



## IMMIGRATION AND DISCRIMINATION IN ITALY: INSTITUTIONAL PATTERNS AND POLITICAL AND CIVIL SOCIETY RESPONSES

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### DRAFT PAPER

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Prepared for the 37th World Congress of the international Institute of Sociology

Stockholm, 6 July 2005

Panel on Racism and Xenophobia: A European Dilemma, Session A

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## **Abstract**

This paper seeks to shed light on patterns of discrimination towards immigrants in the Italian labour market, focusing in particular on the experiences of immigrants in Naples and Milan, reflective as they are of the differing labour markets in northern and southern Italy and of the experiences and conditions of immigrants within them. An initial overview will outline the way in which Italian legislation and policy-making on immigration has reflected the contingencies of the Italian labour market and tied the entrance and permanence of immigrants to their activity in and continuing utility to it, to the detriment of attempts to promote social integration and combat discrimination towards immigrants despite the best efforts of elements of Italian civil society. Following on from this, utilising fieldwork conducted in Naples and Milan, the paper will explore the mechanisms which allow discrimination to persist in the Italian labour market, focusing particularly on the impact of legislation, rules on access to public employment, the impact of opaque and slow bureaucratic procedures, the presence of various forms of exploitation of immigrants in the private sector and the low quality of jobs available to immigrant workers. The latter will be related to the lack of acknowledgement of immigrants' professional qualifications and stereotypical perceptions of the abilities and suitability to work of various ethnic and national groups, and the role of gatekeepers and informal networks in reinforcing these negative characteristics. This analysis appears to confirm the importance of structural and institutional mechanisms – as identified in the discrimination literature – in perpetuating the disadvantage and marginalisation of immigrants in the workforce.

## **Introduction**

The immigration phenomenon in Italy, which first emerged in a significant fashion at the end of the 1980s, and became a salient political issue in the 1990s, is now evolving towards a more mature phase of the migratory cycle, for example through the increase in family reunions, mixed marriages, the rapid emergence of immigrants of second generation and the development of a variety of associations among national groups, though of a spontaneous and non-institutional nature. As the immigration phenomenon has developed in Italy, the number of studies on the topic has increased exponentially and a variety of points of view have been put forward. In particular there has been a growing specialisation in particular aspects of the phenomenon, for example in relation to participation in the labour market (Reyneri, 2002, 2004; Chiesi, 2003; Carchedi, 2003; Ambrosini, 1999, 2001, 2003; Pugliese, 2000; Zanfrini, 1999; Mottura and Pinto 1996), minors and the development of a second generation of immigrations (Favaro, 2002; Cesari Lusso, 1997), the theme

of multiculturalism (Cesareo, 2000; Colombo E., 2002; Martiniello, 2000; Melotti, 2000; Sartori, 2000), the problem of integration (Sciortino, Colombo 2002; Gallissot 2001), criminality (Barbagli, 2002) and female migration (Colombo A., 2003; Andall, 1993, 1998). However, analysis of the literature on exclusion and discrimination (Balbo Manconi, 1990, 1992; Ferrarotti, 1993; Zincone, 1994; Tomasi, 1997; Delle Donne, 1998, 2000; Dal Lago, 1997, 1999; Sniderman and Peri 2000; Basso, 2000; Burgio, 2001; Fieri, 2003) suggests that this theme is still rather underdeveloped and therefore requires further attention. Often considered as an extension of the studies regarding the aforementioned issues, analysis of this theme rather suffers from the fragmentation of data collection on the issue. Though there have been studies at the local level, it is difficult to structure an analysis of the phenomenon at the national level. The development of a centralised system of collecting data on the issue and provision of support for legal cases is still in an embryonic phase. At the end of 2004, a unit dedicated to monitoring discrimination at the national level (in accordance with EU race directive 43/2000) was established at the Ministry of Equal Opportunities, though it is still rather early to assess its impact.

This paper aims at a deeper analysis of a specific aspect of discrimination based on race and nationality in Italy, that is, structural discrimination. Most of the major forms of structural discrimination are institutional and cultural in character: relating to the practices adopted within and by governments, political parties, labour markets, the educational system, the health system etc. In any given institution there are established organising principles, rules and regulations, procedures, role definitions and relationships, etc. which may (intentionally or unintentionally) discriminate against individuals and groups that do not belong (fully) to majority society, or are marginal to it (Rydgren 2004). Norms may operate in indirect ways – that is, they are not necessarily discriminatory in intent. Nevertheless, they may motivate exclusion of those who challenge or deviate from the norms. Also, there are cultural elements shared in the majority society such as established and legitimised category systems, concepts, stereotypes, judgment principles, generalised strategies, and societal norms that cut across institutions that may be carried and reproduced by particular institutions, professional groups and networks, and some of these elements operate to discriminate against particular individuals and groups who do not belong (fully) to majority society, or are marginal to it<sup>1</sup>.

The analysis that has been conducted has been focused on the identification of concrete institutional mechanisms which disadvantage immigrants in the sector of the labour market: norms, rules, regulations, procedures plus defined positions that determine access to resources. A theoretical impostation that recognises two general types of institutional forms of discrimination has been followed: structural discrimination (institutional and cultural forms of discrimination) which entails the automatic operation of rules and procedures – including informal ways of doing things -- in ways that disadvantage immigrant groups; and institutional agentic discrimination, according to which institutional agents in organisational positions (of authority or power) make discriminatory decisions or carry out discriminatory actions that disadvantage immigrant groups as compared to natives. That is, incumbents of these positions in organisations can use their positions, exercising their rights and authority, to make a difference (employers, career advisors, those who play gatekeeping roles in general)<sup>2</sup>.

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<sup>1</sup> The structural approach permits on one side to disassociate discrimination from individuals and considers it a (possible) feature of social institutions, cultural formations, or entire societies. And it breaks from the tendency to view discrimination and racism largely in terms of intentionality and individual psychology (Taylor, 2002).

<sup>2</sup> The research follows the approach put forward in the methodological guidelines circulated by the Xenophob project – an EU 5<sup>th</sup> framework programme research consortium – for research on institutional discrimination in the labour market and education. This paper utilises fieldwork conducted by the research team at the University of Trento, as a partner in this consortium.

The structural approach distinguishes also between direct and indirect discrimination (Wrench 1997). Direct discrimination occurs in an institutional context through established routines, application of rules, laws, norms, and procedures. Apparently neutral requirements for recruitment or routines for how to organise the workplace affect certain ethnic groups more than others, or more generally, when certain rules, instructions, or everyday practice within a social system have intended or unintended discriminating consequences. Indirect discrimination occurs when the inequitable results of direct discrimination serve as a basis for later decisions and treatment (Pettigrew, 1971, 1980). Indirect discrimination occurs when discrimination in one realm of society gives negative secondary effects also in other realms: for instance, when discrimination in the school system creates problems for immigrants in the labour market (Lindgren 2002).

## **The Political Context**

Anti-discrimination legislation in Italy is fairly new and limited and has not been followed up with active government programmes to combat discrimination, thus having little impact on every day attitudes and practices (ECRI 2001; ENAR 2003). A culture in which discrimination towards immigrants is seen as socially unacceptable has yet to take hold, and many employers therefore exploit and discriminate against immigrants without compunction, a situation exacerbated by recent legislative changes and the political climate in general. In the 1990s various attempts were made by Italian governments to deal with the new immigration phenomenon. However, these were inspired mainly by the logic of seeking to regulate the flow of immigrant entries and in particular, to clamp down on illegal immigration. There have been attempts to accompany this, particularly on the part of the centre-left government of 1996-2001, with measures to facilitate their social integration and combat discrimination. However the impact of the latter has been limited.

Policy on restricting entries to Italy has generally been formed against a backdrop of political debate which has been shaped in part by the exclusionist discourse of the ethno-populist Lega Nord (and shared at times by elements of the post-fascist National Alliance, AN). For example, the first major tightening of the law - the decree issued by the Dini government in 1995 - was formed partly to counter more restrictive proposals put forward by the Lega. The centre-left government in 1998 then passed the Turco-Napolitano law on immigration which instituted special temporary holding camps (CPTs - *centri di permanenza temporanea*), usually close to ports of entry, to detain immigrants found to have entered Italy illegally/clandestinely.

The initial proposal for the Turco-Napolitano law was actually seen as quite progressive, balancing both the control and social integration aspects of immigration policy, also including a variety of measures to combat racial discrimination and promote social integration. However, some of the latter proposals (e.g. that to give immigrants voting rights in local elections) were dropped by the time the initial proposal became law, because of the unfavourable political environment, which was becoming more hostile to immigrants (with the right wing parties leading the opposition to granting new electoral rights to immigrants).

During the election campaign of May 2001, the right-wing parties focused on the perceived inadequacies of the Turco-Napolitano law and once in government, the Bossi-Fini law was adopted, resulting in a tightening of the Italian immigration law (sponsored by the leaders of the Lega and the AN, Umberto Bossi and Gianfranco Fini). The law reduced channels of regular entrance into the country for immigrants, and abolished the sponsorship concept introduced in 1998, which allowed Italian citizens or legal residents, employers, trade unions or voluntary organisations to sponsor the entrance of immigrants (guaranteeing housing, sustenance and health care costs) without the would-be immigrant necessarily having an employment contract. It also provided for an annual decree

determining a quota for immigrants allowed to enter to be set by the national government, with stringent conditions regulating the conditions for immigrants who wished to enter and stay in Italy. The length of residence permits was reduced, with the granting of permits (requiring renewal every six months) depending on the immigrant having a contract of employment. Immigrants losing their jobs would have their residence permits withdrawn if they had not found new employment within six months (previously they had twelve months to do so).

In tying residence permits to the possession of employment contracts, the law weakens the already vulnerable position of immigrants in the labour market further by making them dependent on their employers for their residence status and thus putting them in a very weak negotiating position as regards their employment pay and conditions, leaving the situation wide open for unscrupulous and discriminatory employers. The law also effected a tightening of rules on family reunion and entrance for marriage purposes, as well as those for seeking asylum. All non-EU residents would be required to have their fingerprints taken when applying for/renewing their residents permits (a move that led to protests from well known non-EU nationals living in Italy to whom the finger-printing requirement would now apply). Nevertheless, the law did provide for a further *sanatoria* (amnesties allowing illegal immigrants to regularise their status), particularly for those working as home helps and carers. This had originally been opposed by both the AN and the Lega. However, the government was pressured into agreeing this following internal lobbying, from the former Christian Democrat CCD and CDU parties (later to merge to form the UDC), and externally from employers. Indeed, the government was convinced by the latter that expulsion of the many thousands of irregular workers that were part of the workforce would have a debilitating effect on the economy. There was also a tacit acknowledgement that given the hundred thousands of clandestine immigrants on Italian soil, it would be impossible to track down and expel them all (or even a large proportion of them) without a massive employment of resources (Zincone 2002).

Despite reflecting apparent public concerns, the new restrictions introduced by the Bossi-Fini law have been the subject of controversy – being criticised particularly by pro-immigrant associations – and are seen as reflecting a general intolerance of immigrants and minority groups on the part of the government (Fondazione Migrantes, 2003). Nevertheless, it is important to note in this respect that the general thrust of current policies to control immigration in Italy was set by the preceding laws – including the Turco-Napolitano. This particularly applies to measures to regulate legal immigration and clamp down strongly on clandestine immigration. Moreover, the Turco-Napolitano measures to combat racial discrimination (admittedly seen as rather inadequate by pro-immigrant associations) were left untouched by the centre-right government. However, what perhaps set the Bossi-Fini law apart was the way in which it reduced immigrants simply to functional units in the labour force and the air of repressiveness used by its exponents to promote it. Thus whereas the centre-left government in promoting the Turco-Napolitano law sought to emphasise a balance between control of new immigration into Italy with social integration of existing immigrants, in promoting the Bossi-Fini law the centre-right focused only on the former. Moreover, the attempts to criminalise clandestine immigrants on the part of the AN were accompanied by a highly exclusionist political discourse on the part of the Lega, which has led to critical observations from international bodies such as the Council of Europe's European Commission against Racism and Intolerance (ECRI, 2002) and the EU Monitoring Centre on Racism and Xenophobia (EUMC, 2002)<sup>3</sup>.

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<sup>3</sup> The ECRI report on Italy in 2001 noted that members of minority groups were 'typically portrayed as being responsible for a deterioration of security conditions in Italy, particularly on the basis of generalisations concerning their involvement in drug trafficking and prostitution, for unemployment and increased public expenditure, or of posing a threat to the preservation of Italian national or local identity.' The centre-right government actually sought to get this report altered before its publication after having been given a preview of it by ECRI. Having failed in this, it took the unprecedented step of insisting that its own response be circulated as an annex to the final published version of the report.

Nevertheless, the exclusionist discourse of the Lega has shown no let-up. For example, in the summer of 2003, Bossi suggested that canons be shot at boats loaded with clandestine immigrants attempting to land on Italy's shores. Later in the year, Bossi caused further controversy when, in the context of alleging that immigrants seeking public housing in Milan were jumping the queue ahead of the Milanese, he referred to the immigrants in question as *bingo bongo*. In general the Lega has employed an ethno-populist discourse in relation to the immigration theme, using the 'invasion' metaphor and presenting immigrants as a threat to local and national identity (particularly Muslim immigrants), a threat to national security and responsible for rising crime, a drain on economic resources (unfairly receiving preferential access to welfare resources) and illegitimate competitors in the labour market. Nevertheless, despite this discourse, there is a tacit acceptance in the way in which the Bossi-Fini law links immigration permits to the possession of employment contracts, that immigrants are indeed necessary to fill the gaps in the Italian labour market, particularly for unskilled work in the relatively prosperous north. Analysis of the political programmes of the other leading governing parties (i.e. Forza Italia, AN and the UDC) demonstrates that all these parties accept the value of immigrants to the Italian labour market. While these elements of the governing coalition generally support strong immigration controls (the AN in particular) they generally do not share the ethno-populist discourse of the Lega. Indeed, the AN leader, Fini, has since 2003 spoken of the need for measures to further facilitate the social integration of immigrants, although some of his party colleagues display attitudes closer to those of the Lega on the immigration question (Fella 2005).

### **Civil Society and the governance of immigration and anti-discrimination policies**

Despite this difficult public climate, the new immigration has led to a flowering of associations set up to represent the rights of immigrants and promote cultural understanding or simply preserve the cultural identity of the immigrant groups (Ambrosini, 2000; Commissione per le politiche di integrazione degli immigrati, 2001). Many of these were formed by immigrants themselves (Vicentini and Fava, 2001)<sup>4</sup>. However, it is those led by white ethnic Italians that have had most impact in challenging discrimination and organising assistance for immigrants, particularly those linked to the trade unions and the Catholic church<sup>5</sup>. It was these organisations that led the way in organising basic assistance to immigrants – working often with local authorities – given the initial lack of action by the national government in the late 1980s and early 1990s.

Indeed, the Turco Napolitano law of 1998 sought to promote dialogue with non-governmental organisations at the national level particularly in relation to measures to facilitate the social integration of immigrants. It set out a comprehensive set of rules of co-operation with non-governmental organisations in immigration and integration policy, with protection against racial and religious discrimination a particular point of reference. The law established a forum for dialogue with NGOs in the field of immigration and integration matters: the Council for the problems of foreign immigrants and their families (*Consulta per i problemi degli stranieri immigrati e delle loro famiglie*). The 1998 law also created a 'Commission for Integration Policies' (*Commissione per le Politiche di Integrazione*) which was charged with the tasks of drafting an annual report on the state

<sup>4</sup> A study promoted by CNEL in 2001 and realized by Fondazione Corazzini observed that on the Italian territory there were 900 associations promoted by foreigners (750 organisations) or associations promoted by Italian activists acting on behalf of foreign people (150 organisations). This associationism is higher in small cities in the north of the country, and especially in the north-west. In the south however the number of associations and their incidence in relation to the size of the population is lower. Most of these associations are formed by the immigrants themselves, for example 40% are African, 13% are Asian associations, 6% are Eastern European and 6% Latin American.

<sup>5</sup> Indeed, the most influential and prominent organisation working with immigrants is the catholic association, Caritas, which is prominent both at the national and the local level in organising social assistance for immigrants

of implementation of policies for the integration of immigrants, formulating proposals for the adaptation of such policies and reviewing government policies relating to immigration and multiculturalism and intervention against racism. The Commission operated in conjunction with the department of social affairs of the office of prime minister, and was composed of representatives of different ministries and a number of experts on the social, legal and economic analysis of the problems of immigration.

Both of these bodies reflected the deliberative approach to consultation of the centre-left government on this issue, seeking the input of a broad representative range of associations and organisations present in the field in developing policies on integration. It is highly notable that neither of the above were re-instituted following the victory of the centre-right coalition in the general election 2001. In terms of the social integration of immigrants, and the need to promote their rights and combat discrimination against them, the centre-right government has demonstrated a striking unwillingness to enter into a dialogue with civil society, i.e. those associations and organisations that sought to promote the rights of immigrants. Where it has listened to civil society, is in relation to the regulation of immigrant entries to Italy and measures to combat clandestine immigration. However, its approach here is characterised by a more neo-corporatist style. Thus a few major actors are consulted, notably those representing economic interests i.e. employer associations, as well as the larger organisations working with immigrants. As mentioned above, it was lobbying by employers that influenced the parties of government to relent from their previous opposition to a further *sanatoria* for clandestine immigrants. However, the motives behind this were purely of a functional nature, that is, to avoid the adverse effect that the expulsion of irregular workers would have on an economy heavily reliant on cheap immigrant labour. Employers organisations have continued to be consulted in the setting of decrees to sanction the entrance of immigrant workers to meet shortages in the labour market. While the larger associations working with immigrants are also consulted in relation to this, notably the catholic association Caritas, the broader deliberative approach to consultation pursued by the centre-left government is no longer present. Moreover consultation is restricted to control of immigrants. Organisations such as Caritas continue to have some influence on the policy debate– given their strong weight in Italian society and particularly with the catholic parties, but this has not been enough to keep open the official channels of communication that the centre-left government had established with immigrant associations on the integration of immigrants (Bozzini and Fella 2004).

## Research Design

The research has been conducted across two very different cities: Milan and Naples because of the contrast they provide regarding the everyday realities of life for migrants in Italy: Naples being the major city of the economically under-developed south and in which the informal economy plays a central role; Milan being Italy's financial capital and the major city of the industrialised and prosperous north.

Interviews were conducted on the basis of a semi-structured questionnaire with:

- 10 'immigration and discrimination experts' in each of the two cities (academic experts, trade union representatives, and representatives of the voluntary sector working with immigrants including representatives of the immigrant community themselves). Many of those interviewed in the two cities are activists with immigrant associations or work at immigrant advice centres, and were thus able to provide particularly informed insights due to their day to day immersion in the problems that immigrants face in relation to their legal status.

- 4 public and private labour market mediators: representatives from the Employment office of the local authority and of the Adecco employment agency in both Milan and Naples.
- 28 interviews were also undertaken across four workplaces in each of Milan and Naples<sup>6</sup>. The aim was to identify a public sector and private sector employer employing immigrants for each of the two cities (interviewing both Italian and immigrant workers together with management representatives). In relation to the public sector, this was only possible by interviewing representatives of co-operatives who undertake contracted out work on behalf of local authorities, bearing in mind Italian rules preventing non-EU nationals from being employed in the public sector (see below). With regards to the private sector, the situation was far more problematic given the unwillingness of most private sector firms employing immigrants to co-operate in the research. While interviews were undertaken (in a private hospital in Milan run by clergy, and in a hotel complex in Naples) they could by no means be regarded as representative of the experience of immigrants in the private sector. Nevertheless, some useful insights were offered.

The interviews conducted provided an understanding of the way in which differences in access to the labour market depend on a combination of institutional mechanisms (e.g. related to the organisation of the labour market and excessively rigid bureaucratic procedures), the inefficiency with which the question of recognition of the qualifications and competences of immigrant workers is dealt with, and the prejudices of individual employers regarding the merits of immigrant workers. Furthermore, the interviews shed light on the different processes which limit, sometimes very profoundly, equal access to the labour market for immigrants. For those immigrants not in possession of documents proving their rights of residence it is very difficult to obtain decent work. They thus have to move exclusively within the ambit of a world of irregular and unstable work. Regarding the situation for those immigrants with regular documents, immigrant workers find themselves generally in a situation in which they are forced to accept whatever is available, to be able to live and in order to be able to renew their residence permits. They are thus generally more disposed towards accepting work for which they are under-qualified as regards their real level of competence.

### **Immigrants and the Italian Labour Market: General and Local Characteristics**

At the end of 2004, regular immigrants in Italy numbered 2 600 000, equivalent to just over 4% of the population<sup>7</sup>. Immigrant participation in the Italian workforce, while varied and not easily reducible to clear categories, reflects the varied economic make-up of Italy - in which a number of distinctive zones can be identified (Ambrosini, 2001, 2003) - and the varied presence of the immigrant workforce across the Italian territory. The role of immigrant workers in the Italian economy is ever increasing. The rapport between immigrant workers and the Italian labour market is very complex but throughout the Italian peninsula, a general segmentation of the labour market between Italian and immigrant workers can be witnessed, with the demand for immigrant workers

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<sup>6</sup> Severe problems were encountered in undertaking the fieldwork. Interviews often required a lengthy period characterised by the various delays and contorted bureaucratic processes which one encounters in daily life in Italy. In relation to the private sector, the central problem was finding an employer that was willing to collaborate with the research. Thus employers when confronted with proposals to undertake research of this kind within their workplaces often react with suspicion, possibly fearing that discriminatory practices may be exposed, or that they might be stigmatised and singled out for criticism whether or not they are guilty of discrimination, or possibly because they might be exposed for employing immigrants irregularly. In Naples there was an additional difficulty in finding firms that had dependent immigrant workers in their regular employ. For example, in a list of around 1000 local firms associated with the Naples industrial association, not one appeared to have non-EU immigrants among its dependent workers.

<sup>7</sup> Data on immigrant numbers cited in this paper are drawn from the various annual dossiers on immigration produced by the catholic association, Caritas.

still weighed heavily towards seasonal and/or unskilled work, in those types of work seen as unstable, tiring and sometimes dangerous, which Italian workers are no longer willing to do. Thus immigrants are to be found above all in the building industry, heavy industry, small and medium enterprises (but not work of a high-tech nature), agriculture, cleaning and domestic work, services (such as petrol stations) – generally in very subordinate positions. More skilled positions are usually denied to immigrants, even when they are in possession of advanced qualification, because they are not viewed as having the technical competences required by the employer. On a positive note, one finds, above all in the north, an increase in immigrant entrepreneurial activity – helped by changes in the rules in 1998 that allowed immigrants to modify the nature of their residence permits (Chiesi, 2003). At the same time, the beginnings of a climbing of the career ladder by immigrants has also been witnessed, challenging the general association of immigrants with unskilled work.

Immigrants legally resident in Milan at the end of 2003 numbered 246 362 (an increase of 44.3% with regard to the preceding year). The region of Lombardy, which reflects the industrial model typical of the regions of the central-north of Italy, is an area in which economic production is based principally on the role of small and medium enterprises. The unemployment rate is low, though the number of persons employed on temporary or unstable contracts is on the increase (above all in industry). The need for workers has led to explicit requests on the part of employers associations, for quotas which regulate and increase the flow of immigrants. While reflecting the territorial context of Lombardy, Milan represents a metropolitan model and plays a directional role as regards Italian politics and the economy. It is characterised by a service orientated economy, with a high demand for highly qualified workers (generally not immigrants) together with a demand for a subaltern and flexible workforce dedicated to services such as cleaning, domestic assistance and family care (jobs usually filled by immigrant). In Milan, immigrants have become a permanent fixture in the productive tissue of the local community, even though social integration remains difficult for them and social problems, poverty and deviancy are high, provoking public concerns and calls for increasing measures of security. In certain sectors (for example construction) exploitation of immigrants is very diffuse. Nevertheless, the number of immigrant entrepreneurs is also on the increase.

In Naples, immigrants numbered 61 557 at the end of 2003 (An increase of 71.6% with regard to the previous year). Migration in Naples has a somewhat transitory character, in the sense that immigrants may stop off and work there for a few months before moving north. Naples is the capital of the Campania region, within which (as with much of the south of the country) immigrants are employed particularly in the tourist industry, concentrated in the summer months, and in the agricultural sector in which immigrant employment depends mainly on requests for temporary workers and is often of an irregular and unstable nature. Notwithstanding some forms of employment which are more stable and in which immigrants work more independently (e.g. services, fishing, the building industry and greenhouses) immigrant workers are in a weak position, badly paid and exposed to exploitation.

### **Discrimination Linked To Legislation**

Most of the experts interviewed drew particular attention to the problems created by the position of immigrants in the labour market by legal rules. The recent Bossi-Fini law on immigration (2002) provides for a link between the right of non-EU nationals to reside in Italy and their possession or not of a contract of work, thus cementing the functionality of immigration to the labour market. Thus the granting of resident permits/immigrant visas (*permesso di soggiorno*) is dependent on immigrants being able to demonstrate possession of a regular contract of employment. Granting of such a contract is dependent on the employer demonstrating the unavailability of workers from Italy

or other EU countries to cover the work of other immigrant workers already resident in the country. Employers also have to provide a guarantee to pay the repatriation costs of workers they bring into the country and ensure that they have adequate housing<sup>8</sup>.

Immigrant workers with regular residence permits are thus discriminated against as these conditions render far more onerous their assumption of employment and because they have to go through very awkward byzantine procedures whenever they seek to have their residence permits renewed. In general, immigrants are employed on temporary work contracts, a form of recruitment which is highly discriminating, because it foresees a length of time that does not allow a renewal of the residence permit. Furthermore, these conditions create a position of acute dependence on their employers, on the part of immigrant workers.

### **Discrimination Linked With Bureaucracy**

Another issue is strictly connected with problems migrants face daily when dealing with authorities and administrative offices. Persons interviewed involved in assisting migrants in the administrative procedures, say that bureaucratic slowness is quite common during the renewal of the residence permit and that there are many errors in interpreting the law, or questionable interpretations made at the *questura* (provincial police headquarters) that deal with the issue of permits. This is a form of institutional discrimination that is caused partly by legislative choices and partly by the real obstacles created by the police employees, which may be explained by overwork, disorganisation or obstructive behaviour. A well known example, often quoted, involves the difficulties in dealing with the regularisation applications that followed the Bossi-Fini law of 2002. This involved huge delays in the management of files.

The experience reported in Milan and Naples was that to get or renew a residence permit took much longer than the required 20 days prescribed by law and delays were up to 6-8 months. Nevertheless there were no legal sanctions in force to ensure that the 20 day rule was enforced and avoid the delay. This lengthy delay left huge numbers of would-be regular immigrants in a form of legal limbo, without the formal documentation that would allow them to exercise the everyday rights of residence, such as open a bank account or convert a driving license. Foreign workers with a residence permit who asked for a renewal could continue doing their job and also commence a new job. But the rights entitled by the permit could be denied if the police refused the renewal application. Therefore, according to many of those interviewed, such as a private labour market mediator in Milan, it was quite difficult to find an employer who was willing to hire someone whose residence permit was under renewal, because employers tried to avoid the risk of spending time and effort in hiring someone who could then be denied the residence permit.

Another related problem was the general absence of co-ordination among the various administrative structures that deal with immigration - in particular in relation to the police authorities – which aggravates problems relating to demand for and supply of work for immigrants. This was noted particularly in Naples, though the difficulty created by poor communications between various administrative offices was also felt in Milan. Offices dealing with employment do not communicate

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<sup>8</sup> The law stipulates that at the moment of the granting of the employment contract, the employer has to guarantee the availability of housing which conforms to certain legislative standards. Nevertheless, this doesn't mean that the worker gets to benefit through the provision of housing by the employer, as the employer is not obliged to actually find housing for the immigrant worker, though it has to declare that housing is available for him/her (the legal situation is rather unclear). Where immigrants are housed by their employer (particularly, for example, domestic workers) they can often actually be subject to increased blackmail by their employer, as by losing their job, they will lose not only the right to residency but also their home.

reliably and in good time with the police as regards changes of employment on the part of immigrants. This is particularly so because often immigrant workers, especially when they have just arrived in Italy, undertake different types of employment for brief periods. This situation however creates problems in relation to the renewal of residence permits.

A further example of how slow the bureaucratic process could be is shown by the difficulties in acquiring Italian citizenship. The successful cases recorded in 2003 were only 13.420, and most of them involved marrying an Italian citizen. The law on the acquisition of Italian citizenship (n.91, 5/02/92), provided for a gradual period of naturalisation of non-EU nationals after a ten-year period of residence. However, the granting of citizenship after this period remains discretionary. By 2000, at least 350 000 foreign residents had passed 10 years of residence in Italy, yet the number of acquisitions for citizenship in that year was only 9 545.

### **Abuses And Legal Cases**

Interviews with trade union representatives allowed for an identification of the most common forms of economic exploitation and abuse suffered by migrants and the legal cases related to employment rights. Discrimination is caused essentially by unfavourable working conditions: the foreign workforce is preferred because it is more flexible and available to work odd hours, it is more easily held to ransom and quite often is not aware of its own rights, a situation exacerbated by the Bossi-Fini law because if an immigrant worker loses his/her job or is sacked then he/she risks losing his/her residence permit. Many types of abuses occur: precariousness, atypical contracts, lack of hiring. For example, a cut from the regular pay cheque is often taken by the *caporale* (a kind of foreman who selects workers, usually on construction sites) in exchange for a renewal of the contract. If a worker intends to go back to his/her country of origin s/he tries the best solution to earn as much as possible and is prepared to accept an illegal job. Those workers who want to stay in Italy need a work permit and quite often can be held to ransom, being forced to put up with abuses for fear of being fired. There is a widespread grey area of discrimination and exploitation: unpaid overtime, small abuses of contributions etc. Moreover, migrants are often prepared to work under almost any conditions because they do not want to lose their residence permit. The immigrant worker is in a disadvantageous situation because he/she has fewer social rights and guarantees and fewer professional alternatives. This involves mainly workers who come from countries with no strong industrial traditions. For example, one interviewee in Milan referred to a cleaner from Bangladesh who works for a firm and earns 3,5 euro per hour, instead of the minimum 7 euro, required by the national contract. The worker did not want to start a dispute, and he was happy because for him to earn 3,5 euro in his own country he would have had to work a working day of 10-12 hours. Migrant workers therefore constitute a supply of workers always available. Due to this mode of thinking, it is difficult for many foreigners to free themselves and obtain the same working conditions of Italians or other migrant workers.

Cases were cited by those interviewed of employers who seek to take advantage of foreign workers' lack of knowledge of their rights and desperation to remain in employment. In many cases housing is also linked to the employment position, and so there is also the risk of losing this. In rare cases, an immigrant worker will stand up to a discriminatory employer and seek legal redress. For example, there have been a number of cases of female workers being dismissed when becoming pregnant. In one such case a Tunisian temporary worker was able to get her union to demonstrate that her contract was not regular because she was doing a dependent job. She was subsequently hired with a regular contract and was paid moral and financial compensation. She was brave. She obtained the residence permit and had her rights recognized. But cases like these are rare.

In Milan the cases of abuse and discrimination linked to economic exploitation are manifold although direct racial discrimination cases are not so widespread. It can occur, for example, in construction sites that toilets are separated for Italians and migrants. But disputes are mainly linked to workers rights due to the fact that Italian employers try to exploit foreign workers to the maximum. More than 50% of the CISL (trade union) disputes in Milan involve foreign workers, not because of direct racial discrimination but because employers attempt various ploys to reduce labour costs and maximise profits. They therefore hope that migrants will not seek to have their rights protected because they are in a weak market position. Furthermore, cases whereby both the employers 'exploiting' and the employees being exploited are immigrants are on the increase.

In interviews conducted in Naples there was repeated mention of discriminatory incidents, ranging from sexual harassments or rapes, exploitation, racism and thefts but only very few of them had been reported to the legal authorities. It was suggested that employment contracts almost never cover the actual job done by the migrant: the contract is written arbitrarily in order to obtain or renew the residence permit. Furthermore, it was suggested that migrants, even when supported by the unions or non profit associations, do not denounce such cases because they are afraid of repercussions by the person who they denounced (they are often threatened by them). Or because more often than not they are working in illegal jobs, so they cannot produce evidence of the jobs or of the exploitation or abuse that took place.

In general, initiating a work dispute depends on the migratory project of the persons involved. If a worker is going to go back to his/her country of origin, s/he tries the best solution to earn as much as s/he can and is prepared to accept also an irregular job. Those who want to stay in Italy need a legal permit and therefore cannot accept to work illegally. But often they are easily held to ransom and face abuses. The lack of knowledge on the part of immigrants of their legal rights is combined with a lack of comprehension of certain situations often derived from a less than perfect knowledge of the Italian language. For this and other reasons, actual legal cases of discrimination are fewer compared with the diffusion of abuse and many cases are never taken to court<sup>9</sup>. Although the involvement of trade unions is high in cases of abuse and discrimination, the implementation of norms protecting migrant workers is extremely limited and many problems are dealt with informally and do not end up in legal cases.

### **Low quality of jobs available for foreign workers and direct and indirect discrimination**

Interviews in both Milan and Naples highlighted the segmentation of the labour market, with immigrants generally being excluded from certain areas of employment. In Milan, the most developed economic sector is the service-tertiary sector but foreigners tend to be excluded from clerical jobs and generally find work only in the more menial employment areas of the tertiary sector. However, the presence of skilled immigrant workers is gradually increasing in the secondary (industrial sector) as the absence of capable/willing Italians leaves a void in the labour market. The advance tertiary sector is the area in which native Italian workers have an undoubted advantage,

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<sup>9</sup> Many cases of frauds against migrants, who during 2002 emerged from the illegal market thanks to the regularization provisions of Law 189/2002, were reported. In many cases migrants were forced to pay for the regularization fee that should have been paid by the employers, and quite often they paid more than the law required. Many employers, many fake businesses and in some cases, also some agencies that help with administrative work, offered to help migrants in the administrative paperwork in exchange for money. This was even for migrants who never worked for them and who never got their permits. For example, many migrants who worked illegally in firms whose employers refused to follow the legal procedures of the law were forced to accept offers from people who did not have any scruples. Illegalities were also committed by workers for falsely presenting their case. According to trade union representatives interviewed few employers have been reported because migrant workers directly affected would automatically risk expulsion.

given that these are the kind of jobs in which advance communication and relational skills are required, and therefore perfect Italian language abilities are viewed as fundamental. In some sectors, for examples in banks, migrants are excluded by definition. In Naples, interviewees suggested that it was not correct to talk about direct discrimination in finding jobs: the dynamics of finding jobs are the same for migrants and Italian citizens because both share the same lack of job opportunities. But there is no competition between migrants and Italians because they do not take part in the same job market. In fact some sectors employ migrants exclusively: agriculture, catering, care for the elderly (in this field there is an Italian labour supply but foreign women are preferred because they adapt more easily and can be exploited more). This fact, it is said, demonstrates a difference in status between Italians and migrants. However, the job dynamics and conditions are the same that applied in the past for Italians in these sectors: a large supply of available labour, therefore lower salaries, exploitation and working conditions with poor legal protection.

As the cases of Milan and Naples demonstrate, there is a strong segmentation between jobs for migrants that can be found easily and jobs for Italians. If, on one hand, it is thought that Italians are not available for low level jobs, on the other hand, migrants do not have much choice. One interviewee suggested that there was actually a form of discrimination against Italians because for subordinate jobs migrants are hired instead of Italians (because they are more exploitable).

The segmentation of the labour market derives from a number of factors as confirmed by this study. In both Naples and Milan, typical forms of institutionalised discrimination based on language and job competence as a criterion for discrimination and exclusion were found. Stereotypes persist as to the ability of migrants to learn Italian and to undertake certain employment tasks. Migrants are presumed to have no education, something that emerges very clearly when migrants enrol at the provincial job centres. Moreover, without being completely fluent in Italian, it is very difficult to find a qualified job, even with a degree. More specifically, there is a strong exclusion in the labour market that is caused by the non recognition of the degrees and diplomas of foreign workers. This is compounded by economic problems, particularly in the south (though the north has also been hit by recession) which means that higher qualified jobs are scarce even for Italians, who generally have preferential access to them. The segmentation of the labour market and the lack of recognition of professional qualifications force the skilled migrants to look for unqualified jobs (for example in factories and in the construction business) at lower positions and with lower wages. Whereas Italians have the chance to progress in their careers, migrants are not able to improve their position inside firms. Those migrants who manage to find jobs that are not at the bottom end of the job market risk discrimination on the job because Italians do not accept easily the idea of migrants as potential competitors in the job market. Cases in which a degree of openness can be found towards immigrant workers, where employment contracts of more than a year, or possibly of an even more permanent nature, tend to be found only in the fields in which labour market conditions are better regulated by law (possibly because of the strength of trade unions): for example in the metal-mechanical (e.g. automobiles) industry or in the health services sector. Some signs of 'openness' are also present in more cosmopolitan cities, Milan included, where there is a multiethnic clientele that leads to the recruitment of migrants who can relate to it. For example, French supermarkets in Milan have begun recruiting Africans (such as Senegalese) who speak French.

Returning to the problem of recognition of qualifications, there is also a problem related to contractual recognition of qualifications: the migrant worker who in his own country used to work as a welder will continue to work as a welder in Italy but he will be paid as a generic worker at the minimum of the pay scale. In factories and in the building industry, immigrants are given jobs which are low paid and official job descriptions which infer unskilled tasks when in reality they are asked to do work which is actually specialised and would normally require higher pay. Seasonal contracts in the catering industry often refer to basic level tasks (such as washing dishes) when the

worker is actually required to undertake a more skilled task (such as cooking) for which he/she is not paid the appropriate rate. At the same time, even when skilled, immigrants are denied the opportunities open to Italians to progress up the career ladder. A similar situation is that of doctors who work as home carers: they are paid as home carers but families then have the advantage of having a doctor on hand at home. This means that Russian and Bulgarian doctors are very sought after in Milan as home carers.

Many of those interviewed (though there were different opinions among those working for business associations or in job centres) suggested that the selection of human resources is not based on the competences of migrants. Many interviewees felt that the norms regulating the recognition of foreign titles of study were so strict that a foreigner hardly ever obtains the essential recognition. Nevertheless, some of those interviewed endorsed the official caution towards recognising immigrants qualification, basing this on the belief that the legal value of title of study should be based on the homogeneity of preparation of carriers and/or educational qualifications.

The representatives of the labour market mediation agencies noted that the competences acquired through educational and professional experience in countries of origin are often not sufficiently up-to-date and appropriate in relation to the technical processes of production adopted by Italian companies. Thus, because it is difficult for immigrants to prove that they have the technical experience sought by employers they generally find themselves being judged mainly on the basis of competences shown at work once in Italy. Furthermore, it is suggested that linguistic competence, in particular possession of competence in technical language, is the real discriminating factor in job selection processes, given that the ability of a candidate to present his/her suitability for a post and understanding of what a job requires and of the organisation in which employment is being sought are of critical importance for those undertaking the selection.

According to trade union representatives and other interviewees, it is very difficult to prove discrimination inside firms or by employers when low skilled jobs are given to migrants. Strong segmentation of the labour market is partly due to the fact that migrants accept any job offer because they compare the level of Italian income with those in their own countries, and partly because foreign degrees and diplomas are not taken into account. This forces qualified and educated foreign workers to accept jobs not necessarily comparable to their curriculum and work experience.

### **Employers Stereotypes in recruitment procedures**

An unwillingness to appoint immigrants to certain jobs also relates to difficulties in accepting cultural diversity, for example the fear that their religious practices (religious feasts, moments of prayer, food restrictions etc.) might interfere with their job duties. This can result in a form of religious or cultural discrimination (Taguieff 1994, 1997). For example, in Milan not all home carers (in Milan alone there are about 26 000 of these) find jobs easily because many old people prefer to hire people who share the same culture. Another trend in Milan is to look for 'good looking' house helpers and home carers possibly with not very different physical traits<sup>10</sup>. There are also difficulties in the health sector: nurses with a different skin colour are looked at suspiciously by patients, especially by old people.

Many examples of stereotypes that play a role in recruitment procedures were cited both in Milan and Naples. There is a chain of stereotypes that places Africans and people from the far east at the

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<sup>10</sup> Cases of harassment and maltreatment and real cases of sexual violence towards house helpers and home carers have been reported. House work by foreign women is segregating and leaves open the possibility of being held to ransom: many women risk being fired if they do not fulfil the desires of their employers

top: Black Africans, Chinese, Indians, Sri Lankans, Philipinos and East European people are well accepted because they are considered to be humble and quiet. On the other hand, Albanians and Moroccans are less accepted because they are considered dangerous. Sub-Saharan Africans (often not identified by nationalities) according to some interviewees are strongly associated on a symbolic level with the role of slaves or with physical labor: a lot of employers think that tough working conditions are more bearable by Africans than other workers. Senegalese migrants are considered nice, flexible and they work hard: this positive stereotype has trapped many Senegalese into factory work. They find therefore heavy duty jobs and only in some types of firms. Eritrean and Ethiopians, when not racially discriminated against, are chosen in the case of women as home carers or house helpers. If they are men, they are hired in factories because they speak Italian, thanks to the colonial past and because people think they will stay longer in Italy. Philipinos and Sri Lankans are considered to be very good workers, serious and submissive: particularly good for house helpers and domestic services. Philippina has become synonym for house helper, even if the house helper is – for example – Romanian: “I have a Romanian Philippina!”. All the female Philipino migrants are destined to work as domestic helpers.

Men from Eastern Europe (e.g. Poland and Romania) are considered to be serious and strong: therefore are thought to be good construction workers. However, sometimes, because most of them are well-educated, they are perceived to be troublemakers because they claim their rights. Women from Eastern Europe, according to the stereotype, are serious, patient and honest, work on Sundays and other holidays and in the evening: they usually work in the social services sector for old people; even though one of the interviewee says that there is also another stereotype, especially in the province, that they are ‘family wreckers’. Albanian or Peruvian migrants are often not wanted: they are considered not to be suitable because they have a hot-blooded temperament. A very negative stereotypes is reserved for north Africans. Whether or not from Morocco, they tend to be referred to as ‘Moroccans’ and are lumped together with Albanians as ‘bad’ migrants. However, in the Naples region, North Africans are appreciated in agriculture by the older generations of farmers because of their specific competences which are similar to the old generations of Campania. Generally, at the moment Muslims are associated with dishonesty and crime, with fundamentalism and terrorism and are therefore discriminated against more than ever. But there was also a viewpoint that religious prejudices do not count for much in the labour market. For example, it is suggested that the Senegalese, who are Muslims, are generally well received.

Thus, both in Naples and Milan, some jobs are given on the basis of the ethnic group: women from Eastern Europe work as old people carers, Philipinos and Sri-Lankans as domestic workers, Eastern European men in the construction sector or in cleaning, sub-Saharan Africans in heavy duty jobs and as porters. Furthermore, the trend, confirmed by everyone, is to attribute specific skills on the basis of perceptions of ethnic group characteristics that are largely widespread all over Italy. Therefore employers undertake a selection of workers on the basis of ethnic stereotypes that perpetuate the process of stereotyping behaviours, directly or indirectly experienced, and that tend to maintain and reproduce the presence of foreign workers in the same sectors and job positions. At the same time, from the interview responses, it emerges that often in the same firm one ethnic group is prevalent: stereotypes develop by chance and are automatically reinforced when an employer is satisfied with a foreigner and asks him to send to the firm people of the same nationality.

### **Networks and the role of gatekeepers**

Network recruitment is one important form of indirect discrimination, although it is partly also a mechanism on its own. Individuals holding gatekeeper positions (employers etc.) are likely to choose someone belonging to the same network (Granovetter 1974). As several studies have

demonstrated empirically (Burt 1990) networks tend towards ethnic homogeneity. Since key actors holding gatekeeper positions tend to be natives, this leads to a situation in which natives are favoured and migrants disfavoured (Rydgren, 2004). However, as indicated above, rather than employ natives (especially where the natives are unwilling to undertake the job in question), they may make arbitrary decisions to recruit from a certain ethnic group because of a stereotyped view of this group or this group's relationship to other ethnic groups. The ethnic division for work typologies also has another explanation: it has occurred that because of ethnic tensions among migrants, presumed or really existent, firms decide to specialise in hiring people of the same ethnic group. This phenomenon is accentuated by the fact that foreign workers tend to go to areas where they have friends and relatives. Thus entry mechanisms to the job market are often based on the grapevine and on personal social networks. This can be an advantage in helping members of certain ethnic or national groups to find a job quickly. However, this also makes it difficult to find alternatives.

The concept of 'gate-keeper' is also important here, referring as it does to a position/role where the incumbent can grant formal or informal entry and access to specific settings and participation (in this case to specific employment categories). The gatekeeper occupies a position of power, able to impose conditions of access. These positions may be official, such as the management of an organisation, or unofficial, namely those individuals who might have no formal gatekeeping function but power and influence to grant and deny access. Employers and other actors holding gatekeeper positions in the labour market may make decisions based on stereotypical thinking (even involving prejudiced stereotypes) without being aware of it.

As far as the presence of foreign (immigrant) gatekeepers is concerned, however, there are very few cases and these involve well defined professions (interview with Adecco Foundation, Milan). They can be found in firms where, with the passing of time, they have had the opportunity to be recognized and to act as mediators in the further hiring of their own co-nationals, managing the relationship between these workers (sometimes a large number) and the employers. But it depends mainly on the far-sightedness of the firms' owners.

### **The role of mediating agencies**

As far as the legal labour market is concerned, the relationship between demand and supply is managed by the mediation agencies which reduce recruiting costs (time, bureaucratic constraints etc.) and function as a filter in identifying the best candidates and giving guarantees which greatly reduce the influence of stereotypes. The relationship of public employment offices to private companies depends on the practices of each office. For example the employment office in Naples has a set of detailed forms and tries to establish direct communication with the firms in order to find suitable candidates from their database, even though there are often some limits imposed by firms which claim to have had previous negative experiences and therefore prefer not to hire migrants. The private mediator in Milan noted that, although based on technical and organisational issues, many firms' job requests are accompanied by restrictive indications of the workers required (age, gender, nationality or ethnic origin). National/ethnic origin is often the first criterion mentioned followed by specifications of job competences, although the higher the qualifications required the less likely that specifications as regards the former are made. The policy of the public mediation agency in Milan is not to collect such specifications and to present candidates chosen for their professional characteristics. It will be up to the firm, then, to select them using their own criteria. However, firms often display doubts about recruiting migrant workers. According to the mediation agencies, personnel recruiting strategies on the part of firms tend to consider the effects that migrant integration can have on the job but, sometimes it is just a pretext to hide the prejudice that

the firms' personnel have. Even before having checked the attitudes towards the ethnic/national origin of the new recruits among colleagues or the firms customers, it is the entrepreneur who shows doubts toward the hiring of a foreign worker. In the case of the Milan Immigration office however, it must be said that foreigners are seen as a resource, an added value inside the work environment.

In Naples preferences (and prejudices) of employers are typically decisive, considering that most of the firms are small and family run and mostly in the irregular market area. There is not – or very rarely – a human resource person. This role is undertaken by the employer himself. However, quite often the employer asks a migrant he trusts to introduce him to other people he trusts. Even in this case, the final decision stays with the employer. If it is true that discrimination exists, in the end, pure economic motivation prevails, unless there are powerful negative attitudes toward specific communities, due to previous experience with one or more workers from that community (or their reputation such as in the case of 'Albanians').

The practice of hiring workers through services cooperatives is also an important factor in perpetuating immigrants' subordinate position in the labour market. Hiring a migrant directly is costlier for firms. Therefore the migrant worker becomes a member of the "services coop," and is involved in a network where jobs are found thanks to the mediation process, whose characteristics are very similar, if not the same, to those of *caporalato* (when an individual takes a cut of the workers' wages in exchange for finding/giving him/her an irregular job). Moreover, in being employed in this fashion, immigrants are denied the same kind of employment rights enjoyed by directly employed dependent workers.

Interestingly, in Milan there are small migrants co-operatives that offer jobs to other migrants. Migrants often act as mediators, for example by giving advice on how to move around, thanks to the fact that they now have a good position. This is often done in exchange for a fee. Many migrants who became self-employed in the services and construction businesses use their own nationals or other foreign workers but in illegal conditions and sometimes they exploit them. It was suggested in the interviews with labour market mediators that very often migrants refuse to work for other migrants because they expect to be exploited even more than by Italians and because they do not accept to work for a boss who is one of their or other ethnic groups.

### **Relationships inside firms**

The interviews shed light on some of the factors that can complicate relations inside firms: exclusive employment in subordinate positions, poor knowledge of Italian that creates misunderstandings in relation to business directives and also relations with other workers, poor knowledge of labour contracts and safety laws and regulations. One of the most important issues mentioned involves the different perceptions of what employment entails. The factors that create disadvantage are mainly linked to the mechanisms of a work organisation such as the need to be punctual, to improve one's professionalism etc. Therefore discrimination occurs in situations where foreigners do not comply with the rhythms and rules of the organisation where they work or wish to work. Other factors which cause problems were cited. For example, foreigners need longer holidays because their countries of origin are often very distant and travelling takes longer and is expensive; therefore they need longer periods of absence. Another example is linked to family needs, such as children sick leave; because foreigners benefit less from the public welfare system and family support networks and therefore need more time off work.

Relationships between migrant workers and Italians can often be strained: forms of racial prejudice and the use of racial insults by both Italian workers and management are often present. Promotions to jobs positions with more responsibilities have to be negotiated with the other Italian workers, who are generally not well disposed towards migrants in a higher position, although they might have a better education than them. Nevertheless, both business and trade unions representatives interviewed say that in those sectors where there is a labour shortage, the trend in big companies is to take care of foreign workers, through integrative contracts with special clauses that allow for repatriation during holidays, or leave permits for religious purposes etc. There have been cases where firms, although recognising the difficulties of the process of integration, have implemented training programmes for their own workers (the Italian industrial employers federation, *Confindustria*, has encouraged programmes to integrate foreign workers). However, such strategies are much more difficult to implement in the small and medium sized enterprises where many immigrants are employed.

### **Access to public employment**

A direct form of discrimination between Italians and immigrant workers seems to emanate in the conditions of access to public sector employment. Non-EU citizens are excluded from all types of public employment jobs. However, interviews conducted in municipal services in Milan and Naples highlighted that while non-EU nationals do work in the public sector, they do so without being directly hired by it (such as workers for firms who undertake services contracted out by public institutions). The immigration law of 1998 (Turco-Napolitano law) provided for the encouragement by the state and local public institutions of the implementation of conventions with associations or co-operatives to employ cultural mediators and interpreting services with the aim of helping relations between local administrations and foreign residents. Such a co-operative was the focus of the study of public sector employment in Milan. In Naples, a co-operative providing cleaning services was investigated.

The interviews demonstrated that the issue of precariousness (in the sense of job instability) is a highly salient one because the conventions with the municipalities are temporary ones. In most cases, immigrant personnel are not taken on as dependent workers but rather as temporary workers attached to specific projects. Thus there is no possibility for immigrants to pursue a career with the local authority, or within the public sector in general. Their legal status prevents them from being taken on as dependent or permanent employees, preventing any career advancement. Thus the role of immigrant labour in the public sector is always subaltern. While immigrants are used to provide services, the services that they provide are not regarded as sufficiently important for which to formalise their status. Furthermore, as mentioned in the Milan interviews, tenders for offering services to the municipalities involve the competition of many cooperatives, which are required to lower labour costs in order to win the contract. This therefore leads to those employed by the co-operatives receiving very low pay. Some of the interviewees from Naples declared, moreover, that information about competition exams is not transparent, but is based on political and clientelistic patronage. Therefore, in their view, many migrants do not have equal access to information.

### **CONCLUDING REMARKS**

In Italy there is now a general acceptance that immigration is not only inevitable, but also necessary because of the increasing demand for a new labour force, due to shortages in the Italian workforce linked to demographic changes. Italian business associations have made explicit request that quotas be introduced in order to regulate and increase immigration to Italy. At the same time, the first

career advancements have taken place, so that the idea of the immigrant as an unskilled worker does not necessarily always hold true. Within the independent labour sector there has been an increase in businesses run by immigrants. These positive experiences, however, are far from being the rule: in Italy the most common inclusion model is that of immigrants as subordinates, both with regard to their difficult economic and social conditions and with regard to the relationships they have with Italians outside the workplace. Within Italian society immigrants are perceived as being diverse and inferior and such negative attitudes force them to shelter in their own communities. The marginalisation of immigrants is linked to a subtle racism based on cultural aspects. It is true that in Italy discrimination and racist episodes have never been as bad and serious as in other western countries, but nonetheless debates on immigrants tend to focus only on the dangerous and deviant behaviours of some of them. Immigrants, especially illegal ones, are the objects of tension and conflicts and are made a scapegoat for complex problems such as urban degradation, crime, and the pervasive sense of insecurity.

Italian legislation initially dealt with immigration as a public order issue and more recently immigration policy has been transformed into a function of labour market policy. By tying the presence of immigrants in Italy to their possession of an employment contract, the recent law on immigration has further diminished the weak position of immigrants in the labour market. Legislation has not paid much attention to the development of enforceable anti-discrimination policy and the present government has shown a particular closure on this subject, as reflected in its diffidence as regards EU directives on anti-discrimination and its unwillingness to engage with civil society on this and the related issue of social integration of immigrants.

Research conducted in the workplace has shed light on the extent of discrimination and disadvantage; in some cases, thanks to the engaged work of trade unions and to increasing immigrant awareness of their own rights, legal action has been taken. However, effective integration of immigrants is hampered by a segmentation of the workforce which confines the vast majority of immigrants to unskilled jobs that Italians are no longer willing to undertake and in which their educational qualifications often go unacknowledged. This comes with precarious working conditions and a stereotyping of immigrants which condemns them to a marginal and subordinate role in the Italian workforce and society in general.

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