano	19	4,4%	o_eritreu	1	0,2%
o_espanhol	19	4,4%	o_europeu	1	0,2%
o_cabov	18	4,2%	o_extracomunitário	1	0,2%
o_frances	18	4,2%	o_finlandes	1	0,2%
o_ingles	16	3,7%	o_indonesio	1	0,2%
o_romeno	16	3,7%	o_iraniano	1	0,2%
o_deLeste	14	3,2%	o_latin_americ	1	0,2%
o_angolano	10	2,3%	o_luso_amerc	1	0,2%
o_guineense	8	1,8%	o_luso_angol	1	0,2%
o_ucraniano	8	1,8%	o_moçambicano	1	0,2%
o_croata	7	1,6%	o_mulato	1	0,2%
o_italiano	7	1,6%	o_negro	1	
o_russo	7	1,6%	o_norte_amerc	1	
o_moldavo	6	1,4%	o_nigeriano	1	
o_s.tomense	6	1,4%	o_palesti	1	
o_alemao	5	1,2%	o_paquistanes	1	0,2%
o_britanico	5	1,2%	o_raca_negra	1	0,2%
o_chines	5	1,2%	o_senegales	1	0,2%
o_africano	4	0,9%	o_servio	1	0,2%
o_irlandes	4	0,9%	o_tailandes	1	0,2%
o_branco	3	0,7%	o_tanzanio	1	0,2%
o_escoces	3	0,7%	o_timorense	1	0,2%
o_holandes	3	0,7%	o_uzbaquist	1	0,2%
o_indiano	3	0,7%	o_venezuelano	1	0,2%
o_marroquino	3	0,7%	o_americano	0	0,0%
o_suiço	3	0,7%	o_austriaco	0	0,0%
o_sul_amerc	3	0,7%	o_iraquiano	0	0,0%
o_argelino	2	0,5%	o_japones	0	0,0%
o_canadea	2	0,5%	o_CPLP	0	0,0%
o_migrante	2	0,5%	o_tibetano	0	0,0%
o_palop	2	0,5%	o_belga	1	0,2%
o_polaco	2	0,5%	o_bielorusso	1	0,2%
			Total	433	

**Annex VII - References to Nationalities and ethnic backgrounds in Público (number of articles)**

Origin/Background	N		Origin/Background	N	
o_portugues	25	18,7%	o_tailandes	1	0,7%
o_imigrante	17	12,7%	o_tibetano	1	0,7%
o_estrangeiro	12	9,0%	o_argelino	0	0,0%
o_brasileiro	10	7,5%	o_belga	0	0,0%
o_cigano	8	6,0%	o_bielorusso	0	0,0%
o_africano	5	3,7%	o_bosnio	0	0,0%
o_ucraniano	5	3,7%	o_branco	0	0,0%
o_angolano	4	3,0%	o_canadea	0	0,0%
o_cabov	4	3,0%	o_comunitario	0	0,0%
o_espanhol	4	3,0%	o_cubano	0	0,0%
o_frances	4	3,0%	o_colomb	0	0,0%
o_romeno	4	3,0%	o_eritreu	0	0,0%
o_alemao	2	1,5%	o_escoces	0	0,0%
o_chines	2	1,5%	o_europeu	0	0,0%
o_deLeste	2	1,5%	o_finlandes	0	0,0%
o_moçambicano	2	1,5%	o_indonesio	0	0,0%
o_moldavo	2	1,5%	o_iraniano	0	0,0%
o_norte_amerc	2	1,5%	o_irlandes	0	0,0%
o_americano	1	0,7%	o_latin_america	0	0,0%
o_austriaco	1	0,7%	o_luso_amerc	0	0,0%
o_britanico	1	0,7%	o_marroquino	0	0,0%
o_croata	1	0,7%	o_mulato	0	0,0%
o_extracomunitário	1	0,7%	o_nigeriano	0	0,0%
o_guineense	1	0,7%	o_palesti	0	0,0%
o_holandes	1	0,7%	o_paquistanes	0	0,0%
o_indiano	1	0,7%	o_polaco	0	0,0%
o_ingles	1	0,7%	o_raca_negra	0	0,0%
o_iraquiano	1	0,7%	o_russo	0	0,0%
o_italiano	1	0,7%	o_s.tomense	0	0,0%
o_japones	1	0,7%	o_servio	0	0,0%
o_luso_angol	1	0,7%	o_suiço	0	0,0%
o_migrante	1	0,7%	o_sul_amerc	0	0,0%
o_CPLP	1	0,7%	o_tanzanio	0	0,0%
o_negro	1	0,7%	o_timorense	0	0,0%
o_palop	1	0,7%	o_uzbaquist	0	0,0%
o_senegales	1	0,7%	o_venezuelano	0	0,0%
			Total	134	