

## **Immigrant and immigration policy-making: The case of Italy**

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### **Introduction**

Research into immigration in Italy began to gain ground in the mid-1980s, and at first was essentially concerned with inflow composition and entry into the labour market. As in other new immigration countries, the study of policy-making is at a recent stage, and only gained momentum in the late 1990s. However, as a product of a number of factors which will be analysed below, these studies have steadily developed and produced a considerable number of empirical accounts of decision-making and implementation of immigration policies in Italy.

This emerging literature will be reviewed in the present paper. In the first paragraph, we shall introduce some elements of the broader policy context concerning the evolution of migration flows towards Italy, as well as the main legislation which has governed immigration since the mid-1980s. In the second paragraph, the main developments in the study of migration-related issues in Italy will be sketched, from first analyses of immigrants' entry into the labour market to policy-making-oriented studies.

The third paragraph will be devoted to analysis of the existing Italian literature on policy-making processes in immigration-related issues. For this purpose, we have focused on the three main levels of government at which decisions are made, i.e. the national, regional/local and European/supranational levels. In each sub-paragraph, special attention will be devoted to studies investigating multilevel governance relations, especially bottom-up relations, which include two types of perspective (Zincone & Caponio 2005): a) inputs from the lower to the upper levels, and b) inputs from civil society to the public arena.

As we shall see, most of the existing studies focus on the national and local levels; little research has been conducted into European (or, more generally speaking, supranational) policy-making to date. This represents a sort of missing link; however, it is likely to become a pivotal element in the development of a truly multilevel governance approach to the study of immigration policy-making.

## **The context: From unregulated migration to the Bossi-Fini Act (1970s-2005)**

Italy did not become an immigration country until the mid-1970s. The first immigrants were students and political dissidents escaping from dictatorship and persecution in Africa, the Middle East, Latin America and Asia.<sup>1</sup> Economic immigration flows became significant in the early 1980s. Three main types of immigrant can be identified (Ambrosini 2001): men from North Africa and Sub-Saharan Africa working illegally in Southern Italy as fishermen, carpenters, street-vendors or on the tomato harvest; women from Eritrea, Somalia and the Philippines; and Chinese entrepreneurs running restaurants or cottage industries and employing fellow-nationals of both sexes.

The first Act that attempted to regulate the development of these immigration flows was Statute no. 943 of 30 December 1986. This Act regarded immigrants as workers, and was designed to protect Italians against potentially ‘unfair’ competition on the labour market (Colombo & Sciortino 2004; Pugliese 2002). Entry and work permits could only be issued when it had been established that there were not enough Italian workers to fill those jobs. Moreover, non-EU citizens were prevented from moving freely from one kind of job to another.

The Act also introduced the first regularisation of immigrants illegally present in Italy, and granted basic civil and social rights to foreign workers with legal status, establishing equal access to health care, public housing and education for children. A specific right to the protection of immigrants’ cultural traditions and background was also acknowledged. However, no financial resources were explicitly allocated to these policies, thus producing a striking discrepancy between the noble principles underlying the Act and its actual implementation (Zincone 1998: 50).<sup>2</sup>

A few years later, the total inadequacy of this first Act was clearly demonstrated by the passing of a second Immigration Act, Statute no. 39 of 28 February 1990, under pressure from dramatic events which pushed immigration to the forefront of the political agenda. Especially in Southern agricultural areas, lack of accommodation and consequent squatting by immigrants caused aggressive reactions by Italian nationals living near the occupied buildings. These tensions reached a peak in 1989, when a black worker, Jerry Essan Masslo, was murdered in

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<sup>1</sup> During this period, there was also quite a large number of Greek students and political dissidents escaping from the military regime. The main nationalities of the *de facto* political refugees included Eritrean and Somali for Africa, Iranian, Iraqi and Palestinian for the Middle East, Argentinean and Chilean for Latin America, Cambodian and Vietnamese for Asia.

<sup>2</sup> In other words, as pointed out by Zincone (1994), the rights formally acknowledged by the first Immigration Act remained a dead letter.

Villa Literno (Calabria) by a group of right-wing youths. Immigration was reconceptualised as an emergency issue, which needed to be somehow confronted and regulated. The new guiding principles were to give the immigrants already in Italy the opportunity to lead a decent life, and drastically reduce immigration flows.

As regards the first point, the Act allocated a specific budget to the construction of ‘initial reception centres’,<sup>3</sup> which were designed to provide immigrants legally present in Italy with temporary lodgings while they looked for more permanent accommodation on the private housing market.<sup>4</sup> As regards flow regulation, a Flow Committee was set up to decide how many workers from non-EU countries could enter Italy every year.<sup>5</sup> In conformity with the Schengen Treaty, the Act abolished the special clause attached to the Geneva Convention, thus allowing asylum seekers to enter the country; on the other hand, visas were made compulsory for people coming from emigration countries. Finally, a new Act was approved, allowing the regularisation of 234,841 illegal immigrants.<sup>6</sup>

However, these provisions did not prevent the emergence of new illegal flows. The collapse of the Eastern European Communist regimes led to continual arrivals throughout the 1990s, especially from Romania, Albania and the former Yugoslavia (during the civil war), and more recently from Poland, Moldova and Ukraine. New flows also began to arrive from Peru and from various Asian countries, which were previously almost non-existent in the Italian context, such as Pakistan, Bangladesh and India. The range of countries of origin involved has gone hand in hand with the settlement of groups which had arrived in the early 1980s, especially Moroccans, Filipinos and Chinese.

The early 1990s can be described as a period of emergency policy, as demonstrated by the *ad hoc* provisions adopted to host the influx of refugees from Albania, the former Yugoslavia and Somalia, with the grant of temporary stay permits ‘for humanitarian reasons’. In 1995 new legalisation was passed, attached to Legislative Decree no. 489 of 18 November 1995, which allowed the settlement of these immigrants on a more permanent basis. The new legalisation allowed the

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<sup>3</sup> Funds were distributed to Regional Councils, which had to agree with the major Municipal Councils on where to locate the centres. Municipal Councils were also made responsible for their running.

<sup>4</sup> Concretely, in the absence of a policy aimed at facilitating immigrants’ access to the private housing market, temporary shelters became long-term accommodation for many immigrants, often in slum conditions.

<sup>5</sup> The legislation designed to protect Italian workers was also confirmed. Job vacancies had to be filled firstly by unemployed Italian and EU workers, and secondly by unemployed non-EU residents and residents with a different residence permit. New flows could only be allowed as a third choice.

<sup>6</sup> Another 118,349 illegal foreign residents were legalised under the first Immigration Act mentioned above. As we shall see below, legislative provisions have represented the main tool of Italian immigration policy.

regularisation of 248,501 illegal immigrants. This Decree, named the Dini Decree after the then Prime Minister, introduced more severe measures against smuggling and trafficking of immigrants, and innovative provisions relating to the treatment of illegal immigrants. They were allowed to benefit from basic health care not only in case of emergency and pregnancy, which was already allowed, but also allowed treatment in the event of serious illness and accidents, as well as preventive prescriptions. Moreover, the children of illegal immigrants were allowed to enrol in State schools.

Both types of provision were part of a broader proposal for law reform drafted in 1993 by the Contri Committee, a commission of experts charged with amending the 1990 Act and drafting a new, systematic Immigration Bill. The first systematic Italian Immigration Act, known as the Turco-Napolitano Act after the then Social Affairs and Interior Ministers, was passed in 1998. The new Act was based on four pillars: 1) preventing and combating illegal entry; 2) regulating new flows of foreign workers; 3) promoting the integration of immigrants holding a valid residence permit; and 4) granting basic individual rights to illegal immigrants. The main innovations introduced in each of these pillars are briefly illustrated below (for a more detailed analysis, see Zincone 1998).

As regards the first pillar (preventing and combating illegal entry), the Act established special ‘temporary accommodation centres’ where undocumented immigrants were to be temporarily detained while waiting for the completion of the expulsion procedure. Innovative measures against trafficking were also introduced: victims who denounced their exploiters, usually young prostitutes, were given the chance of benefiting from special assistance programmes and receiving a permanent residence permit.

The second pillar (regulating and managing immigration flows) is central to the Turco-Napolitano Act. Legal entries on the basis of annual quotas were facilitated by the introduction of ‘sponsorship’. Under this new system, a temporary permit could be issued to foreigners willing to seek a job in Italy, provided that they were sponsored by Italian citizens or foreigners legally living in the country, regional or local authorities, trade unions or recognised voluntary associations.

In order to promote integration (the third pillar), the Act granted foreigners who had been in Italy legally for at least five years the right to apply for a permanent residence card. A National Fund was also set up to finance the integration measures promoted by the regional and local authorities. According to the Implementing Regulation (DPR no. 394/1999), funds are assigned to Regional Councils, charged with identifying priorities by means of annual and multi-annual programmes, which should be concentrated with local authorities and third-sector organisations. A later corrective Decree (Decree no. 380 of 16 October 1998) introduced another amnesty for undocumented immigrants, which regularised 220,000 illegal stayers (Blangiardo & Tanturri 2004: 50).

The fourth pillar concerns the treatment of illegal stayers. In this respect, the new Act confirms the innovations already introduced by the Dini Decree, which were already present in the Contri Committee's Bill. In particular, as for health care, according to the Implementing Regulation (DPR no. 394/1999, art. 43), illegal immigrants in need of assistance are granted an anonymous card which entitles them to access to the services granted by the Act.

The Turco-Napolitano Act was partially reformed in 2002 by the right-wing government. The Bossi-Fini Act (Statute no. 189 of 2 July 2002) has two main purposes: 1) to link the grant of new residence permits more strictly to employment requirements, favouring temporary jobs and discouraging permanent settlement; 2) to combat illegal entry. The first purpose is clearly signalled, for instance, by the abolition of sponsorship and the shortening of the validity periods of the various residence permits. In addition, the length of stay required to apply for the permanent residence card has been increased to six years.<sup>7</sup> The Act did not apparently change the policies included in the third pillar (integration) or the fourth pillar (illegal immigrants' rights). However, the funds allocated to the integration policy have been considerably reduced and, above all, the rules of allocation have changed: according to the 2003 Finance Act (Statute no. 289/2002), social policies, including those concerning the integration of immigrants, are to be financed by a more general Social Fund, which is distributed between the 21 regions and directly allocated to them. It is up to the Regional Councils to establish social policy priorities, and thus the amount of funding devoted to integration measures for immigrants.

As regards the second purpose (combating illegal immigration), the Act introduced some particularly repressive measures, such as mandatory imprisonment of foreigners who fail to comply with an order to leave the country after being found without a residence permit or with an expired permit; and arrest and immediate escorting to the border following a simple endorsement by a judge, without any hearing or possibility of defence. Both these provisions were ruled to be unconstitutional by the Constitutional Court, and had to be considerably attenuated by the government (Corrective Decree converted to Statute no. 271/2004).<sup>8</sup>

Despite the restrictive approach of the Bossi-Fini Act, a new amnesty was introduced which allowed the regularisation of over 634,000 illegal immigrants, almost equal to the total number of foreigners regularised by the previous four amnesties. The analysis of the main nationalities involved shows the emergence of new prevailing flows, especially from Eastern Europe (Moldova, Romania, Poland

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<sup>7</sup> For a complete, systematic analysis of the contents of the Bossi-Fini Act compared with the Turco-Napolitano Act, see Colombo & Sciortino 2003; Zincone 2002.

<sup>8</sup> For a more detailed account, see Zincone 2006.

and Ukraine) and Asia (Pakistan, India and Bangladesh. Among the Eastern European countries, Poland is already a member of the EU, while Romania is a candidate. Continual inflows from these areas are likely to pose new problems for the enlargement process.<sup>9</sup>

As mentioned above, the process of reform of the immigration legislation which took place during the 1990s, culminating with the Turco-Napolitano Act, already demonstrated a restrictive approach by the centre-left government in the last few years, well before the Berlusconi government came to power. This restrictive trend can be explained as the consequence of growing hostility by public opinion (i.e. the potential electorate) towards increasing immigration. The centre-right reform was an attempt to answer these anxieties, although no dramatic change was brought about, at least as far as concrete policies are concerned. It is far more difficult to account for the restrictive reform of the citizenship legislation passed in the early 1990s, when no backlash against immigration was under way. In fact, this Act penalises non-EU immigrants, while introducing a strong principle of co-ethnic preference (Zincone 2005).

Statute no. 555 of 1912 treated all aliens in the same way, allowing naturalisation after five years, whereas its reform (Statute no. 91 of 1992) strongly benefited foreigners of Italian descent and, to a lesser extent, EU citizens, who can now apply after three and four years respectively. Conversely, the period of residence has been increased to ten years for non-EU citizens, thus discouraging their full access to citizenship rights. Moreover, article 17 of the 1992 Act opened a window of opportunity for people of Italian origin who had lost their Italian nationality, or whose ancestors had lost it (Zincone 2005).<sup>10</sup> According to the Italian Foreign Office, 163,756 persons were able to take advantage of this opportunity.

Debate over a new reform of the citizenship legislation took place under the Prodi government, but no agreement was reached. On the contrary, subsequent Acts were aimed at reinforcing the co-ethnic principle. In 2000, a new window of opportunity was opened, allowing the reacquisition of Italian citizen-

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<sup>9</sup> Italy, together with France, Spain, Belgium, Portugal and Greece, has ratified the clause attached to the EU Treaty that restricts the movement of workers from the new member states, allowing the signatory states to keep the provisions already regulating migration flows from those countries in force for two years. On the expiry of the stated period, another moratorium can be obtained for a maximum of five years. Austria and Germany have already declared their intention of using the whole seven-year moratorium. The UK, Ireland and Sweden have not signed any moratorium, although they have introduced restrictions on access to the welfare state.

<sup>10</sup> According to the 1992 Act, having a single grandparent born in Italy was considered a sufficient condition for Italian citizenship to be recognised. The window was initially due to stay open until 1994, but the deadline was then extended to 1995, and subsequently to 1997. On the implications of the co-ethnic principle for Italian citizenship policy, see Zincone 2005.

ship by foreigners of Italian descent living in the territories which belonged to the Austro-Hungarian Empire before the end of the First World War, and then passed to the former Yugoslavia after the Second World War (Statute no. 379 of 14 December 2000). In addition, Italian expatriates, including those who have reacquired Italian nationality under the special provisions mentioned above, were recently granted the right to vote and stand in parliamentary elections, as representatives of four special constituencies set up specifically for them (see Zincone 2005).

### **The making of Italian immigration policies: The emergence of a recent research field**

The first research studies into immigration in Italy concerned demographic inflows and national composition and, shortly afterwards, the entry of immigrants into the labour market. These studies were essentially of a *first-* and *second-generation* type (Zincone & Caponio 2005), and were designed to investigate why a traditional emigration country, still characterised by high unemployment rates, especially in the Southern regions, had turned into an immigration country. The first explanations emphasised the role of ‘push factors’ (Calvanese 1983; Calvanese & Pugliese 1988; Melotti 1988). However, later studies focused more on the segmented structure of the Italian labour market and on the informal sector, which still plays a crucial role in the Italian economy, demonstrating that these two elements represent strong ‘pull factors’ for foreign immigrants.<sup>11</sup>

The issue of immigration policy represents a fairly recent field of study in Italy. Lawyers, sociologists and political scientists only started to analyse this subject in the early 1990s, and even nowadays, studies often focus more on legislation than on policy-making processes. However, in that period, the first comparative studies which took a political science-based approach to immigrants’ citizenship rights (Melotti 1993, Zincone 1992: chapter V) showed that immigration policies in Italy could not be framed in terms of assimilationist, multiculturalist or subordinate culturalist models, but rather a mixed pattern. These analyses demonstrated that Italy was characterised by a syndrome of ‘weak statism’ (Zincone 1992): the state claimed to hyper-regulate, but was actually compelled to accept high levels of disobedience and delegation to civil society.

Other studies (Lostia & Tomaino 1994; Zincone 1994) highlighted a fragmented citizenship model, showing that access to rights in Italy was highly dependent on the conditions offered at local level. In this context, immigrant policies

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<sup>11</sup> On the push/pull factor debate in the explanation of the Italian case, see Ambrosini 2001.

appeared as the product of different patterns of relations between third-sector organisations and local administrations, as showed by empirical research carried out on the cases of Turin, Bologna, Rome and Palermo (Lostia & Tomaino 1994). All these elements obviously referred to characteristics of the policy-making process, though indirectly, since the analysis essentially focused on ‘non-citizens’ citizenship rights’.

Thus by the mid-1990s the interest of Italian researchers had started to move from analysis of citizenship rights to analysis of policies. However, this change of interest only became evident at the end of decade, when the first systematic attempts were made to go beyond the analysis of formal statements (legislation, regulations, etc.) and gain more detailed knowledge of the policy actions concretely undertaken.

At least three factors appear to be involved in this shift: 1) developments in the discipline of political science, with growing interest in the study of policy-making processes, especially by young researchers;<sup>12</sup> 2) the increasing importance of the immigration issue in the political agenda, at the level of both political discourse and government action; 3) participation by academics in the policy-making processes leading to the reform of the Martelli Act, and in the Commission for the Integration of Immigrants established by the Turco-Napolitano Act.

In this context, an even more recent line of research is represented by studies which adopt a *multilevel governance* perspective, designed to analyse the relations between different levels of government as well as between the public administration and civil society organisations. This approach, as we shall see below, has proved particularly useful in order to scrutinise the informal facet of policy-making processes, which has already been shown to be a specific aspect of patterns of immigrants’ access to citizenship rights in Italy.<sup>13</sup>

## **The literature: Territorial levels and analytical perspectives**

### ***The national level: Explaining law-making***

Studies of national immigration policy-making processes in Italy can be divided into two categories: a) analyses focusing on top-level decision-making processes

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<sup>12</sup> This trend is clearly demonstrated by the publication of a number of guides to public policy analysis (Regonini 2001) and local policy-making (Bobbio 2002; Della Porta 1999), as well as a specialist journal (*Rivista italiana di politiche pubbliche, Italian Public Policy Journal*).

<sup>13</sup> For a more detailed discussion on whether and to what extent policy-making on immigration differs from well established features of policy-making in Italy see: Zincone (2006).

and key institutions, i.e. the Italian government, parliament and civil service; and b) studies adopting a more governance-oriented approach, which look at the relations between levels of government and/or between public institutions and civil society.

An example of the first type of study is provided by research conducted by Fedele (1999) into the activity of the Italian Parliament in the area of social policy, which also takes into consideration the sub-field of immigration. The analysis of parliamentary records, which mainly concerns the 13th legislature, up to 1999, highlights the centrality of the Interior Ministry, which is the one generally involved when migration is debated. A difference in the approach to immigration also emerges: the centre-right coalition, which is the most active on this issue, usually raised problems of public security and control of illegality, whereas the centre-left parties were more concerned with social inclusion.

Policy-making at parliamentary level has also been investigated by Zucchini (1999), in an attempt to account for the process that led to the first systematic immigration legislation in Italy, i.e. the centre-left Turco-Napolitano Act (Statute no. 40/1998, subsequently integrated into Consolidated Act no. 286 of 25 July 1998). Analysis of parliamentary proceedings identifies five parliamentary actors: the Northern League, which was totally opposed to the Act and did not take part in the parliamentary debate from the outset; the main right-wing parties, *Forza Italia* and *Alleanza Nazionale*, which supported essentially restrictive provisions (such as expulsions); the right-wing Catholic parties, which took a more moderate stance, especially on integration issues; the Democratic Left Party and the People's (Catholic) Party, which supported the government bill; and the left-wing coalition parties (the former communist party *Rifondazione Comunista* and the Greens), which were against any restrictive measures and unconditionally in favour of immigrants' rights. According to the author, the Law was passed as a result of a continuous bargaining process between the actors involved in the parliamentary debate. In order to reach a compromise, controversial issues were either eliminated from the original proposal (this is the case with the administrative franchise) or formulated in ambiguous terms, so as to leave room for discretion by officials (as in the case of expulsions).

Colombo and Sciortino (2003), in their analysis of the process leading to the passing of the Bossi-Fini Act in 2002, essentially rely on official parliamentary records, thus focusing on top-level decision-makers. Their aim was to account for the contradiction between the centre-right electoral campaign rhetoric, inspired by a strongly anti-immigrant stance, and the final text of the Bossi-Fini Act, which is far less radical, as mentioned above. According to the authors, a crucial role was played by the small Catholic parties in the coalition, which were able to attenuate the more radical anti-immigrant programmes of the Northern League.

However, these studies to some extent neglect the role of other actors in the decision-making processes by only looking at the top-level parliamentary actors. In order to detect the various pressures that led to the Turco-Napolitano

Act, Zincone (1998) adopts a longer-term view, analysing the process of reform of the 1990 Martelli Act in depth. Despite public alarm and populist rhetoric from right-wing parties (especially the Northern League), three actors exerted enlightened pressure throughout the policy-making process, namely civil servants, expert committees, and civil society organisations such as left-wing trade unions and Catholic voluntary associations. The article also emphasises the innovative role played by the local authorities and by unlawful practices, especially the inclusion of undocumented immigrants in health services and children's education.

The 1998 Act is also at the centre of the analysis by Zincone and Di Gregorio (2002), which also takes into consideration later implementation measures approved by the left-wing government, and reform proposals advocated by the right-wing coalition elected in 2001. The study is based not only on analysis of parliamentary proceedings, but also on a series of semi-structured in-depth interviews with key actors and observers. In order to account for each phase of the decision-making process and the actors involved, the authors combine two theoretical approaches: the system analysis framework and the advocacy coalition framework. The research demonstrates that despite changes in political majorities, there is a strong advocacy coalition essentially composed by Catholics (especially third-sector organisations), which has taken part in each stage of the policy-making process. This pressure was also reinforced by the alignment with employers' organisations, which are interested in increasing inflows. Since moderate Catholic parties are present in both the left-wing and right-wing political coalitions, these actors can rely on a constant window of opportunity.<sup>14</sup>

This hypothesis also appears to be confirmed by the extension of the research to the process of approval of the Bossi-Fini Act (Zincone 2002, 2006): the Catholic parties continue to express the views of the 'unlikely alliance' between the advocacy coalition and employers' organisations, as demonstrated by the attenuation of the most controversial provisions. However, despite the relative similarity of centre-left and centre-right policies, a major difference can be detected in terms of decision-making style. The Turco-Napolitano Act is characterised as a governmental Act, built on the support of civil servants, experts, third-sector associations and representatives of local authorities, and seeking agreement with at least part of the opposition, whereas the centre-right reform had an essentially political nature. In fact, it was designed by politicians to win the elections, thus paying more attention to the anxieties of the general public than to organised civil society. The main problem was maintaining electoral promises without breaking up the governing

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<sup>14</sup> A similar conclusion was reached by Fasano and Zucchini (2002) in their reconstruction of the formal decision-making process (i.e. parliamentary debate) relating to the issue of sponsorship, i.e. the possibility, allowed by Statute no. 40/1998, of financially supporting the entry of a third-country national in order to assist his or her entry into the labour market.

coalition. Internal negotiation was crucial, in order to reconcile the various philosophies of the parties composing the governing coalition, while relationships with the opposition were highly conflictual.<sup>15</sup>

### ***The local level: Explaining differentiation***

Studies of local-level immigration policy-making processes in Italy reflect two classic themes in policy studies literature: policy networks and local decision-making on the one hand, and implementation and public administration on the other. The first kind of study has focused on immigrant policies, i.e. on services and provisions for immigrants allowed to stay in the country, whereas implementation research has mainly, though not exclusively, investigated immigration policies, such as regularisation procedures and permit renewal.

The first studies to adopt a network approach clearly relied on the accounts of local immigrant policies promoted under the UNESCO MOST Metropolis Project,<sup>16</sup> and on the first studies of relations between the third sector and local authorities mentioned above (see Lostia & Tomaino 1994). These studies were thus essentially aimed at explaining territorial differentiation in this policy field. Zucchini (1997), for instance, rejects the idea that local immigrant policies can be understood as coherent programmes promoted by coherent political majorities. A reconstruction of immigrant policies in eight cities (Rome, Naples, Milan, Bergamo, Brescia, Modena and Genoa), based on official documents and in-depth interviews, highlights two main dimensions of differentiation: the importance of the third sector and the level of conflict and fragmentation within the public administration. As regards the first dimension, while voluntary organisations are important in all the cases considered, in Rome and Naples they are crucial, and often operate in complete autonomy, whereas in Northern cities the local authority is usually better able to promote coordination and exert some degree of control. On the other hand, fragmentation within the public administration, which is particularly marked in metropolitan cities such as Rome and Milan, is a source of conflict between different definitions of the immigration issue: immigration is perceived as a social problem by offices providing assistance and initial accom-

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<sup>15</sup> In order to explain the similarities and differences between the centre-left and centre-right in the management of the immigration issue, the research combines different theoretical tools, i.e. the system approach with network analysis, supplemented by aspects of the cognitive approach and rational choice (Zincone 2006).

<sup>16</sup> See [www.unesco.org/most/p97](http://www.unesco.org/most/p97); three Italian cities (Turin, Milan and Rome) took part in the project. A similar approach was also adopted by the Ethnobarometer report on local policy (2003), which analysed in depth the case of Turin (Lostia 2003).

modation, and as an opportunity to promote innovative projects by administrative sectors more concerned with education and vocational training.

The cases of Milan and Rome have been investigated in greater depth by CeSPI (2000), through semi-structured interviews with privileged observers and official document analysis. Following a similar comparative framework, the study reconstructs the main public and private actors dealing with immigration in the two cities, as well as local policy networks. The purpose was to identify the factors that account for the differences between the two cities. The factors identified were different constraints on local actors' actions, in both financial terms (funding in the case of Rome is discontinuous and uncertain) and regulatory terms (the Lazio Region does not allow immigrants access to public housing, unlike the Lombardy Region); definitions of the problem and solutions adopted (more informal in the case of Rome, where there is good collaboration between the Municipal Council and the Police Headquarters, more red tape in Milan); the different migratory patterns of the foreigners present in the two cities (more temporary in Rome, more long-term in Milan); and the main actors dealing with immigration in the two contexts (mostly Catholic third-sector organisations in Rome, whereas a more balanced public-private network can be identified in Milan).

The studies just mentioned usually neglect the role of party politics, assuming that politicians are not as relevant as the classic democratic theory would maintain. However, such an assumption is not completely supported by empirical evidence, as demonstrated by the studies conducted by Caponio (2003, 2003 and 2004) on the cases of Milan, Bologna and Naples. In the period 1993-2001 these cities were governed by opposing coalitions, formed by centre-left parties in the case of Naples and Bologna until 1999, and by centre-right parties in the case of Milan and Bologna after 1999. Systematic analysis of deliberative acts demonstrates that different coalitions usually pursue different goals, i.e. individual integration in the case of right-wing coalitions (through policies such as housing and vocational training), and collective recognition in the case of left-wing coalitions (intercultural education and cultural mediation). However, analysis of decision-making processes conducted on the basis of official documents and in-depth interviews shows that the political actors are usually more active at the beginning of their mandate, when they need to consolidate consensus around the definition of the issue promoted during the electoral campaign. In the long run, however, other actors are crucial: these are usually networks composed of local authorities and third-sector organisations. Influence relations in these policy networks depend on the context. Bologna, for instance, is characterised by the primacy of the local authority, whereas in Naples, voluntary associations take the initiative and put pressure on the local authority. Finally, in Milan, the local authority only cooperates with Catholic associations on a few issues, such as initial accommodation and vocational training.

This study clearly emphasises the relevance of *policy legacy* to explain continuities in local administration policies. This is also a crucial point in the study by Campomori (2004), which analyses three medium-sized Italian cities: Vicenza in the North, Prato in the Centre and Caserta in the South. Three dimensions are explored to account for differences in immigrant policies in these cities, namely the cognitive dimension, or how policy-makers *define* and *frame* the situation; the organisational dimension, or how local authorities are organised to cope with immigration, especially as far as the use of expertise is concerned; and the political dimension, which refers to the type of relations between public agencies and third-sector organisations, i.e. whether they are consensual and cooperative or conflictual. The analysis is based essentially on in-depth interviews with the main actors involved in the policy-making processes, as well as on analysis of official documents. The results particularly emphasise the relevance of *policy frames* in explaining local differences in policy-making: these are strongly *path-dependent*, since they reflect administrative structures and routines (organisational dimension) on the one hand and consolidated models of public-private interaction and influence relations (political dimension) on the other.

A different type of explanation is the one put forward by Bobbio and Allasino (2001) in their analysis of an urban crisis in a decayed district of the city of Turin, S. Salvario, characterised by a high density of foreign residents. The authors stress the crucial role played by the Deputy Mayor in dealing with the various actors concerned, namely the residents' committees, the two mosques, immigrants' representatives, the district church, the Jewish community, etc. In other words, he acted as a kind of *policy entrepreneur*, investing personal prestige, resources and time in solving the crisis and promoting innovative projects which were already under way but needed an opportunity window in order to be formally adopted and implemented.<sup>17</sup>

A sub-group of the policy-network approach is represented by a number of studies that focus more directly on the internal organisation of municipal offices around the immigration issue. For example, Zucchetti (1999, 2000), who studied the municipal councils of the Lombardy region, observed a high degree of differentiation in methods of providing services for immigrants. Relations with third-sector organisations are one factor that explains such differentiation in organisational patterns, although policy-making processes were not directly investigated.

These studies essentially adopt a bottom-up perspective, since they look at relations between local networks and actors. In many cases, research shows that municipal councils (especially in the North of the country) and third-sector organisations often promoted measures that were only later incorporated in national

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<sup>17</sup> This is the case of the Social Development Agency (*Agenzia per lo sviluppo sociale*), opened in the S. Salvario district after the 1998 crisis.

legislation, thus confirming the hypothesis postulated by Zincone (1998) that there is an ongoing bottom-up decision-making process in Italy, from the periphery to the centre and from illegal practices to legislative provisions.<sup>18</sup>

Other studies have focused more closely on the top-down implementation of specific legislative provisions. This is the case with the analysis of the 1995 regularisation procedures in two different cities, Turin and Brescia, conducted by Zucchini (1998). This empirical research, mainly based on in-depth interviews, highlights two different ways of solving the ambiguities of national legislation. In Turin, the *Questura* (Police Headquarters) held regular meetings with the municipal Immigration Office, trade unions and third-sector organisations, to agree on a common understanding of regularisation procedures. In Brescia the process was far more fragmented, since there was no established collaboration between the *Questura* and the other actors involved in immigrant rights.

Using a similar top-down approach, Fasano and Zucchini (2001) analyse some innovations introduced by Statute no. 40/1998. Their aim was to establish whether the institutional and social actors involved in the implementation of the Act actually behaved in the intended way, and how it affected immigrants' lives and inflows. To this end, the study focused on three different local contexts in the Lombardy region: a medium-sized city, namely Brescia, and two smaller ones, namely Sesto S. Giovanni (near Milan) and Busto Arsizio (near Varese). As demonstrated by the analysis, the Brescia and Sesto S. Giovanni Municipal Councils, which were already very active in immigrant policies, proved best able to take advantage of the new financial opportunities offered by the 1998 Act. However, as regards the implementation of immigration policies such as the issue of the permanent residence card (*carta di soggiorno*) introduced by the new Act, Fasano and Zucchini (2001) found that the three Police Headquarters (*questure*) adopted extremely discretionary and bureaucratic procedures (such as asking for documents which were not explicitly mentioned in the Act).

A similar conclusion was reached by Triandafyllidou (2003) in her study of the organisational cultures and identity processes that guide the daily routines of police officers, using the Foreigners' Bureau (FB) of the Florence Police Headquarters as a case study. Her findings suggest that the FB uses a high level of discretion in processing immigrants' applications for permits. According to the author, the discretionary practices adopted reflect a combination of formal hierarchical and patronage culture with new demands for efficiency and user-friendly services. In fact, patron and client relations or the common-sense ideologies of organised philanthropy towards 'needy foreigners' prevail over rational organisation of work.

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<sup>18</sup> Unlawful practices by public and third-sector actors at local level are investigated by Ponzio in her PhD thesis on Comparative Social Policy (Turin University), still in progress.

***The European and supranational level: Almost a missing link?***

The communitarisation of immigration and immigrant policy can be considered a recent phenomenon, since it is only with the enactment of the Treaty of Amsterdam, in May 1999, that immigration became (at least to some extent) a communitarian policy field. Thus it is not surprising that systematic studies analysing the interconnections between Italian and European policy-making on immigration-related issues are still lacking, with a few exceptions, such as Di Gregorio's analyses of the Europeanisation of Italian immigration policy (2001, 2004), which combine neo-institutionalist and actor-centred approaches. These studies adopt a qualitative methodology, i.e. semi-structured in-depth interviews with privileged observers and actors taking part in the policy processes investigated. The findings demonstrate that although the immigration and asylum field is only partially communitarised, the concrete impact on national policy has been significant due to the influence exerted by non-political actors (external experts and Ministry officials) as opposed to political actors, who have often produced mere rhetoric and sham Europeanisation.

Another field of research which has been little investigated to date is the supranationalisation of policy-making processes and relations with countries of emigration. Sciortino and Pastore (2001) attempted to reconstruct the logic of emigration policies by identifying the contradictory interests which usually underlie the policy-making processes in countries of origin: on the one hand, economic rationality would suggest a policy open to further emigration, given the economic advantages of increasing remittances and investments from emigrants in the home country, while on the other, political rationality suggests caution, in view of the contradiction between such policies and the ideology of the nation-state. Italy is regarded as a case study, although the two authors analysed the interrelations between immigration and emigration policies rather than policy-making processes.

**Concluding remarks**

As stated in this paper, the study of policy-making processes regarding immigration-related issues in Italy is an emerging field, which is already undergoing consolidation, especially as far as national and local levels are concerned. In these sectors, this review has detected a high degree of maturity, in terms of both methodology and theoretical approach. Studies at European and supranational levels are far less developed, although they are destined to represent a natural evolution for this research field in view of the intrinsically transnational dimension

of migratory processes, and consequently the policies designed to regulate the phenomenon.

However, other possible development prospects emerge from this brief review of the literature, which deserve the utmost attention from researchers, whether the focus of their analysis is at national, local or European level. First of all, as already stated, many studies mention public opinion among the factors influencing the policy-making process. However, the role of public opinion in decision-making is not clear. Immigration is obviously a highly politicised issue, on which politicians are always afraid to take unpopular decisions, yet few systematic studies of attitudes to immigration in Italy have been conducted, and they are not usually expressly taken into consideration by policy-oriented studies. One exception is represented by the analysis conducted by Zincone (2006) on the policy-making of the Turco-Napolitano and Bossi-Fini Acts. In this article, the author points out a link between the negative attitude of Italian public opinion towards immigration as demonstrated by opinion polls,<sup>19</sup> and the restrictive measures undertaken by the centre-left government in order not to lose electoral consensus, according to the classical 'policy cycle' theory. However, in view of the difficulty of tackling the real sources of public anxieties, i.e. illegal immigration and crime, restrictive measures have mainly affected legal immigrants, limiting their access to citizenship rights.<sup>20</sup>

Secondly, among the factors influencing policy-making, negative feedback can have a significant impact (Zincone 2006; Zincone & Di Gregorio 2002); recent Immigration Acts in Italy (i.e. Statutes nos. 40/1998 and 189/2002), incorporate self-amendment mechanisms, such as amending decrees and implementation rules. A more in-depth analysis of such mechanisms could account for policy change as well as learning in policy processes concerning such a controversial issue as immigration.

Lastly, It would be interesting and fruitful to look more carefully at outcomes, in order to contribute to the considerable amount of research literature (in Italy as in other countries) which attempts to identify policy evaluation criteria, and which is often seen as completely detached from policy-making analysis. Gaining

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<sup>19</sup> In particular, according to opinion polls conducted by ISPO – Commissione Integrazione (1999, 2000), the majority of Italian respondents were worried about the relationship between immigration and crime, believed that there were too many immigrants, and considered immigration to be the second most important issue after unemployment.

<sup>20</sup> For instance, the government limited access to the benefits granted by the Maternity Act (Statute no. 53 of 8 March 2000) to foreign women holding a permanent residence permit. Access to this permit was made more difficult by a circular issued by the Interior Ministry (no. 300 of 4 April 2000); in addition to the five years legal residence required by the Act, the circular stated that the applicant must always have had a work permit renewable for an indefinite period. This is a hard requirement to meet for immigrants, who are usually expected to be flexible workers.

better understanding of the impact of policy programmes appears crucial in order to deal with new or even existing problems, as well as drawing lessons from the relations between policy and society, which are often overlooked by studies focusing only on how a policy has been designed and produced. Of course, as demonstrated by classic policy studies (Pressman & Wildawsky 1973; Wildawsky 1979), impact evaluation is not an easy task, and requires more than the provision of quantitative outputs and outcome indicators. In the case of Italy, some ethnographic studies have been conducted by anthropologists, demonstrating: 1) the perverse effects of apparently reasonable policies, such as the self-management of initial accommodation centres in Bologna (Però 1997 and 2001); 2) the misunderstandings and problems encountered by public authorities in their relations with foreign users (Riccio 2000). This constitutes a nascent and promising research thread, which may provide better knowledge of how policies work in practice.

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