The Center for Comparative Immigration Studies   CCIS

University of California, San Diego

Death and the Moral State:

Making Borders and Sovereignty at the Southern Edges of Europe

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Working Paper 136
June 2006

Abstract

European governmental and non-governmental sources estimate the death toll of would-be migrants (including asylum seekers) in the Mediterranean between 6,000 and 10,000. This paper investigates the chronicle of death off the coasts of southern Italy from 1996 to the present, together with the accompanying legal and political framework of deportations, internment, bilateral agreements (e.g., with Libya) and EU provisions. Building on fieldwork in coastal southern Italy and on the analysis of key incidents and of the responses of Italian and EU institutions and mass media, the paper explores how lethal border practices become morally and politically acceptable and legally enforceable and thus constitute a clear paradox of liberal-democratic power and rule of law. It is proposed that the EU and the state, in the daily struggle with would-be migrants and asylum seekers resorting to unauthorized travel, find in the de facto power to "let die" a key prerogative of their sovereignty. At the same time, they also propose themselves as agents of humanitarianism in rescue operations, finding in this moral intervention a paradoxical legitimization of border enforcement.

Keywords

Borders; migration; ethics; biopolitics; humanitarianism; trafficking; Italy; Mediterranean.

Table of Contents

List of Figures

<div style="text-align: right">

Attaccarsi   *Clinging*
alle rocce   *to the cliffs*
stare in bilico   *Hanging in the balance*
una notte   *the whole night*
per sapere se hai   *to know*
infilato il piede   *if you have slid your foot*
nello stivale   *into the boot*
se questa terra   *if this land*
ti vuole se qualcuno   *wants you if someone*
ti manda indietro   *sends you back,*
tu paria   *You*
dai mille occhi.   *thousand-eyed pariah.*

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(Marisa Zoni. 2004. *Tu Paria Dai Mille Occhi:*   (My translation)
Poesie. Bologna: Pendragon, p. 21)

Introduction

Evazali, a Hazara Afghan in his early twenties with whom I spoke[1] on February 3, 2005, has been living in Italy since 2003. He began his journey in 1995. He left Afghanistan when he was ten, and lived for three years in Iran, where nobody "ever asks who you are." After paying 2,500 US dollars, he was helped to cross into Turkey, walking for ten days in the mountains. Evazali worked in Turkey for two and a half years in conditions "worse than in Iran," with neither identification documents, nor, obviously, the recognition of his refugee condition. He tried to cross into Greece on a speedboat, but once there, he was beaten in a police station and sent back to Turkey. In a second attempt, too, it was the police at a Greek port who caught and beat him. A third time, with 300 fellow travelers smuggled[2] inside a commercial truck, Evazali made it to Greece on a ferry. One of the travelers died, but the truck and the ferry did not stop. In Greece, Evazali worked for one and a half years in the fields. After several failed attempts, he hid himself under the air spoiler of a truck and finally made it by ferry to "an Italian port," which we can presume was on the Adriatic coast of Apulia[3] (Figure 1). When the *Carabinieri* [Army police force] found him it was impossible to communicate. He could speak English, but none of the agents spoke any language other than Italian. He was then taken to one of the immigration detention and processing state facilities in the region, but since he was an unaccompanied minor he was soon taken to an orphanage. Evazali applied for political asylum, and was told that he would get an answer in

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[1] This paper is based on ethnographic fieldwork and on the systematic monitoring of the Italian mediascape. I conducted ethnographic fieldwork, mostly in the southeastern Italian region of Apulia, during August 2001; July and August 2002; June 2004-March 2005; and March 2006. For a bibliography on immigration in Italy see Albahari 2006a.

[2] Here and in the rest of the article I use the established "to smuggle" with reluctance, as it carries a negative moral connotation. In my use, it is intended to signal the essentially non-coerced nature of migrants' mobility through unauthorized travel or the services of "smugglers." Thus, this paper does not focus on forms of forced mobility such as sex-slavery, indentured labor, or child labor and trafficking. For an up-to-date survey of global trafficking, see Department of State 2005.

[3] The administrative Region of Apulia comprises the southeastern peninsular part of Italy, stretching in the Ionian and Adriatic Seas, and facing the Balkan Peninsula. The southern part of Apulia is also known as Salento.

approximately six months. He was finally recognized as a political refugee approximately two years after his application.

Evazali is one of those travelers who happens to have survived the long journey between locations, political systems, socio-economic settings, and legal frameworks which we define with the shorthand "migration."[4] His account summarizes the complexity of these journeys, pointing out the inadequacy of analytical and policy models that encapsulate the migratory journey in the passage from a "country of origin" to a "country of destination," or that aim at simply deterring or intercepting the physical passage of migrants into a country and, failing that, deporting migrants to their "home" country or to a "safe" third country.

The cases and data that I present aim at being paradigmatic and indicative of certain discourses and practices, rather than at being "exhaustive" and normatively representative of situations that are in fact in extreme flux. Unfortunately, the very subject of migrants' deaths in the Mediterranean is liable to uncertainty and speculation.[5] While the national and EU media[6] do mention most shipwrecks and major migrant deaths, they tend with few exceptions to present these deaths as fatalities, accidents, and tragedies. This paper seeks to engage the depoliticization and naturalization of migrants' deaths in the Mediterranean, and their too-simplistic ascription to the sea's conditions and its inherent peril, to the unscrupulousness of "*scafisti*" [boatmen], to the dangerousness of old vessels, or to the migrants themselves, who supposedly know they are risking their lives.

Death is evidently present, talked about, feared, or celebrated in forms of everyday life as well as in institutional concerns. In the predicament of modern subjectivities and governmentality, death is socially and politically signifying, rather than simply confined to the "natural" sphere in a dichotomous relationship with "life." Accordingly, I seek to map some of the relationships between death, migration regulation, border enforcement, state and EU sovereignty, and the political economy of morality. The unfortunate subject matter and the empirical material of the paper work also as an entry point to tackle a paradox of contemporary liberal-democracy, the right and power "to make live and let die" (Foucault 2003: 241) certain categories of the state's subjects.

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[4] I hereby use "migrants" as to include people who become "asylum seekers" or "undocumented," "illegal," "clandestine" non-EU "immigrants" in state-centered and contingent legal, social, and moral taxonomies. Thus, this paper participates in the analysis of how "law produces citizens, illegal aliens, legal permanent residents, legal immigration, illicit travel, and even territories and the state," (Coutin 2000: 10) and "refugees." My use of "migrants" and of "migration" therefore takes into account that, in practice, "forced migrants [refugees] confront decision-making practices similar to those of voluntary migrants" (Cornelius and Rosenblum 2004: 102), and that these people often share transborder social networks and, importantly for our purposes, *the resort to the same providers of unauthorized transport.*

[5] The available data, in addition to being partial and differing widely according to the commissioning organization, cannot but understate the actual number of deaths. Mr Pisanu, the Italian Minister of the Interior between 2002 and 2006, has declared: "It is reasonable to speculate that many [migrants] remain in the sea, without leaving any sign of their shipwreck in international waters. […] For each "*carretta*" [old, unusable boat] that makes it to our coasts, how many have drowned?" (*RaiNews24*, December 1, 2002).

[6] For two analyses of the ambivalent role of the mass media in the representation of immigration and border crossings, see Tsuda 2003 and Chavez 2001.

According to the Ministry of the Interior's data available, which I provide as to offer a *rough* contextualization,[7] 13,635 "*clandestini*" ["clandestine," *i.e.*, undocumented, migrants] disembarked in Italy in 2004. In 2003, it was 14,331; in 2002, 23,719 (Ministero dell'Interno 2005: 42). Also, the Minister of the Interior has recently declared that "in the last few years" to his knowledge 1,167 people, again "clandestine immigrants" in his definition, have drowned in Italian territorial and "nearby" waters (*Il Corriere della Sera,* August 17, 2004).[8] As of April 29, 2005, UNITED for Intercultural Action (2005), a network of 560 European organizations, lists and documents a total of 6,336 "refugee [*i.e.,* migrant] deaths through Fortress Europe" (since January 1, 1993). This figure includes, but is not limited to, deaths at border posts and police stations in the Mediterranean. The inter-governmental International Centre for Migration Policy Development estimates that, in the decade 1993-2003, a total of at least 10,000 persons have died in the Mediterranean trying to reach Europe (ICMPD 2004: 8).

Governance of the external borders of the EU is not the object of traditionally centralized policies. Decision-making regarding immigration, asylum, policing, judicial cooperation, and crime prevention is located "at the intersection of intergovernmental and supranational institutions" (Walters 2002: 568). But increasingly, intergovernmental and EU Council meetings are calling for a joint management of EU external borders. For example, a European Agency for the Management of Operational Cooperation at the External Borders of the Member States (FRONTEX) is being set up. Yet, while this management is likely to become increasingly "communitarized" in the future, the task of border enforcement still rests on individual countries (Lutterbeck 2006: 64). In the case of Italy, we explore below how the 1990s saw not only the "birth of a border" but also its simultaneous militarization.

Encounters on Italy's shores: the birth of a border

In 1999, *La Gazzetta del Mezzogiorno*, the main regional newspaper of Apulia, proposed "*La gente del Salento*" [the people of Salento, the southern part of Apulia] as candidates for the Nobel Peace Prize. Although unsuccessful, this idea was discussed in the Italian Senate and official venues of the European Parliament. The proposition stands as the self-celebratory crowning achievement of almost a decade of "humanitarian" work of residents and church and state governmental institutions vis-à-vis maritime migration to the coasts of Salento. Thus, at the regional level, the former Governor of the regional administration of Apulia Raffaele Fitto celebrates Apulia's "effectiveness as regards solidarity; efficiency in the cooperation with Albania; and dynamism confronting the mafias that control the [migrant] fluxes" (*La Gazzetta del Mezzogiorno,* June 26, 2004). At the national level, sociologist Vittorio Cotesta summarizes one of the contemporary refrains of national identity construction vis-à-vis migration saying, "it is true that Italians cannot make war; but they can give solidarity as efficiently as others make war" (Cotesta 1999: 393; see also Favell 2002). And finally Italian Prime Minister Berlusconi, addressing the European Parliament after the latest death of migrants trying to reach Sicily, notes that "our European Christian tradition

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[7] For these data understate the phenomenon; they are publicized to celebrate governmental success in curbing undocumented immigration; and they are at any rate extremely contested by political and activist forces on several grounds.

[8] Data and information from newspapers and electronic sources have when possible been cross-checked.

compels us to look to these immigrants with a spirit of reception worthy of our level of civilization" (*La Gazzetta del Mezzogiorno,* October 23, 2003). In the *lived* mythology of popular charity, compassion, solidarity, and overarching *accoglienza* [reception] that these and similar statements index, a complex succession of contingent, controversial, and fragmented practices, discourses, and dispositions is reduced to a depoliticized[9] and benevolent trademark. In the remainder of this section, I indicate some of the fundamental steps of this succession, especially as they bear on the formation, legitimation, and militarization of the Italian southeastern maritime border in the Strait of Otranto (figure 1).

In 1990, eight hundred political dissidents sought refuge in the Italian embassy and in several other Western embassies in communist Albania. The Italian government organized the passage of many of these people into Italy (Dal Lago 2004: 182). In Apulia as in the rest of Italy, local institutions such as municipalities offered hospitality. Mass media waxed enthusiastic for Albania and for these Albanian *profughi* [refugees], portrayed as heroes of anticommunism (Perrone 1996: 33) fleeing a dictatorial regime, albeit in its final days. This event inaugurates the flow of migrants originating from or transiting *through* Albania— Kosovars, Kurds, Bosnians, Iraqis, Afghanis, Pakistanis, Chinese, Indians, Sri Lankans, among others—across the Strait of Otranto, which the Schengen Treaty's implementation in Italy (1997) would later make a *de facto* border region of the EU.

"I could often see the mountains of Albania across the Strait when I was a young student in Otranto. I don't see the Strait as a border, but as a door or a window," says Don Giuseppe (personal interview, August 11, 2004), a Catholic priest in his mid-fifties. Though the mountains are sometimes visible across the strait, interviews in everyday settings in Apulia delineate a certain disinterest toward neighboring Albania and its society. Moreover, complex factors have long discouraged Italian popular and institutional understanding of the Strait of Otranto as a significant international border—factors such as the geopolitical, economic, and infrastructural choices and internal unbalances of Italy and of the Western Europe of the "cold war." Also to be taken into account that until 1990, emigration from Albania was legally prohibited. Today, as in the recent past, spatial proximity is partly obliterated by political, social, economic, and geopolitical asymmetries perpetuated by the Italian and EU regime of border enforcement and migration management. The strait, in the accounts of many informants, represents a liminal "temporal gate" as well, a virtual time machine. In the words of an Italian high-ranking police officer, "an imaginary door separates and divides, just as a temporal gate, our civilization and our culture from those of our closest neighbor, Albania" (D'Alessandro 2002: 24). Similarly, Leonardo, a lawyer and a volunteer, says that a visit to Albania in the early 1990s gave him the impression of experiencing the conditions of late 18th century post-revolutionary France (personal interview, January 14, 2005). What lies on the other side of the Strait of Otranto—Albania and more generally what a pervasive Orientalism[10] lumps together as "the Balkans"[11]—is relegated to a condition of backwardness and archetypical violence. In the morally charged account of Leonardo, migrants from Albania sheltered in a public gym in Otranto "ate even the soap bars" (*ibid*.). And a tailor, in commenting on a picturesque postcard from Tirana, regrets that, "it is useless that they build

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[9] On "depoliticization" see Ferguson 1994.
[10] In Said's (1979) understanding of the term.
[11] See Todorova 1997.

these new and nice architectures: sooner or later they are going to destroy everything anyway" (personal interview, August 14, 2004). On the other hand, Italy and the Italian language have often entered Albanian homes on a daily basis[12] through radio and television channels. Providing Albania (and Italy) with a glossy, celebratory, and simplified version of "Italy," Italian mass media contributed to the creation of Italy as the closest "America" for Albanians.[13]

Early during March 1991, 25,708 Albanians arrived at the Apulian ports of Bari, Brindisi, and Otranto (Perrone 1996: 33). This time, however, only a few days after the official end of the 1990-91 Gulf War, opinion-makers in Italy were starting to articulate concerns with the alleged "Islamic danger" inherent in such migration. Others were making similarly arbitrary connections between the Ottomans' brief and brutal conquest of Otranto (1480-1), where the Strait is approximately 64 kilometers (40 miles) wide, and contemporary migration, rhetorically asking: "Wasn't it Vlorë [in Albania], the port from which in 1480 Mehmed II moved to conquer Otranto, the same city into which Albanians are pouring today?" (in Dal Lago 2004: 182). Still others raised the threat to the body of the Italian nation caused by the risk of an epidemic after a few cases of scabies were reported.

In August 1991, as many as 10,000 Albanians, many of whom arrived on the dangerously overcrowded commercial ship *Vlora*, were interned in the old soccer stadium of Bari, Apulia's capital (Dal Lago 2004: 182). The stadium was surrounded by armed police forces. The migrants were kept in the stadium for one week, under the scorching sun. The police refreshed the detainees by spraying water on them, and helicopters dropped food rations. After having been promised a residence permit, several hundreds were deported to Albania. At the national level, the image of these Albanians was now that of violent beggars wearing rags in need of rescue, nourishment, and a wash (Dal Lago 2004: 183). Albania was longer communist, and its immigrants were no longer represented as heroes.

It can be argued that detention and incarceration constituted an important early step in the Italians' acquisition of cultural knowledge and moral evaluation of "difference" (and self). Symbolically, but also in terms of logistics, the early instances of "emergency" legal and humanitarian practices in Apulia support the establishment of the border as an instrument of national protection to be effectively enforced.

Waiting for the "accident:" militarization at the border

Friedrich Ratzel,[14] in 1897, defined national boundaries as "the skin of the living state." Like the epidermis of animals and plants, boundaries "provided defence and allowed exchange to occur" (quoted in Prescott 1978: 14). Although Ratzel's metaphorical language

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[12] It is also worth considering that fascist Italy invaded Albania (1939-1943); that republican Italy has sent its Army to Albania for several missions during the 1990s; and that Italian entrepreneurs find in Albania cheap labor and outsourcing opportunities.

[13] See Pajo 2001 for an introduction to Albanian articulations of belonging and longing to travel "West," and also Kosic and Triandafyllidou 2003; Arrehag *et al*. 2006. For a fictional account, see the movie *Lamerica* by Gianni Amelio (1994). It is important to point out that Greece is also an important recipient of Albanian migrants.

[14] Ratzel (1844-1904) was a very influential figure of German ethnography and geography. He originated the concept of *lebensraum* [living space] later appropriated by the Nazi regime.

may seem outmoded, contemporary European and U.S. institutional discourses of border control do not fundamentally contradict his point. Among states, there is widespread and institutionalized consensus to lift border control for the flow of capital, non-destabilizing information, and services. But when it comes to immigrants and refugees, whether in North America or the EU, "the national state claims all its old splendor in asserting its sovereign right to control its borders" (Sassen 1996: 59).

The naturalistic description of Ratzel is matched by a broader postulated identity or naturalized interdependence between people, territory, and state. The common use of botanical metaphors, such as "roots," suggest that "each nation is a grand genealogical tree, rooted in the soil that nourishes it" (Malkki 1992: 28; see also Schneider 1969) and contributes to territorialized political assertions. Peasants, wild nature, sequoias, and eagles are among the naturalistic metaphors used around the world (Alonso 1994: 383) to essentialize the relationship between the supposedly natural spatial domain and the national one. It is true that international migration has the potential "to challenge established spatial images," and to "highlight[s] the social nature of space as something created and reproduced through collective human agency" (Rouse 1991: 9). But it is also true that the discourses on international migration revitalize the spatial imaginaries that migration confounds in practice. Thus, water for example is "a basic metaphor for immigration," and "flood" and "flows" are often used to refer to the movement of people into the U.S as well as into Italy. A flood, Leo Chavez points out, is an "extraordinary and problematic event for which a solution must be found as quickly as possible" (2001: 74). Borders, as we explore below, become (or remain) substantial icons of surveillance, sovereignty, control, low-intensity conflict, and even warfare.[15]

Social, political, and military upheaval and lethal violence characterized Albania during early spring 1997. This upheaval was largely due to the collapse of pyramid financial schemes, the consequent widespread loss of savings, and the popular suspicion of the Albanian government's involvement in the schemes or at any rate of its pervasive corruption. In a situation that many Albanians today define as "civil war," attempts to leave the country understandably intensified. What follows is the account of one of these attempts, as presented by the Italian-Albanian documentary *Jetoj* (*Jetoj-Alive*, 2004). Krenar Xhavara, a shipwreck survivor and a witness, is the main narrator and his account is essentially confirmed by successive investigations. On March 28, 1997, about one hundred and twenty people embarked on the motorboat *Kater I Rades* in the Albanian city of Vlorë ("Valona" in Figure 1). Around 4:30pm, close to the Albanian island of Sazan, the Italian Navy corvette *Zefiro* tried to dissuade them, communicating that they were "*clandestini*" [clandestine immigrants] and therefore had to turn back. A second warship, the *Sibilla*, started to chase them, and finally hit the *Kater I Rades*, causing it to capsize. The *Sibilla* allegedly left the scene, and came back after approximately twenty minutes.

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[15] Dunn 1996; Andreas 2000.

Figure 1. The Strait of Otranto (Source: Microsoft *Encarta* 2005).

The shipwreck survivors were taken on board and to the Apulian port of Brindisi, where they arrived at 2:45am. It was the night of Catholic Good Friday, when people in towns and villages of Apulia take to the street in *processione* [procession], following the statues of Mary, dressed in black, and the dead Jesus. In fishing towns, at the end of the procession, a priest blesses the crowd and the sea. Within minutes, the survivors were put on a bus, and taken away to an immigration center to be identified. In the shipwreck, Krenar lost his wife, a six-month-old daughter, his brother, sister in law, and six nephews.

Seven months after the collision the wreck of the *Kater I Rades* was brought to surface, by order of the Italian judiciary. The ship was located 35 miles from the Italian coasts. That is, no more than 10 or 15 miles from the Albanian coastline, in Albanian territorial waters. The total number of persons killed is estimated between 86 and 108. Most of the people on board had some form of identification (they were not, in any way, "clandestine" migrants), and the boat displayed white flags.

This tragedy, as many others, is popularly and institutionally defined as an "accident," suggesting also that it was the Albanian captain who caused it by his dangerous maneuvers, and moreover carrying dozens of people on a boat built for nine. After eight years of

proceedings, the Court of Brindisi has convicted both the Italian and the Albanian captains for "shipwreck and multiple manslaughter:" the first to (only) three years in prison, the second to (only) four years (Maraku 2005). The responsibilities of the "accident" are therefore attributed to both captains, but at any rate relegated to the individual level of two human beings who might have indeed erred. The larger chain of command, legal framework, discourses, and established practices already taking place in the Strait of Otranto and Italy and *resulting* in the shipwreck are not discussed or judicially investigated. Yet, on March 3, 1997, the Italian government had evacuated its citizens from Albania. On March 13, the major Albanian ports and airports were closed. On March 25, Italy and Albania signed a bilateral agreement: starting on April 3, 1997, Albanian would-be migrants crossing to Italy would be sent back to Albania, in exchange for Italian financial, police, and humanitarian assistance to the country.[16] Finally, the military "Operation white flags" was established in international waters in the Strait of Otranto, implementing a *de facto* naval blockade.[17] The 1,200-ton *Sibilla* was taking part in this blockade when it hit the *Kater I Rades*, a vessel of 35 tons.

An overview of the major national newspapers immediately preceding the collision shows a consensus on the understanding of the blockade in the Strait of Otranto. The goal of the new "hard line" is to "stop the Albanians," who are described as "*immigrati clandestini*" [clandestine immigrants; *La Repubblica,* March 25, 1997]. The major newspapers, in their sensationalistic titles, use words and phrases such as "invasion" (*e.g.*, *La Repubblica*, March 15, 1997), "exodus" (*e.g.*, *La Repubblica,* March 16, 1997), and "criminal invasion" (*e.g., Il Corriere della Sera*, March 18, 1997). After the arrival in Apulia of 15,000 Albanians, in a situation defined as an "emergency," legal decree Number 60 of 20 March 1997 authorized police prefects to expel any foreigner deemed as "undesirable" (Dal Lago 2005: 203 n.33).

But the blockade did not go uncontested. The United Nations, especially in the figure of the High Commissioner for Refugees severely criticized the blockade as "illegal" (*La Repubblica*, March 28, 1997), as it was established by Italy through a merely bilateral, intergovernmental agreement with Albania. On Saturday 29 and Sunday 30 March, 1997, the news of the disaster made it to the first page of major newspapers. The choice of words used in the headlines suggests a certain variation in the political and interpretive key of specific newspapers (*e.g.*, "*collisione*" vs. "*speronamento*" [collision; ramming]). Also, there is an emphasis on the fact that the *Kater I Rades* was an overcrowded "carretta del mare," [old, unusable boat] and that it was trying to force the blockade. In any case, there was a clear sense of the gravity of "*la tragedia del Venerdì Santo*" [Good Friday's tragedy].

The work of "dissuasion and patrol" implemented by the blockade had already been practiced not only in the Strait of Otranto, but also in Spain[18] (discouraging migration from Morocco) and in the vicinity of the Italian island of Lampedusa between Sicily and Tunisia (Figure 3). In the second half of the 1990s, Albanians were only one of the many groups trying to escape to Italy and the EU. Most notably, Kurds were trying to leave Iraq, Iran, and Turkey. The Italian Government, then guided by a Center-Left coalition, asked Turkey to "stop the exodus and reinforce the control of its ports," which in practice would have entailed

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[16] For an exhaustive account of Italian "politics of proximity" with Albania see Perlmutter 1998.

[17] Italian Military Navy authorities do not accept the definition of "blockade," as the term is officially reserved for a state of war. On the Italian Military Navy's role in combating "maritime clandestine immigration," and for its own statements and position on the *Kater I Rades*, see Caffio 2003.

[18] See APDHA 2006.

an even stronger, more severe, and more brutal repression of the Kurdish minority (Delle Donne 2004: 146). *Fanav Formed,* a naval formation of NATO patrolling the Mediterranean anticipating a potential military intervention in Kosovo and the rest of Serbia, joined in the patrolling effort of the *Marina Militare Italiana*, the Italian Military Navy (*ibid*.: 147). The military attack against Serbia did indeed take place, and the Italian Government formulated a policy of temporary assistance and protection for Kosovar Albanians fleeing Kosovo, in both Italian and Albanian camps. But this policy was extremely short-lived, and it drastically changed immediately after the end of the military campaign, in June 1999. Already during summer 1999, people identified as Roma, now subject to Albanian revenge for an alleged loyalty to Serbian forces in Kosovo, were not legally considered refugees, since the war in Kosovo had officially ended. Moreover, their derogative definition in Italy as *Zingari* [Gypsies], building on a long history of popular and institutional racism and exclusion, reinforced, as still does, the exclusion from Italian territory. Statements by the then-Governor of the Apulian Regional Administration Mr. Distaso, an influential *demographer*, summarize this exclusion: "the mobility of Roma is extremely dangerous for the typology and the history of their people. […] Gypsies, for the tribal traits they show, are a danger to our Region [Apulia]: it is an undesired movement that could create tensions" (*Il Corriere della Sera*, August 25, 1999; in Delle Donne 2004: 148). In response, the Ministry of the Interior allocated resources to install video cameras on roads and beaches "at risk" (*ibid*.). It is estimated that up to 100 people, mostly Roma, died off the Montenegrin coast in August 1999, trying to reach Italy on a fishing boat after having escaped from the violence of Kosovo directly targeting them or their communities (*Il Corriere della Sera*, August 24, 1999; in Delle Donne 2004: 148).

    Since the early 1990s, the Italian *Guardia di Finanza* military force [Customs/Tax and Excise armed force] has emerged as the predominant agency in Italy in preventing undocumented migration, mainly because of its traditionally large fleet (Lutterbeck 2006: 65). Between 1989 and 2000, its budget almost tripled, and many of its boats and aircrafts have been equipped with military-style technologies such as thermal cameras and FLIR (Forward-Looking Infrared) systems of night vision and surveillance (*ibid*.). Similarly, in 2002 about one-quarter of the Italian Military Navy's total hours of navigation were exclusively devoted to immigration control (*ibid*.: 67). In January 2003, the military navies of France, the UK, Spain, Portugal and Italy launched "Operation Ulysses," aimed at preventing undocumented migration across Gibraltar and to the Canary Islands (*ibid*.: 68).

    On July 24, 2000, together with "the usual" migrants (six deaths), two soldiers died when their patrol collided with the migrant's boat. As reported by Delle Donne (2004: 153), the comments of fellow soldiers, and newspaper titles, made it clear that it was a "war" that was (and still is) being fought, the "war against clandestine immigration," now finally talked about "because there are our dead" (*Il Messaggero*, July 25, 2000). The death of two Italians prompted the national government to ask the assistance of the European Union, "on whose behalf it was fighting that war" (Delle Donne 2004: 153), and to envision new practices of dissuasion. In the words of a government officer, "we need to stop clandestine migrants [*i clandestini*] in the ports of departure, since state-of-the-art radars, night goggles, helicopters, ships, patrols, and even formal cooperation with the countries of origin has been of no use" (*Il Messaggero*, July 26, 2000; in Delle Donne 2004: 153). To this list of high-tech tools, a very competent informant of mine adds the ropes that the border patrollers in the Strait of Otranto

have used to jam speedboats' engines, obviously creating a hazard for migrants. Despite the failure of high-tech methods of warfare, the Center-Left Ministry of the Interior (2000) was confident that "state-of-the-art ultra-radars from Israel, from whose scrutiny soon not even a pin will escape," together with higher salaries for border patrollers, would make a difference in the prevention of migration (*ibid*.).

The U.S.-Mexican border is the model for countries such as Italy whose aspirations of border control are more recent. Italy has acquired from San Diego-based General Atomics, for about 50 million dollars, five "Predator" unmanned aerial vehicles (UAVs). A specific new law, number 178/2004, had to be passed to allow UAVs flights in Italian airspace, and according to the Italian Air Force and the Italian government these planes are to be used to "combat international terrorism *and clandestine immigration*" (*ANSA* news agency, my emphasis, January 11, 2005). In the Strait of Gibraltar, 14 kilometers wide (8.75 miles) at its narrowest point, a new surveillance system, SIVE (Integrated External Vigilance System) scans coastal areas for migrants using high-resolution infrared cameras as well as radar systems in patrol boats and helicopters. The "efficiency" of the system, for which the *Guardia Civil* in 1999 was allocated 200 million Euros (Lutterbeck 2004: 66), and which even awoke "US interest in SIVE for the war against terror," made *Deutsche Welle*, the respected German-based international broadcaster, announce that "[I]llegal immigrants attempting to cross the Mediterranean sea [are] at a higher risk than ever before. High-tech surveillance systems leave them no choice but to take far more dangerous routes" (*Deutsche Welle–World*, July 16, 2004). Given such a logic of "border escalation" (Andreas 2000), it is possible to identify a vicious dynamic whereby stricter enforcement efforts provoke new and more radical responses on the part of smugglers and undocumented migrants, in turn giving legitimacy to attempts of further border militarization and surveillance. Political scientist Wayne Cornelius (2005) has demonstrated that the partial fortification of the U.S.-Mexico border has resulted in an increase of migrant deaths[19] due to the riskier routes in the desert.

And yet, the alleged state's power of surveillance, vision, and gaze, cannot fully satisfy border enforcement actors and politicians. The state cannot content itself to stand by and "watch" migrants and vessels breach its territory. It needs to be able to *force* unauthorized vessels to turn back. It is this need that requires the use of warships. In this framework, military action, as the *Kater I Rades* case suggests, is not merely that of deterrence or territorial and maritime surveillance. Rather, military action is intended to be coercive, if only by the threatened use of force. In light of the militarization of maritime borders, and of the accompanying criminalization of migration in national mass media, the *Kater I Rades* case is not a tragedy, an exceptional event, a fatality, or an accident. It is the outcome of a "war," as the border agent above put it, in which civilian victims, certainly mourned, are expected. But there is an important difference with war. In the rhetoric of contemporary wars conducted by western liberal democracies, it is governments, infrastructures, military installations, and political systems that are the official and intended targets. In the case of the war against "*immigrazione clandestina*" [clandestine immigration] there are no intended targets except providers of unauthorized transport, their boats, and therefore necessarily migrants

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[19] These deaths amount to an estimated average of at least 410 per year (Cornelius 2005). This gives unfortunate primacy of lethality to EU borders (including the Mediterranean divide). On the basis of UNITED 2005, as mentioned above, we can estimate an average of at least 500 migrant deaths per year (since 1993) at the borders of the EU.

themselves. This is made clear by statements from two leaders of the Northern League party, a member of the Center-Right governing coalition between 2001 and 2006. Mr Bossi, then Minister of Reforms, answering a journalist who reminded him that migrant boats are often crowded with women and children, declared that:

> clandestine immigrants are to be kicked out. Only those with a job contract can enter the country. The others should be kicked out. There comes a moment when the use of force is necessary. *Marina Militare* and *Finanza* must line up to defend our shores and use their cannons (Bossi in *Il Corriere della Sera*, June 16, 2003).

It is not surprising, therefore, that another Minister declared on national TV that immigration law should be better applied by those border police forces that instead of working for public order and security carry on a work of "rescue[20] and red cross;" thus, "migrants *enter* […] and assail you, rob you, rape you, or perhaps assassinate you" (Calderoli, August 17, 2004).

In the Italian political landscape these kinds of statements are often disregarded as expressions of a populist political folklore, and as attempts to gain leverage in the difficult relationships within the Center-Right coalition. At the same time, I think it is important not to disregard their effects. While they are certainly perceived as exaggerated in their tone and suggestions, they do contribute in setting the political agenda, and are to be framed within largely accepted Italian state policies and practices of border enforcement. In fact, politicians of opposition parties do not essentially question the modalities of border enforcement and their lethal outcomes. Rather, they tend to express outcry at the *failure* of the deterrence policies of the Center-Right governing coalition.[21] To mention one example, Giannicola Sinisi, in charge of the immigration department of the Center-Left *Margherita* party, laments that:

> within 24 hours more than 800 people have disembarked [in Lampedusa], which shows the absolute inadequacy of the *Bossi-Fini* [the immigration law]. It is a continuous emergency. Where are the bilateral agreements with Mediterranean countries the government brags about so much? When tested by facts, they appear to be merely tools of propaganda.
>
> (Sinisi in *La Repubblica*, July 19, 2005)

State policies and practices, reiterated by the mass media, have therefore consistently reinforced a culture of emergency and exclusion toward undocumented migrants, and more broadly "*stranieri*" [foreigners]. They have fostered and often *anticipated*, rather than

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[20] The reader should keeping mind a major difference in legal provisions regarding rescue between "Anglo-Saxon law" and the law of several European countries, including Italy: "In contrast to Anglo-Saxon law, which discourages interference in another person's affairs even for the purpose of saving him [*sic*] from imminent danger of death," European countries have "specific provisions in their criminal codes stipulating a duty to rescue" (Rudzinski 1966: 91-92). Even the punishment for leaving the place of an accident in which one is involved is in the U.S. and other countries "for the positive act of fleeing, not for an omission" (*ibid*.: 93) as it is instead in Italy with the charge of "*omissione di soccorso*" [omission of rescue].

[21] I attribute Center-Left coalition's outcry to a) its political role of "opposition," and b) an ill-intended assumption of "the public" of electors as disappointed by the Center-Right government's failure at immigration control.

reflected, an exclusionary knowledge of migration as a "threat" to security and public order. This is evident for example in the pervasively redundant governmental use of the substantive "*clandestini*" [clandestine migrants] emerging from the accounts above, and in specific legal provisions. The legal decree Number 152 of May 2, 1995, established the Army mission named "Salento." Between May and November 1995 about 500 patrols were dispatched to the coastline of Salento, in southern Apulia, with the objective to "obtain a more pervasive control of public order and guarantee citizens' security" (Esercito Italiano n.d.). According to the Italian Army's website the mission can be considered an "important" operation featuring, among others, the following outcomes:

- 1,650 places of observation
- 767 vehicle controls
- 2,604 procedures of identification
- 3,029 arrests of *clandestini*
- 10 arrests of suspicious persons
- Total deployment of 1,713 soldiers (*ibid*.)

The Army had been previously deployed to parts of southern Italy on missions targeting Mafia and other forms of local organized crime. However, this time "the threat to be faced is different: not strictly internal anymore, but rather coming from abroad" *(ibid.)*.

Over the years, technology has been more and more used to counter such "threats" from abroad, especially in the form of migrants hidden in commercial trucks. Thus, the commercial port of Bari can count on *Cargo Mobix 3800M 3.8 Mev,* a special truck of the Italian *Polizia* (Police) created in 2005 that is able to scan commercial trucks with x-ray technology to detect carbon dioxide and heart beats, thus indicating the presence of migrants. Each vehicle costs approximately 3.5 million Euros. Among the *Mobix's* publicized successes is the discovery of seven "*clandestini extracomunitari*" [non-EU clandestine migrants] in a Greek truck in the port of Bari. The migrants, Bangladeshis and Pakistanis, were hidden among olive cans (*ANSA* news agency, March 15, 2006). One more piece of information confirms the approach of Italian governmental authorities vis-à-vis migration. During 2004, approximately 115 million Euros were spent in "exclusionary" activities to combat undocumented immigration, while 29 million Euros were spent in activities of migrant assistance and "inclusion" (*Il Manifesto*, May 11, 2005).

The "electronic curtain" is a novel and expensive component of border enforcement. The Schengen Information System, for example, facilitates the exchange of information between national authorities concerning unwanted and illegal immigrants and stolen and smuggled vehicles (Walters 2002: 569). More and more frequently, "white" lists of individuals are being compiled (and therefore "black" ones as well) toward the implementation of electronic borders, or e-borders. With the implementation of e-borders, "security threats" posed by travelers are assessed *in advance* of arrival, to use the British Home Office's publicity (2005: 19). At the same time, it is important to point out that migrants and travelers are only the most visible "targets" of this machinery (Inda 2005) which, more and more often, inserts in its mechanisms citizens as well as non-citizens, within specific countries but also at interstices and "liminal spaces" (Donnan and Wilson 1999: 131) such as borders, airport and other checkpoints, territorial and international waters, and phone, electronic, and wireless spaces of communication.

Living with death and with its ghosts

The life of undocumented migrants is often characterized by waiting. In the words of Fawzi Mellah, a Tunisian scholar and writer, they live "in a temporality of little immediate futures" (Mellah 2001: 42). It is not the destination that forms the journey, but rather the contingencies of the journey that result in a certain point of arrival[22] (*ibid*.: 89). Migrants wait for the smuggler's decision to take them on board; for the benevolence of an employee; for the police; for an amnesty; for a positive change in immigration regulation; for the boat that allows to reach a destination; or for death. Fishermen, coastal populations, and TV viewers in Italy also live with migrants' death. What are, then, some of the legal and representational mechanisms hindering (or prompting) these Italian citizens' moral and political intervention vis-à-vis death?

Figure 2. Otranto's cemetery: *Ignoti*, unknown migrants perished in the Strait of Otranto (photo: author).

On June 15, 2001, the Italian national daily newspaper *La Repubblica* published pictures of a sunken ship and of bodies drowned as the ship went down off the Sicilian coast. Those images, and the article, referred to the shipwreck between Malta and Sicily of December 26, 1996, one of the worst Mediterranean maritime disasters since World War II.

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[22] On the methodological and analytical problems of mapping and interpreting "routes" of unauthorized migration (to the U.S.), see Coutin 2005. Coutin also effectively problematizes spatialized conceptions of "arrival" for unauthorized migrants that do not take into account their legal status.

283 undocumented migrants, mostly Indians, Tamils from Sri Lanka, and Pakistanis, died; 29 people survived.

The survivors' accounts (in Bellu 2004) explain that a collision took place between Malta ("La Valletta" in Figure 3) and Sicily's southernmost point, Capo Passero.

Figure 3. The Strait of Sicily (Source: Microsoft *Encarta* 2004).

The *Yiohan*, a Honduran-flagged cargo ship, was transferring nearly 300 migrants to the *F-174*, a much smaller and agile wooden vessel apt to take them to the Sicilian coast. The weight was too much for the *F-174*, and probably not well distributed, and the sea conditions were negative. It began to slowly sink. The captain changed the course and veered towards the *Yiohan* to be rescued before the ship was totally flooded. The *Yiohan* crew also headed back toward the *F-174*. The two vessels crashed, breaking the prow off the smaller ship and sending it to the bottom of the sea. The *Yiohan*, without calling an SOS, veered toward East, and after three days reached the Greek Peloponnesus, where it disembarked the 29 survivors and all the other migrants who had not been transferred to the *F-174,* for a total of about 150 people. One hundred of these people were immediately arrested by the Greek police (and soon repatriated), and they narrated the tragedy they had witnessed. It was only after eight days, on January 4, 1997, that the major Italian news agency, *ANSA*, circulated the news. *ANSA*'s statement used the conditional tense, and mentioned the skepticism of Greek and Italian

institutions because no trace of the shipwreck had been spotted. In fact, both Italian and Greek authorities suspected that the migrants had invented or at least exaggerated the tragedy to affect public opinion and to have a chance to avoid expulsion from Greece. It took nearly five years for the shipwreck's events and gravity to be acknowledged. During those years, some of the migrants' relatives in Asia, and the leaders of kinship and other networks that were waiting for them in Sicily and the rest of Italy and Europe, tried to involve more directly the Italian, Greek, Egyptian, and Maltese governments and police authorities, asking them to conduct an international investigation. Already in January 1997, five members of parliament had brought the issue to the attention of the Italian Parliament and Government. In June 2001, four Italian Nobel awardees wrote to the Italian government, soliciting the recovery of the wreckage and of the bodies, as some of the relatives had been doing since 1996. The wreckage lies at a depth of 108 meters (356 feet) in international waters off the coast of Capo Passero.

The search for the wreckage, and the submarine pictures, were not commissioned and financed by the Italian authorities, but by a newspaper, *La Repubblica*, whose journalist Giovanni Maria Bellu had conducted an investigation in southern Sicily, talking with fishermen, local authorities, and relatives of the victims. As a journalist himself, Bellu is able to understand and share some of the internal logics of news making that (before the availability of the pictures) had not made of that shipwreck a case worthy of front-page news. As Bellu explains, "news ceases to be news when mass media decide not to cover it anymore, even if it is big news" (2004: 14). In the six months following the shipwreck, the *Yiohan*, now with a different name, was seized by Italian authorities; a judicial case was opened; and a corpse was found in the Capo Passero area. These events, by themselves, were not quite headline-worthy (*ibid*.: 15). In fact, these media logics, together with the indolence of Italian authorities, made of the shipwreck a "*naufragio fantasma*" [ghost shipwreck] in public discourses. But local fishermen had long been finding in their nets evidence of a shipwreck: "We found dozens of them. They ended up in the nets, and we took them up on board with the fish. At the beginning it was whole corpses, then pieces, finally white, clean bones" (fisherman, in Bellu 2004: 33). Why, then, were these corpses just tossed back into the sea, and the authorities never alerted? The explanation might be very banal. A few months before the *F-174* shipwreck, a fisherman had found a corpse, taken it on board, and brought it to the port to the attention of local Coast Guard and police forces. Interrogation and other bureaucratic and police practices blocked the fishing boat and its owner for weeks, causing the loss of workdays and consequent financial loss for the person, and his family, whose only source income was fishing. We find in the words of another fisherman a possible explanation for the subsequent behavior with the *F-174* bodies: "When, toward the end of 1996, we noticed all those corpses, there was no need to reach any agreement between us fishermen. We all knew that if we announced our findings, the whole fleet would be forced to stop. We just couldn't afford it" (fisherman in Bellu 2004: 35). Still, Bellu poses important questions that point to the larger conditions that allowed the fishermen's behavior. Had the corpses shown a whiter skin, perhaps fishermen would have thought that serious rescue operations were taking place; perhaps they would have feared being discovered; or the corpses would have brought to the fishermen's perception that perhaps those people had a history and a family waiting for news (*ibid*.: 59). What I want to point out, though, is that this potential form of post-mortem discrimination did not happen because of an alleged innate racism. On

the contrary, it inserts itself in a structurally racist framework, in which every TV-watching Italian learns--from its political representatives and *from the very fact that migrant deaths are routine*--that it is morally acceptable to tolerate migrants' death, especially when they come on overcrowded and chaotic ships from supposedly overcrowded and chaotic "Asia" and "Africa."

How, then, can Italian and European citizens appease their obvious uneasiness at death and re-elect their political representatives, knowing that in representative democracies it is in their name and on their behalf that migrants are killed (as in the *Kater I Rades* and similar cases) or are "let to die" (Foucault 2003: 247) trying to reach Europe? There is *always* a social, legal, and political structure encouraging or discouraging compassionate and more broadly moral intervention,[23] be it that of fishermen and coastal populations, or that of citizens watching the chronicle of death from their living room,[24] who might or might not intervene to at least notify their institutions and political representatives of their uneasiness at these chronicles. The moral intervention of *potential* "good Samaritans" is always inscribed into constraints or enabling conditions such as legal prescriptions or sanctions; institutional incentives or hurdles; social obligation versus the professionalization and specialization of morally-driven intervention. For example, after one of the tragedies in the Strait of Sicily in August 2004, in which 28 people died, several of the surviving migrants have complained about at least eight vessels seeing and ignoring them and keeping to their routes (*La Repubblica,* August 10, 2004). In the past, fishermen rescuing migrants at the mercy of the sea have been prosecuted for complicity in illegal immigration; their fishing boats have been temporarily confiscated; and their homes have been searched (see Delle Donne 2004). This is an institutional way, intended or not, to discourage the solidarity that every sailor is ready to extend to *any* fellow seafarer. At the same time, it enables the state to claim the monopoly on "humanitarian" and rescue operations involving migrants.

Might this paradoxical *monopoly on humanitarianism* provide a popular legitimation, complementary to the protection from "external" threats, to the costly and often lethal large state project of human mobility regulation? This legitimation would mirror what elsewhere (Albahari 2006b) I propose is the legitimation for the processing and detention of migrants in state facilities: namely, the state's claim that these are facilities of humanitarian assistance, charity, and *accoglienza* [welcome]. At the rhetorical, institutional, mass media, and EU inter-governmental cooperation level, the humanitarian approach to undocumented migrants is conflated with the struggle against trafficking, and it constitutes a moral and political priority:

> The main influxes of clandestine immigration to Italy are often constituted by migrants victims of the heinous phenomenon of human beings trafficking, managed by ethnic criminal organizations and consigned to sexual and labor exploitation or to the employment of minors in begging. (Ministero dell'Interno 2005: 44).

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[23] See Ratcliffe 1966.
[24] See Boltanski 1999.

Hundreds of EU documents, intergovernmental meetings, bilateral agreements, and Italian documents and public statements are presented as intending to curb "human trafficking" and prevent terrorist infiltrations, to which the regulation of human mobility is associated. In fact, a human rights organization has documented that in 2004, 71 out of 289 total deaths of seaborne migrants attempting to enter Spain from Morocco occurred at the very moment of interception at sea by Spanish authorities, which suggests that interception--presented, in the Italian case, as humanitarian *rescue*--constitutes a major risk migrants incur (APDHA 2006: 9).

National mass media do present the events of migrant deaths, even if not in their top headlines. But in their narratives the "humanitarian" interpretive key dominates a larger moral economy that is coextensive with, rather than antithetical to, practices and discourses of inviolability. In further analyses of news making, then, attention should be dedicated to the mechanisms and interpretive keys and framework through which these deaths are presented; to routine structures and logics of news production rather than to alleged conspiracies. Media do often reproduce and maintain "*the definitions of the powerful.*" But they do so, it is hoped, "without being, in a simple sense, in their pay" (Hall *et al*. 1978: 57; original emphasis).

The events reported by the media as "news" only "make sense" if they can be located within certain established social and cultural identifications. In Stuart Hall's words, this "process of signification – giving social meanings to events – both assumes and helps to construct society as a 'consensus'" (*ibid*.: 55). But this process is not neutral, democratic, and egalitarian. The drive toward objective and authoritative statements and impartiality needs to follow an established hierarchy of credibility (which situates politicians, consultants, spokespersons, and experts at its top), and therefore implements a "structured preference given in the media to the opinions of the powerful," which in turn become "primary definers" of topics and of interpretive keys (*ibid*.: 58). Most importantly, their primary definition "*sets the limit* for all subsequent discussion by *framing what the problem is*" (*ibid*.: 59; original emphasis). In this understanding, mass media and news-making are often not the primary definers, but rather their official translators, as they reproduce and transpose into a public idiom the statements and viewpoints of the primary definers.

Opposition and resistance to lethal border enforcement practices, and more broadly to the Italian and EU border regime does exist. Certain employers and entrepreneurial representatives reiterate their requests to the Italian government for *more* migrant workers. Italian and transnational NGOs, Catholic groups, activists, and individual journalists and political actors have pointed out the inequality and injustice *inherent* in such regime. Sit-ins are organized, and the web offers several precious resources (needing to be *actively* sought, though), including critical analyses. And yet, this *rather pervasive* involvement is defined as an "activist" involvement, excluded from the more general, *unmarked* public awareness currently constituting the accepted "regime of truth" (Foucault 1980: 131) framing immigration debates. Critical voices have been and still are expelled from mainstream public discourse on this subject, and have been routinely attributed to the alleged radicalism of leftist and anarchist groups. Through familiar communication strategies, governmental actors, primary definers of the problems, stakes, and solutions of undocumented migration and migrant death, charge any critic with wanting to open the country to organized crime, terrorism, and "*clandestini.*" The ideology of a relatively small social group—constituted by a small minority of scholars, politicians, nationalists, and military elites—ceases to be a partial

ideology and becomes a naturalized hegemony,[25] exercised in everyday as well institutional arenas. Every criticism to hegemony challenges established "normality," and therefore is discounted as utopian, radical, or disruptive of the social and political fabric of the common good, of the nation state, and of the EU. The result of these mechanisms is that Italian subjects, under the homogenizing fictions[26] of "the public,"[27] "the public sphere,"[28] "the nation,"[29] "the citizens,"[30] or "the social body"[31] are produced as the "consensus" they were *postulated* to be by the social groups responsible for the state project of border enforcement and militarization: racist, selfish, xenophobic, nationalist, fearful, and passive individuals needing and waiting to be defended and led by their anointed leaders. I write "postulated" on the basis of my ethnographic fieldwork, but also pointing to the interpretation of quantitative literature focused on both Europe (*e.g.*, EUMC 2005) and the U.S. Thus, in a Pew Hispanic Center review (2006)[32] of surveys we read that :

> The polls do not suggest major shifts in public opinion over the spring [2006] as a result of either the immigrant marches or the policy debate with one important exception: The share of Americans who see immigration as a major problem has been increasing rapidly […].

These data consistently suggest (*although almost never explicitly*) that surges in "popular" concerns with migration, documented or undocumented, temporally *follow* national "policy" or "public" debates (that is, performed by national media with the participation of politicians, and vice versa) on immigration or facets of it. In turn simultaneously to the establishment of "immigration as a major problem" certain leaders can emerge as contemporary *defenders* and secular pastors (Albahari 2006a) of the nation, its borders, its welfare, and, as Ratzel suggested, its social body.

Yet, it is important to emphasize that hegemonies need to be continuously nourished and sustained (which may or may not happen), and that they always encompass forms and potentials of resistance. Shifts in social practices, political leadership at the national and local level, geopolitical conditions, and perhaps, in the longer term, evidence of Italy's and Europe's depopulation and need of labor can prompt shifts in interpretive keys, and open up spaces of debate and political re-elaboration that reform institutional and popular understandings, practices, and lethal policies of migration.

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[25] Fieldwork has made evident that, to use Gramsci's articulation, "intellectual, moral and political hegemony" might often be attained through "molecular" enterprise, that is, *not* through a programme "worked out and constituted according to a plan, *in advance of the practical and organizational action*" (Gramsci 1971: 59-60, my emphasis). My use of "hegemony" and cognate terms in the paper resonates with this understanding.

[26] In the understanding not of something "false," but of a social construction always needing a certain labor and imagination toward its formation and the (re-)production of its shape.

[27] See Warner 2005.

[28] See Fraser 1992.

[29] See Anderson 1991.

[30] See Balibar 2003.

[31] See Chavez 2001.

[32] I am grateful to David Fitzgerald for forwarding me this review and for his insightful comments on the review's findings.

Death by policy

In June 1997, an Italian entrepreneur in Albania killed three Albanians trying to assault his factory. There were no judicial consequences for him (Dal Lago 2004: 197). On March 28, 2006, a policeman of the special vandal squad killed Rumesh Rajgama Achrige, 19, born in Sri Lanka and resident in Italy for six years with his family. While driving his car with Italian friends in Como, Rumesh was stopped by local police in civilian clothes, perhaps recognized as a graffiti-writer. He was shot in the head after running away a few yards (*La Repubblica*, March 29, 2006). On March 5, 2006, three dead "immigrants" were found in the port of Bari, in a commercial truck from Durrës, Albania. Blackened by the silicon with which they shared the cargo, they appeared to be in their mid-twenties, probably from Macedonia-FYROM (*La Repubblica*, March 6, 2006). In early October, 2006, six "sub-Saharan migrants" were killed by the Moroccan police, when they tried to "assault" the border and enter the Spanish enclave of Melilla, in North Africa (*La Repubblica,* October 6, 2005).

On January 26, 2006, Andi Saraci, 26, a documented Albanian migrant, was shot when spotted trying to force a residential window. The homeowner maintained he had warned the would-be intruder to desist, and that he did shoot toward the lawn, without realizing he had injured anybody. He shot 13 times (*La Repubblica*, January 27, 2006). While this homeowner has been charged with voluntary homicide, his emulators will have much more freedom to shoot whomever threatens them or their property, including migrants. A new law, Number 59 of February 13, 2006, considers such shootings as falling under legitimate defense. The law was strongly wanted by the Center-Right governing coalition (2001-6) and especially by the Northern League. In the rhetoric of their public statements, party representatives have made it evident that they have a clear profile of who the targets of legitimate defense will be: migrants.

The death of migrants in the Mediterranean, at the hand of Italian citizens or of the police, and at the workplace,[33] is of course not empirically related. And yet, it suggests that migrants are in some way more "disposable," or face an increased risk of death, than Italian workers, thieves, travelers, and so forth. In the case of unauthorized travel, among the causes of death there are shipwrecks and drowning, including in rivers and lakes; asphyxia (in trucks or cargo containers); hypothermia (in boats or on planes); mine fields; suicide; and violence by police forces. Migrants die not only in the Mediterranean, and not only in Schengen countries, but also in countries external to the frontiers of Schengenland where the work of migration management and deterrence is increasingly delocalized. In the paragraphs below, we explore the case of Libya.

Marikos Habton, 17, saw his fellow travelers drown in the sea facing Gela, Sicily. Eleven bodies were retrieved, while ten other persons were missing, either dispersed or "escaped before the rescuers' arrival" (*La Repubblica*, September 11, 2005). Part of a group of four hundred, Marikos, a student from Eritrea, crossed on a truck through Sudan, Egypt, and Libya, and finally made it to Italy. For this 17-year old who survived the perils of such a journey, "the fear arrives now," in Sicily. It is the fear of deportation to Libya: "Italian policemen are very nice, they rescued us, they fed us, and are helping us, but we know they will send us back. We don't want this" (*ibid*.). Between October 2004 and August 2005 Italy

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[33] According to the latest figures, in 2001 the rate of workplace accidents for "foreigners" was approximately one for every 10 workers; for Italians it was one for every 25 workers. See StranieriinItalia 2004.

organized the collective deportation to Libya of migrants (mostly non-Libyans) arrived to its southernmost island, Lampedusa. In addition, Libya is a country under international scrutiny for its human rights record and the lack of refugee protection. According to Amnesty International-EU office (2005), "on 17 March [2005], the Italian authorities forcibly returned 180 people to Libya, where they may be in grave danger. Non-Libyan nationals risk detention on charges including illegal entry into and exit from Libya." Many of the collectively deported migrants successively deported by Libya (if not detained there) risk torture and imprisonment in their home country. Thousands of migrants die in the Libyan deserts, either on their way to the northern coastal part of the country, and potentially to Italy, or in the process of repatriation to sub-Saharan countries. In one of the known cases, the bodies of at least 93 African migrants were found in the Sahara in southern Libya near the Niger border (*The New York Times*, May 19, 2001). In August 2005, Libya and the International Organization for Migration (IOM), the inter-*governmental* organization, signed an agreement that, in the intentions of the Libyan representative, will be functional to "curbing irregular migration and promoting orderly and humane migration management" (IOM 2005).

The practice of deportation to Libya, implemented by Italy through special flights, has been strongly condemned by the UNHCR and by the European Parliament. The European Parliament's "Resolution on Lampedusa" of April 2005 clearly points out, among several violations of basic human rights, that *en masse* deportation constitutes a breach of the 1951 Geneva Convention Relating to the Status of Refugees (article 33.1), which requires individual cases to be genuinely examined and prohibits the expulsion or return (*refoulement*) of refugees. Moreover, it is concerned by (the secrecy of) the bilateral agreement between Libya and Italy, whose effect is "to give the Libyan authorities the task of supervising migration and to commit them to readmitting people returned by Italy" (European Parliament 2005). More specifically, the resolution expresses concern over the treatment and deplorable living conditions of people held in camps in Libya, as well as over the massive repatriations of foreigners from Libya to their countries of origin, to which Libyan official sources attributed, as of April 2005, the death of 106 people.[34] In any case, Italy succeeded in lobbying the EU to end the arms embargo imposed on Libya since 1986 (for terrorist activities), in order to provide the country with various military and surveillance equipment—such as radars and night vision devices—to strengthen its border surveillance. Moreover, Italy has trained Libyan officers specialized in immigration and human trafficking. The Italian Government is unofficially involved in financing existing Libyan camps. Additionally, with absolute popular unawareness of the subject, it is planning the construction, if not already constructing, "in Garyan, not far from Tripoli, the first Center (of 3 planned) of detention for irregular foreigners to be repatriated, with a capacity of 1,000 places" (Ministero dell'Interno 2005: 43). Italy and other EU countries are actively "externalizing" immigration control and Schengen border enforcement to "gatekeepers" and "buffer states" through bilateral agreements, visa regimes, carrier sanctions, military training, and the establishment of migration detention facilities. The goal is that would-be migrants or asylum seekers do not reach the territory of the receiving countries. At its extreme, this delocalization also includes the *delocalization of death*.

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[34] There is no mention of the period in which these deaths occurred. In any case, journalists and human rights activists suggest that this figure is an extreme underestimation.

When migrants survive their transportation to an EU country, the labor of their care, control, and processing before deportation is delegated to local private actors such as municipalities, charitable organizations, and, in Italy, parts of the Catholic church (Albahari 2006b). The intersection of all such varieties of immigration regulation and management, and especially the pervasiveness of bilateral and inter-governmental agreements, in addition to obliterating legislative debate and fostering a depoliticization and technicalization of governance, allows governors and migration control officials "to avoid the judicial scrutiny that they face nationally" (Lahav and Guiraudon 2000: 59), and to limit migrants' access to the judicial system. Thus, decisions taken among European states on what they define as "manifestly unfounded claims" and supposedly "safe" third countries prevent asylum seekers from having their applications fully examined by the legal system, rather than by police forces. Obviously, interdiction at sea does not allow potential asylum seekers to even *present* their claims. In this light, the European Parliament's "Resolution on Lampedusa" presented above*,* or similar UNHCR concerns over deportations to Libya, are driven by an abstract humanitarian discourse *exceptionally* and solely prompted by Libya's human rights record, rather than by a discussion of the actual legality and opportunity of Italian immigration policies and practices. Further, as anthropologist Marie-Benedicte Dembour summarizes an understanding already articulated by Hannah Arendt, "although the ideology of human rights does away with the concept of the state to concentrate on the equal value of all human beings, its practice relies on the way in which individuals are classified *in relation to a state*" (1996: 29; original emphasis).

In the paragraphs below, we further map the relationships between migration, legality, and the moral economy governing migration and its institutional management.

Glimpses into the moral economy of unauthorized transport

Scafisti [boatmen] are, in Italian political and mass media discourses, reckless "*killers*," "*negrieri,*" [slave traffickers: *Il Messaggero*, September 16, 2002] and more generally unscrupulous criminals ready to toss their cargo into the sea. To support or discredit such stereotyped generalizations is beyond the scope of this paper. Instead, I intend show how relations of power, including institutional settings, networks and contingencies make death in the Mediterranean possible and frequent. The responsibility goes well beyond individual *scafisti*, who, in Albania, often maintain that for all mechanisms to work, there were various scales of connivance and corruption, involving local authorities, the police, and the larger institutional framework of both Italy and Albania.

Vlorë is the second largest port city of Albania after Durrës, and the port of origin of most of the unauthorized vessels crossing the Strait of Otranto. The night of January 10, 2006, saw the latest known tragedy in the Strait. The Italian Coast Guard, stationed in Vlorë, retrieved twenty bodies, most probably perished to hypothermia. Seven more people were dispersed. They were trying to make it into Italy, after the payment of 1,500 Euros each. The two boatmen, who were driving a twelve-meter rubber speedboat, managed to survive the freezing cold and the sea conditions, and were arrested.

Figure 4. Port of Otranto: A *Guardia di Finanza* speedboat confiscated to Albanian *scafisti* [boatmen] (photo: author).

Both migrants and *scafisti* were from Shkodër, in northern Albania. One boatman's father, head of Shkodër's anti-terrorist police unit, was arrested. The uncle of the other driver, the vice-director of Vlorë's port authority, was also arrested (*Il Manifesto*, January 11, 2004). Memories of the 1990s, when the smuggling industry flourished with the connivances of authorities, resurface. But analysts and police forces in Italy agree that the transit of migrants across the Strait of Otranto has extremely diminished in comparison to the 1990s. On the other hand, it seems that the smuggling of drugs is still a profitable and frequent activity. An explanation of the causes of the decrease in transportation across the Strait of Otranto would need to take into account political compromises within and between Albania, Italy, and the EU; shifts in southeastern European and global geopolitics vis-à-vis the 1990s; and possibly the increasing costs of the enterprise, both in terms of *scafisti* arrested and boats confiscated. Also to be taken into account are the bilateral agreements between Italy and Albania, which allow a fast repatriation of Albanian undocumented migrants, and feature joint patrols along the Albanian coast and the provision of technical equipment and military and intelligence expertise. At the same time, it is important to point out also the changed conditions of the Italian economy. As summarized by sociologist Devi Sacchetto (personal communication, 24 September, 2004), factories and firms in northeastern Italy have notably decreased their demand of cheap labor previously met by Albanian migrants, for three reasons. Firstly, they are facing stagnation. Secondly, they can count on a Romanian labor force who can, since January 1, 2002, travel to Schengen countries for up to 90 days without a visa. They

sometimes stay more than 90 days, and work without being authorized to do so. They do not need to be smuggled into Italy, as is the case for Albanians. Finally, Italian entrepreneurs have increasingly delocalized their production to countries such as Albania, thus paying each worker about 100 Euros per month, one-tenth of what the same worker would cost if allowed to work for the same firm in Italy.

Already in the early 1990s, fishing boats from Apulia freely went to Vlorë to buy certain valuable varieties of fish, to be sold back in Italy at five or six times the price. At the heyday of migrants' smuggling to Apulia, in the mid-1990s, accounts from Vlorë point out the fundamental role of smuggling in the local economy. In August 1996, one could count in Vlorë's port approximately 70 rubber speedboats.[35] About one third of these took the sea each night, carrying 16-20 persons each paying 600-650 US$. Non-Albanians, such as Kurdish, Chinese, Pakistani, and Filipino migrants, paid an additional 200-250$. Crossing the Strait to Otranto takes from one to three hours, depending on sea conditions. At least ten people attended to each vessel preparing the trip. There was a shuttle driver taking clients to Vlorë from other villages and towns, and delivering the fuel for the boat.[36] There were two people always guarding the boat, and someone in charge of collecting payments from clients. There was a cashier who collected all the money and took care of the clients before departure. For example, if the departure was delayed because of the weather, of controls, or because the full load had not been reached, he would secure food and an accommodation. There was a person, with a regular permit of residence in Italy, who joined the clients on the boat. Knowing Italy and Italian, he could help the clients to get to a railway station upon arrival. The following night, he would take a ferry and go back to Albania. There were the boat owners, usually a group rather than an individual; and two or three *scafisti*. In short, these people were convinced, probably with some factual accuracy, that "Vlorë survives because of our work" (in Barjaba and Perrone 1996: 141n.). More generally, they used moral undertones in the presentation of their activity, *not differently from the state and EU actors they challenged*. Thus, they claimed to have a duty to serve Albanians first, although in fact they preferred Chinese and Filipino clients who were able to pay more and were physically smaller—thus allowing more passengers. They usually carried at least one passenger who could not afford to pay, like a woman, a child, or an invalid. Finally, as in a perfect market economy, they guaranteed that if the passenger did not make it to Italy, or was repatriated after 2-3 days, he or she would receive the payment back, or alternatively would be transported again for free.

Fishermen in Otranto, both professionals and hobbyists, have admitted in interviews of having taken money from migrants on larger vessels to take them on board and hence to the shore. One professional fisherman was rather explicit in his understanding of his own significance in the trajectory of migrants:

> Why shouldn't I help these *disgraziati*? [miserables] This is the only way they
> have to reach the coast and Italy, so I'm providing a service they are grateful
> for. I ask a little money for the fuel and the risk. You know, the risk of being
> stopped by a patrol. But in the end, life at sea is dangerous anyway, for me as
> well as for these refugees (personal interview, January 10, 2005).

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[35] Information about smuggling in Vlorë is taken from Barjaba and Perrone 1996: 138-146.
[36] According to many boatmen, the quality of the fuel is fundamental to the success of the smuggling enterprise, as low-quality fuels may cause hazardous engine problems.

Other residents, under compensation, have participated to the smuggling enterprise from the shores, signaling with lights the presence of police forces or in any case the precise point of disembarking. They have also provided clean clothes to the migrants often arriving wet to the shore. Finally, they have worked as improvised and costly taxi drivers, driving migrants to major railway stations in Apulia or directly to northern Italy.[37]

Modalities of power of humanitarianism, religious mission, and salvation, are also part of the legitimizing arguments put forward by members of the *Yiohan* crew. "Pavlo," arrested by the Indian police, publicly declared that his government should be in fact grateful to him, for in his career he had helped at least 50,000 Indians to get to Europe. Youssef El Hallal, the *Yiohan*'s former captain, often mentions that he has saved thousands of men from war (Bellu 2004: 186). In a newspaper interview, he also protested about the broader responsibilities of the 1996 tragedy: "I don't want to be the only one to pay for an activity that involves hundreds of powerful individuals: ship owners, diplomats, police heads of all the countries of the Mediterranean. That shipwreck was a tragic accident during a business recognized and tolerated by governments" (*La Repubblica*, May 19, 2003). The *Yiohan*, a 1964 Polish vessel, had a Honduran flag, a Syrian crew, and a Greek owner. Before the final transfer of its load to a smaller boat, it had been cruising the Mediterranean for three months trying to collect as many migrants as possible from smaller vessels coming from Egyptian, Syrian, and Turkish ports.

My focus on the extremes of the *Kater I Rades* collision, the militarization of the Mediterranean, and the use of essentially military techniques of surveillance and dissuasion is not intended to suggest that the deadly aspect of border enforcement is limited to these practices, or to criticize the excessive use of an otherwise legitimate force. What follows might very well appear naïve, banal, and "activist," but it does so also because our academic and personal lives are often framed within the hegemonic normality of border regimes, exclusionary citizenship, and socio-economic stratification that we take for granted.

According to a news investigation, in 2001, the Italian Consulate in Vlorë received 80,000 visa applications, but eventually granted only 12,700 visas (Mencherini 2002). Similarly, the large majority of African and Asian citizens who apply for entry visas to EU member states have their applications denied. The procedural fairness of visa denials is only one facet of the problem: it is obvious that the conditions, financial guarantees,[38] and documents required *de facto* exclude a large majority of potential and actual applicants, and that allotted quotas do not reflect any social or economic exigency, in both origin and destination countries. Persons are caught between the closure of legal and feasible channels of

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[37] Italian law enforcement agencies have hypothesized an alliance between Albanian-based criminality and the Italian mafia of southern Apulia, called *Sacra Corona Unita*. Moreover, the authorized travel of people is consistently represented as largely coinciding with the trafficking of drugs, weapons, cigarettes, and "sex slaves". In fact, analysts are questioning these assumptions. If a criminal pact of transnational mutual non-interference and/or cooperation might have been in force, analysts are also pointing out that different trafficking enterprises use different channels (Monzini *et al.*, 2004: 56).

[38] It is important to point out that, to date, there has not been a single case in Italy of (detected) terrorist infiltrations in groups of migrants smuggled in the Mediterranean. It is reasonable to think that the financial resources available to terrorist groups provide their agents other channels of accession to the EU and North-America.

migration, and the utter need and legitimate desire to travel, secure their own and their social group's economic and social survival, "see the world," as several migrants in Italy put it, and so forth. Not to mention that the "choice" many of these people have is between buying a passage to Europe and being tortured, killed, or having to kill in some latent or open conflict.[39] And, to add a final obvious and rhetorical notation, western liberal democracies and global governmental and banking institutions are not exempt from responsibilities in these conflicts and take full advantage of wage and other differentials between the "north" and the "global South". They do so both abroad and "at home," where they benefit from this labor that becomes exploitable *cheap* labor also because of the symbolic and legal power of border enforcement. In short, migrants' "illegality" is a "manufactured illegality" (Cornelius 2005; see also Coutin 2000: 70), and an economically convenient one (see Calavita 2005).

On the other hand, real visas and passports, as well as forged documents, can be allegedly bought and come in packages with comfortable flights. Already well into the post-September 11, 2001, era, Dajti,[40] an Albanian citizen now resident in the United States with his wife and teenager child, had no other option but to buy, in Albania, an Italian passport for him and his family, paying $35,000 for the passports, the American visas, and the flight to the U.S. (personal interview, April 6, 2006). Dajti and his family were given, according to him, real Italian passports, with Italian names and supporting documents from the Italian municipality of "birth." It seems reasonable to suspect that Dajti is not the only person who benefited from such scheme in Albania, and that such well-organized enterprise would require the involvement of personnel from the Italian embassy, of both Albanian and Italian organized crime, and of employees of the Italian municipality of "birth." Understandably, these packages are much more expensive than the passage provided by speedboat or commercial truck smugglers.

Given the high demand, smugglers can even pick whom to carry and whom to leave behind. Further, tougher and militarized border enforcement translates into higher prices and riskier routes. More deaths and accidents, in turn, point out the fundamental contradiction faced by liberal-democratic states, between "life" as the ultimate, most sacred object of liberalism, and massive "death" as an outcome of established policies. These policies, as I have argued, are not based on popular demand. Neither, we argue below, are they outcomes of rationally functionalist state strategies.

Making borders, identities, and sovereignty

"Italy: Immigration or extinction" is the catchy title of a *BBC News* online article noting that without "replacement migration" the retirement age in Italy would have to be raised to 77 to maintain the ratio of four workers to every pensioner (April 19, 2000). With one of the lowest fertility rates in the world (1.20 children per woman, according to the UN Population Division; 1.34 according to 2005 Italian figures), Italy "would have to admit over 2.2 million immigrants annually for the next 30 years in order to fill labor demand and stave off a crisis in its pension system" (Calavita 2003). Moreover, while persons are ready to risk their lives to

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[39] For an up-to-date bibliography of the literature on "push" and "pull" factors, and of the relevance of policy on migration and asylum patterns, see Cornelius and Rosenblum 2004.

[40] A pseudonym.

arrive to Italy to work, every year Italian regional administrators and entrepreneurs argue with the national government contesting the quotas of allotted immigrants workers (99,500 for 2004), as they are not enough to satisfy the demand of labor (200,000 for 2004 and 300,000 for 2005. Caritas 2006).

Border control and migration regulation, as we have demonstrated in the sections above, are costly and often lethal large scale state projects. In a paradoxical twist of national construction, Italy's shortsighted immigration policies[41] are depopulating and depleting the country they allegedly safeguard and foster. Moreover, at first glance the enforcement of borders counters the Italian and capitalist world economy's need of massive international labor immigration. But it is fundamental to underline that the nature of boundaries, including Italian and European ones, is not necessarily to act as insuperable barriers but as mechanisms of production and regulation of a workforce needed as cheap, disciplined, and docile. Moreover, "the enforcement of national borders contributes to the existence of a large number of countries in the form of a periphery and the designation of its workers as a labor reserve for global capital" (Sassen 1988: 36). One of the functions of enforcement, as argued by Kearney in the case of the U.S.-Mexico border, is to *regulate* migrants' flows and "maintaining the official distinctions between the 'sending' and 'receiving' nations, *i.e.*, between kinds of peoples, that is, to constitute classes of peoples" (Kearney 1991: 58).

While mass media, politicians, and police forces in Italy and the EU characterize the Mediterranean as the major source of undocumented migration, the Italian Minister of the Interior has underlined that maritime undocumented migration constitutes only 10% of the "total clandestine immigration investing our country" (*Il Corriere della Sera*, August 17, 2004), suggesting that the focus of policing should be *elsewhere*. Moreover, police forces working in the Strait of Otranto, after all a relatively small space, have often pointed out to me that to "control" this maritime border in its entirety is "impossible," suggesting that many resources were being "wasted." We are to wonder, therefore, what are some of the other effects entailed by border enforcement and by the accompanying massive investment in technology, manpower, and political capital.

The border, to use the words of anthropologist Renato Rosaldo (who is referring to the U.S.-Mexico one) "has become theater, and border theater has become social violence. Actual violence has become inseparable from symbolic ritual on the border – crossings, invasions, lines of defense, high-tech surveillance, and more" (Rosaldo 1997, quoted in Chavez 2006). Symbols are always a matter of power and enforcement, and it is evident that "all organizations of power utilize rituals to bind people together, to the hierarchy, and to others in the past and the future" (Donnan and Wilson 1999: 66). The border as a "theater," as a "ritual," as a "symbol," and as the primary locus of the "spectacle" enacted by vigilante citizens (in the U.S.; see Chavez 2006) or national authorities is a main constituent of an aesthetic of immigration regulation and nation-building that is deeply political, consequential, and has material and physical effects.

Intentions are difficult to map and investigate. But we can speculate that this aesthetic of immigration, in the eyes of its agents, might have a deterrent effect (which in practice does

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[41] Which I in part attribute, again, to an ill-intended, *a priori* politicians' (and consultants') understanding of their constituencies as made up of racist, selfish, xenophobic, nationalist, fearful, and passive individuals. In this perspective, politicians do appreciate some of the (disastrous) *long-term* effects of their policies. But they also appreciate the "next," *always imminent*, electoral appointment.

not have). In this understanding, the prospect of death should constitute the strongest deterrent, together with the certainty of repatriation upon arrival to the Italian shores. Yet, as it has been demonstrated, restrictive immigration and asylum policies are merely "*one* (and not even the most important) factor" influencing the distribution of asylum claims (Thielemann 2004: 47) and migrants' arrivals. The words of a young man from Albania, now a laborer in Italy, might be representative of the evidence of the inadequacy of such "prevention-through-deterrence" vision (see Cornelius 2005): "I had finished my studies, what should I have done stuck in Vlorë? My life, sitting all day in a café doing nothing, was not worth living, so I crossed, even if I knew people had died in the attempt" (personal interview, January 15, 2006). The deterrent effect of militarized border enforcement, and of death itself, might instead act on smugglers and boatmen, who certainly look at minimizing the risk of interception through a varieties of strategies, which might involve longer routes, riskier maneuvers, the deployment of a number of boats, and higher fees for clients.

The dynamics of immigration regulation and the militarization of border enforcement discussed in this paper appear to problematize theorizations of a "postnational" membership in Europe, such as Soysal's one (1994). In extreme synthesis, the author argues that "national citizenship is losing ground to a more universal model of membership, anchored in deterritorialized notions of persons' rights" (*ibid*.: 3). Soysal acknowledges that "the exercise of universalistic rights is tied to specific states and their institutions" (*ibid*.: 157). At the same time, what were previously defined as national rights become "entitlements legitimized on the basis of personhood:"

> Postnational citizenship confers upon every person the right and duty of participation in the authority structures and public life of a polity, regardless of their historical and cultural ties to that community (*ibid*.: 3).

In fact, even for EU citizens, there is no legal and political membership in the EU detached from national membership: "European citizenship is not decoupled from but premised on a person's nationality. Only the nationals of [EU] member states are Euro-citizens" (Joppke 1998: 30). This citizenship is what enables the nationals of member states to "the right of free movement, settlement, and work in other member states" (*ibid*.). Moreover, it is worth noting that the "territorial state" has a "basic and distinctive interest in being able to control the flows of persons across its borders—in being able to compel, induce, discourage, and forbid the entry or exit of particular categories of persons" (Brubaker 1992: 25). And it is basically non-citizens who impersonate these "categories of persons," those who can be excluded or expelled. The modern state "does not have the right, although it does have the capacity, to compel the exit or prevent the entry of its own citizens" (*ibid*.: 180).

On the other hand, it is precisely Soysal's "persons' rights," and "entitlements legitimized on the basis of personhood" that enable the state to implement *in practice* its border enforcement and migration policies. It is precisely because, in liberal democracies, every *individual* comes with embedded *human* rights (rather than civil or political, which instead define "personhood") that he or she *ought to* be sheltered and nourished (as indeed is the case), *de facto* allowing detention on humanitarian and charitable grounds. It is precisely because every individual comes with *human* rights that he or she ought to be rescued as the object of secular redemption, while *simultaneously* being *de facto* deadly prevented from

entering the country and the EU. How could it be otherwise, given these migrants' "humanity?" For no liberal-democratic state, it seems to me, can afford to just kill or let die without two kinds of legitimation. First, the state needs to perform the "inevitability" and regrettable nature of the deaths it has enabled with its very *fully legal* policies, and to embark on *actual* humanitarian and rescue missions[42]—missions that *make sense only if the full humanity of "the rescued" is granted a priori*, as fortunately it is in the current predicament. The state would otherwise be expelled (probably) from liberal-democracy and would (ideally) antagonize its own citizens as an unjust and "immoral," if not genocidal state. Second, when it kills or let die, the state does so, explicitly or not, in the name and on behalf of a "population" to be defended. Yet in doing so, it also reinforces its own legitimate and moral existence as sovereign, something else from society (Mitchell 1991) or "the nation," detached (but not extraneous or separate) and therefore a meta-pastor, or rather *the* meta-pastor (together with the church, at least in Italy). Symbolically and practically, borders become indispensable to nation and state, in mutually reinforcing relationship with *this kind* of sovereignty.

Authoritarian figures--social scientists, politicians, bureaucrats, opinion makers, and other "experts"--have created knowledge about and constructed (illegal) immigration as an *ethical* problem to be rectified (Inda 2005). Borders are a modality of power working not only through the power of surveillance, but also through *moral precepts* that include spatial imageries and humanitarian assistance.[43] What is usually categorized under the shorthand of "the border" is a broad continuum of contextual and shifting meanings, practices, and engagements. The border, highly significant in the spectacle of enforcement that renders law and migrant "illegality" visible and natural (De Genova 2002: 436), becomes the iconic[44] and spatialized container of sacredness and of national and EU "democratic citizenry" to be safeguarded, and as such it needs to be continuously constructed, maintained, and related to certain popular perceptions and experiences.[45] Even four poles in a field, or coordinates on a map, can work as markers of the sacred: borders, I propose, might be understood as the orthogonal immaterial connections of these poles, enabling certain social relations and discouraging others, and always needing the exercise of power to ensure people keep tracing those lines and attributing them meaning, and trespass them—*in either direction*—only with permission. This understanding of borders, in turn, contributes to a better-equipped analysis of the multiple practices and discourses that "allocate, classify, categorize, and formalize categories of the human" (Ong 2003: 17).

The edges of the Italian state and of Europe are primary loci of the state and EU spatialization.[46] Yet, they are not necessarily spatial margins, but rather central arenas of liberal-democratic myths of state and supranational self-legitimation.[47] At these edges the identitarian, administrative, and political labor through which exclusionary hegemonies of nationhood, statehood and sovereignty, and supranational community *are being* produced (and challenged) is certainly visible.

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[42] In fact, migrants *are* often rescued.

[43] A growing body of literature (*e.g.,* Heyman 1998; Carens 2003; Seglow 2005) is starting to address the ethics of immigration.

[44] See Herzfeld 1992: 107ff.

[45] *E.g.*, Driessen 1998; Darian-Smith 1999.

[46] In the understanding of the term articulated by Gupta and Ferguson, 2002.

[47] See Greenhouse 2002, Asad 2004

Conclusion

This paper builds an understanding of the (Italian) state and the EU as complementary networks that form and maintain themselves through performative relationships and material practices, including both humanitarian border practices and border surveillance and exclusionary enforcement.

Liberal-democratic state and EU governance of migration, at least in the arena of border enforcement, seems to be *simultaneously*[48] characterized by two facets that only apparently contradict each other. These are the sovereign monopoly on death and lawful violence and the performed ability to foster life: the right and power "to make live and let die" (Foucault 2003: 241). The outcomes of both prerogatives are fully visible to the citizen subjects, and, regardless of their intended or unintended nature, work *effectively*, on the ground, and in practice, in the establishment, maintenance, and credibility of the contemporary border regime. State sovereignty's claim to a monopoly on the legitimate use of violence noted by Weber (1948) also consists of the right to kill or to let die *certain categories of people* without the actual commission of homicide (Agamben 1998). But the categorization of these people as expelled from the group who ought not to be let die does not entail their expulsion from the boundaries of the "human" group whose biological-individual life (rather than socio-political personhood) and secular salvation ought to be fostered. This is true, I would argue, in liberal, officially non-racist and non-genocidal democracies.

These two modalities of power, to make live and let die, are not mutually exclusive. Rather, undemocratic, illiberal, coercive, and lethal modalities of power, such as the ones described in this paper, are thought to be integral and necessary to liberal-democratic national and EU governance, at least in the current predicament. One only needs to analyze European Police Office's (EUROPOL) documents and statements to appreciate that the creation of an area of freedom, security and justice in the EU advocated by the Treaty of Amsterdam (effective in 1999) is inextricably related to the management of migration and the need to fight undocumented migration as a criminal and threatening phenomenon. The object of surveillance is not "territory" but the bodies of migrants and would-be migrants, their distribution in space, their management, and the optimization of their usability and productivity as labor, and their inscription in a regime of visibility generally recognizable in the global focus on travelers' fingerprints, irises, phenotype, names, and all the other paraphernalia of biometrics and intelligence. Migrants are let die in the name of the freedom, security and justice of EU citizens and of their unrestricted mobility across EU internal borders.

Moreover, the governmental human rights discourse, which invariably describes migrants as victims of trafficking and makes them speechless, powerless, and feminized subjects, confirms the masculinity of Italian border enforcement and of the state.[49] Death is partly a ritualized spectacle through which the state confirms, reinforces, and performs[50] its power over *its own* citizen subjects, not dissimilarly from the public execution that, rather than re-establishing justice, reactivated power and restored sovereignty making everybody

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[48] On this simultaneous and complementary nature, see Dean 2002.

[49] On the gendered claims of the (Turkish) nation-state, see Delaney 1995.

[50] It is evident that I am focusing on certain possible effects, rather than on supposedly intended and planned outcomes. No agentive or demiurgic agency can *(*and neither *should)* be attributed to the state, if for no other reason because we understand the state as a complex network of relationships and practices.

aware of the unrestrained presence of the sovereign (Foucault 1979). For state and EU power is always a tentative, unstable project, competing for audiences and subjects with other forms of authority that can "dispense violence as well as justice with impunity" (Blom Hansen and Stepputat 2005: 36). In this sense, the state and the EU face a paradoxical dilemma:[51] on the one hand, they have to ensure the visibility of their sovereignty and legitimacy, including through the claimed monopoly on death. On the other hand, they must abide to their own universalist proclamations and allegedly shared values of humanitarianism and democratic separation of executive, judicial, and legislative power.

Death, in addition to normatively being a prerogative of sovereignty, is essentially part of the machinery by which liberal-democratic society is supposedly defended, and its life and common good fostered. While the death of migrants is not "hidden" to the state's subjects, it is sometimes traceless, silently drowning in the Mediterranean. But it also becomes routine, an unspoken tool in the moral economy of acquiescence to the postulated common good ensured by secular pastors. Paradoxically, this common good is performed as if to include migrants to be freed from the grip of "human traffickers," "slavery," and non-state exploitation. Thus, the state not only claims a monopoly on death, it also claims a monopoly on migrants' rescue at sea and moral salvation. In short, the border aesthetics of humanitarianism and death is congruent with the public anesthesia (*i.e.,* inconsequentiality) of death, and works as a legitimation to the state project of human mobility regulation. War, military techniques, and death are brought back "home" to the normality of "civilian," everyday life, further confirming that contemporary war trends *expect* incomparably more civilian victims than military casualties. And if slavery, including the alleged slavery of migrants, is defined by a loss of a "home," loss of rights over one's own body, and loss of political status (Mbembe 2003), then it becomes critical to ask for which masters the "traffickers" are actually working.

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[51] For a similar dilemma faced by the liberal state as regard death penalty (*i.e.,* the U.S.), see Kaufman-Osborn 2002.

References[52]

Films and Video Materials

Calderoli, Roberto. 2004. Interview. RAI3 TV, TG3 7pm News, August 17. Italy

Jetoj – Vivo. 2004. Eshja, Ervis; Mattia Soranzo, dirs. 20 min. Independent Documentary. Italy

Lamerica. 1994. Amelio, Gianni, dir. 125 min. Cecchi Gori. Italy

Newspapers, Magazines, and News Agencies

ANSA, January 11, 2006. Iraq: Predator, ecco come funziona il velivolo-spia. Electronic document, http://ftp.aeronautica.difesa.it/SitoAM/Default.asp?idnot=14540&idsez=5&idarg=&idente=1398, accessed January 20, 2006

BBC NEWS, April 19, 2000. Gilhooly, Joanne. Italy: Immigration or extinction. Electronic document, http://news.bbc.co.uk/1/hi/world/europe/719423.stm, accessed May 2, 2006

BBC News. May 24, 2006. EU to help Spain block migrants. Electronic document, http://news.bbc.co.uk/2/hi/europe/5011746.stm, accessed May 24, 2006

Deutsche Welle–World, July 16, 2004. Leidel, Steffen. Europe's Invisible Walls. Electronic document, http://www.dw-world.de/dw/article/0,2144,1268156,00.html, accessed April 10, 2006

Il Corriere della Sera, June 16. 2003. Umberto Bossi, interview with Fabio Cavaliera. Basta rinvii, cacciare i clandestini con la forza. Interview with. *Il Corriere della Sera*, June 16. Electronic document, http://www.corriere.it/Primo_Piano/Politica/2003/06_Giugno/16/bossi_intervista.shtml, accessed April 10, 2006

Il Corriere della Sera, August 17, 2004. Sciacca, Alfio. Pisanu: traffico di clandestini: 1.167 morti al largo della Sicilia. *Il Corriere della Sera,* August 17: 15

Il Manifesto, January 11, 2004. Gubbini, Cinzia. Strage nel Canale d'Otranto. *Il Manifesto*, January 11: 7

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[52] All translations from Italian and Spanish into English in the body of the paper are mine.

Il Manifesto, May 11, 2005. Gubbini, Cinzia. 320mila euro al giorno per cacciare i migranti. *Il Manifesto*, May 11: 9

Il Messaggero, September 16, 2002. De Florio, Antonio. Pisanu: Guerra ai negrieri con la Marina. *Il Messaggero*, September 16: 3

La Gazzetta del Mezzogiorno, October 23, 2003. Berlusconi: agisca l'Europa: agli immigrati daremo l'accoglienza degna della nostra civiltà. *La Gazzetta del Mezzogiorno,* October 23: 2

La Gazzetta del Mezzogiorno, June 26, 2004. Fitto, Raffaele. La Puglia, terra che accoglie. *La Gazzetta del Mezzogiorno,* June 26: 2

La Repubblica, March 25, 1997. Castellaneta, Domenico. Blocco navale per fermare I clandestini.

La Repubblica, March 28, 1997. Citati, Stefano. Polemica tra l'Onu e l'Italia. L'Alto commissario per i profughi: Il blocco navale è illegale. *La Repubblica*, March 28: 14

La Repubblica, May 19, 2003. Bellu, Giovanni Maria. 2003. Non sarò il solo a pagare per i 283 morti del naufragio. Electronic document, http://www.repubblica.it/online/cronaca/palo/pagare/pagare.html, accessed May 2, 2006

La Repubblica, August 10, 2004. Viviano, Francesco. Ci hanno avvistati e lasciati morire. *La Repubblica*, August 10: 11

La Repubblica, July 18, 2005. Sicilia: emergenza clandestini: Più di 800 immigrati in 2 giorni. Electronic document, http://www.repubblica.it/2005/e/sezioni/cronaca/sbarchinuovi/sbarchiagri/sbarchiagri.html, accessed March 13, 2006

La Repubblica, September 11, 2005. Ho pagato duemila dollari: Non mandatemi via dall'Italia. Electronic document, http://www.repubblica.it/2005/i/sezioni/cronaca/sbarchi3/testimonianza/testimonianza.html, accessed February 14, 2006

La Repubblica, September 11, 2005. Gela, la tragedia dei clandestini: 11 corpi sulla spiaggia e in mare. Electronic document, http://www.repubblica.it/2005/i/sezioni/cronaca/sbarchi3/sbarchi3/sbarchi3.html, accessed February 14, 2006

La Repubblica, October 6, 2005. Nuovo assalto migranti a Melilla: sei morti, una trentina di feriti. Electronic document, http://www.repubblica.it/2005/i/sezioni/esteri/melilla/subsah/subsah.html, accessed March 30, 2006

La Repubblica, January 27, 2006. Verona, ladri entrano in casa: imprenditore spara e ne uccide uno. Electronic document, http://www.repubblica.it/2006/a/sezioni/cronaca/impreverona/impreverona/impreverona.html, accessed January 27, 2006

La Repubblica, March 6, 2006. Bari, tre immigrati morti in un camion al porto. Electronic document, http://www.repubblica.it/2006/c/sezioni/cronaca/immibari/immibari/immibari.html, accessed March 30, 2006

La Repubblica. March 29, 2006. Como, non si fermano all'alt: vigile spara, ragazzo in fin di vita. Electronic document, http://www.repubblica.it/2006/c/sezioni/cronaca/vigilecomo/vigilecomo/vigilecomo.html, accessed March 30, 2006

Maraku, Indrit. 2005. Tragedia Kater, una sentenza deludente. Electronic Document, http://www.osservatoriobalcani.org/article/articleview/4056/1/41, accessed May 2, 2006

RaiNews24. December 1, 2002. Immigrazione. Peschereccio affondato in Libia. Pisanu: una tragica realtà, l'Europa deve intervenire. Electronic document, http://www.rainews24.it/Notizia.asp?NewsID=29652, accessed December 20, 2005

The New York Times, May 19, 2001. Onishi, Norimitsu. Africa: Libya: Nearly 100 Migrants Die In Desert. Electronic document, http://query.nytimes.com/gst/fullpage.html?res=940DE6DE163DF93AA25756C0A9679C8B63, accessed March 18, 2006

Governmental and Non-Governmental sources

Amnesty International – EU Office. 2005. Immigration Cooperation with Libya: The Human Rights Perspective. April 12, 2005. Electronic document, http://www.amnesty-eu.org/static/documents/2005/JHA_Libya_april12.pdf, accessed April 1, 2006

APDHA-Asociación Por Derechos Humanos de Andalucía. 2006. *Derechos humanos en la Frontera Sur 2006*. Electronic document, www.apdha.org/documentos/informeinmigra2005.doc, accessed April 1, 2006

British Home Office. 2005. Partial Regulatory Impact Assessment. Data Capture and Sharing Powers for the Border Agencies. Electronic document, http://www.homeoffice.gov.uk/inside/legis/rias/rias.html#2005, accessed August 31, 2005

Caffio, Fabio. 2003. *Immigrazione Clandestina Via Mare: L'esperienza italiana nella vigilanza, prevenzione e contrasto*. Supplemento alla *Rivista Marittima,* 10 (October 2003). Roma: Marina Militare Italiana

Caritas/Migrantes. 2006. *Immigrazione Dossier Statistico 2005: XV Rapporto sull'immigrazione*. Roma: IDOS

D'Alessandro, A. 2002. *La Porta d'Oriente*. Bari, Italy: Uniongrafica Corcelli

Esercito Italiano. n.d. Operazione Salento. Electronic document, http://www.esercito.difesa.it/root/attivita/op_salento.asp, accessed March 15, 2006

EUMC-European Monitoring Centre on Racism and Xenophobia. 2005. *Majority Attitudes towards Migrants and Minorities: Key findings from the Eurobarometer and the European Social Survey*. *Summary*. March 15. Electronic document, http://eumc.eu.int/eumc/material/pub/eurobarometer/EB2005/EB2005-summary.pdf, accessed March 20, 2005

European Parliament. 2005. The resolution on Lampedusa (number P6_TA(2005)0138). Strasbourg, April 14, 2005. Electronic document, http://www.europarl.europa.eu/omk/sipade3?PUBREF=-//EP//TEXT%2BTA%2BP6-TA-2005-0138%2B0%2BDOC%2BXML%2BV0//EN, accessed April 13, 2006

ICMPD- International Centre for Migration Policy Development. 2004. *Irregular Transit Migration in the Mediterranean – some facts, futures and insights*. Vienna: ICMPD

IOM– International Organization for Migration. 2005. Geneva: Iom and Libya Sign Agreement. Press Briefing Notes, August 9, 2005. Electronic document, http://www.iom.int/EN/archive/PBN090805.shtml#, accessed April 1, 2006

Mencherini, Stefano. 2002. Gente di Valona: Vita quotidiana nella quarta città d'Albania. In attesa di una via di fuga. Electronic document, http://www.stefanomencherini.org/it/stam/es/01.htm, accessed April 1, 2006

Ministero dell'Interno. 2005. Il Rapporto annuale 2005 sullo "STATO DELLA SICUREZZA IN ITALIA." Electronic document, http://www.interno.it/assets/files/8/2005814122915.pdf, accessed April 13, 2006

Ministero dell'Interno. December 17, 2002. "L'emergenza immigrazione": l'intervento del prefetto Michele Lepri Gallerano. Electronic document, http://www.interno.it/news/articolo.php?idarticolo=17865, accessed on May 2, 2006

Pew Hispanic Center. 2006. The State of American Public Opinion on Immigration in Spring 2006: A Review of Major Surveys. May 17, 2006. Electronic document, http://pewhispanic.org/files/factsheets/18.pdf, accessed May 17, 2006

StranieriinItalia. 2004. Incidenti sul lavoro: immigrati più a rischio di infortuni sul lavoro degli italiani. February 16, 2004. Electronic document, http://www.stranieriinitalia.it/news/infortuni16feb2004.htm, accessed March 12, 2006

U.S. Department of State. 2005. *Trafficking in Persons Report*. June 2005. Electronic document, http://www.state.gov/documents/organization/47255.pdf, accessed May 2, 2005

UNITED for Intercultural Action. 2005. List of 6336 documented refugee deaths through Fortress Europe: Documentation on 29-04-2005. Electronic document, http://www.united.non-profit.nl/pdfs/deathlist2005.pdf, accessed April 1, 2006

Scholarly References

Agamben, Giorgio. 1998. *Homo Sacer: Sovereign Power and Bare Life*. Stanford: Stanford University Press.

Albahari, Maurizio. 2006a. *Charitable Borders: Pastoral Power at the Southern Edges of Europe*. Ph.D. dissertation, University of California, Irvine: Department of Anthropology

Albahari, Maurizio. 2006b. "Charitable Borders? Religion, policing and belonging on the Italian maritime fringe." In *Asymmetry and Proximity in Border Encounters*. Jutta Lauth Bacas and William Kavanagh, eds. Oxford: Berghahn Books [in press]

Alonso, Anna Maria. The Politics of Space, Time and Substance: State formation, Nationalism and Ethnicity. *Annual Review of Anthropology* 23: 379-405.

Anderson, Benedict. 1991. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.

Andreas, Peter. 2000. *Border Games: Policing the U.S.- Mexico Divide.* Ithaca: Cornell University Press

Arendt, H. 1958 [1951]. *The Origins of Totalitarianism*. Cleveland and New York: Meridian Books.

Arrehag, Lisa; Orjan Sjoberg; Mirja Sjoblom. 2006. Post-Communist Cross-Border Migration in South-Eastern Albania: Who Leaves? Who Stays Behind? *Journal of Ethnic and Migration Studies* 32(3): 377-/402

Asad, Talal. 2004. "Where Are the Margins of the State?" In *Anthropology in the Margins of the State*. Das, V., and Poole, D., eds. Pp. 279-88. Santa Fe: School of American Research Press

Balibar, Etienne. 2004. *We, the People of Europe? Reflections on Transnational Citizenship*. Princeton: Princeton University Press

Barjaba, Kosta; Perrone, Luigi. 1996. "Forme e Grado di Asattamento dei Migranti di Cultura Albanese in Europa (Italia, Grecia, Germania): 1992-1995." In *Naufragi Albanesi: Studi, ricerche e riflessioni sull'Albania*. Luigi Perrone, ed. PP. 123-153. Roma: Sensibili alle Foglie

Bellier, Irene; Thomas M. Wilson, eds. 2000. *An Anthropology of the European Union: Building, Imagining and Experiencing the New Europe*. Oxford: Berg

Bellu, Giovanni Maria. 2004. *I Fantasmi di Portopalo. Natale 1996: la morte di 300 clandestini e il silenzio dell'Italia*. Milano: Arnoldo Mondatori Editore

Boltanski, Luc. 1999 [1993] *Distant Suffering: Morality, Media, and Politics*. Translated by Graham Burchell. Cambridge: Cambridge University Press

Brubaker, Rogers W. 1992. *Citizenship and Nationhood in France and Germany*. Cambridge: Harvard University Press

Calavita, Kitty; Liliana Suarez Navaz. 2003. "Spanish Immigration law and the Construction of Difference: Citizens and 'Illegals' on Europe's Southern Border". In *Globalization Under Construction: Governmentality, Law, and Identity.* Richard Perry and Bill Maurer, eds. Pp. 99-127. Minneapolis: Univ. of Minnesota Press.

Calavita, Kitty. 2005. *Immigrants at the Margins: Law, Race, and Exclusion in Southern Europe*. Cambridge: Cambridge University Press

Carens, Joseph. H. 2003. Who should get in? The ethics of immigration admissions. *Ethics & International Affairs* 17(1)

Chavez, Leo R. 2001. *Covering Immigration: Popular Images and the Politics of the Nation*. Berkeley: University of California Press

Chavez, Leo R. 2006 [forthcoming]. "Spectacle in the Desert: The Minuteman Project on the U.S-Mexico Border." In *Global Vigilantes: Anthropological Perspectives on Justice and Violence*. David Pratten and Atreyee Sen, eds. London: C. Hurst & Company Publishers

Cornelius, Wayne A. 2005. Controlling 'Unwanted' Immigration: Lessons from the United States, 1993-2004. *Journal of Ethnic and Migration Studies* 31(4)

Cornelius, Wayne A.; Rosenblum, Marc R. 2004. Immigration and Politics. Center for Comparative Immigration Studies, UC San Diego, Working Paper 105. October 2004. Electronic document, http://www.ccis-ucsd.org/PUBLICATIONS/wrkg105.pdf, accessed May 2, 2006

Cotesta, Vittorio. 1999. Mass Media, Ethnic Conflict and Migration. A Research on the Italian Newspapers in the Nineties. *Studi Emigrazione/Migration Studies* XXXVI(135): 387-499

Coutin, Susan Bibler. 2000. *Legalizing Moves: Salvadoran Immigrants' Struggle for U.S. Residency*. Ann Arbor: University of Michigan Press.

Coutin, Susan Bibler. 2005. "Being En Route" *American Anthropologist* 107(2): 195-206

Dal Lago, Alessandro. 2004. *Non-Persone: L'esclusione dei migranti in una societa' globale*. Milano: Feltrinelli

Darian-Smith, Eve. 1999. *Bridging Divides: The Channel Tunnel and English Legal Identity in the New Europe*. Berkeley: University of California Press

De Genova, Nicholas. P. 2002. Migrant "Illegality" and Deportability in Everyday Life. *Annual Review of Anthropology*. 31:419–47

Dean, Mitchell. 2002. Powers of Life and Death Beyond Governmentality. *Cultural Values* 6(1&2): 119-138

Delaney, Carol. 1995. "Father State, Motherland, and the Birth of Modern Turkey". In *Naturalizing Power: Essays in Feminist Cultural Analysis*. S. Yanagisako and C. Delaney, eds. Pp. 177-199. New York and London: Routledge

Delle Donne, Marcella. 2004. *Un cimitero chiamato Mediterraneo: Per una storia del diritto d'asilo nell'Unione Europea*. Roma: DeriveApprodi

Dembour, Marie-Benedicte. 1996. "Human rights talk and the anthropological ambivalence: the particular context of universal claims." In *Inside and Outside the Law: Anthropological studies of authority and ambiguity*. Olivia Harris, ed. Pp. 19-40. London: Routledge University Press

Donnan, Hastings; Thomas M. Wilson, eds. 1998. *Border Identities: Nation and state at international frontiers*. Cambridge: Cambridge University Press.

Donnan, Hastings; Thomas M. Wilson. 1999. *Borders. Frontiers of Identity, Nation and State*. Oxford: Berg

Driessen, Henk. 1998. "The 'new immigration' and the transformation of the European-African frontier". In *Border Identities: Nation and state at international frontiers*. Edited by T.M. Wilson and H. Donnan, pp. 96-116. Cambridge: Cambridge University Press.

Dunn, Timothy J. 1996. *The Militarization of the U.S.-Mexico Border, 1978-1992: Low-Intensity Conflict Doctrine Comes Home*. Austin: Center for Mexican American Studies Books

Favell, Adrian. 2002. "Italy as a comparative case". In *The Politics of Recognizing Difference: Multiculturalism Italian-style*. R. Grillo and J. Pratt, eds. Pp. 237-248. Aldershot, UK: Ashgate.

Ferguson, James. 1994. *The Anti-Politics Machine: "Development," Depoliticization, and Bureaucratic Power in Lesotho*. Minneapolis, MN: University of Minnesota Press

Ferguson, James; Gupta, Akhil. 2002. Spatializing States: Toward an Ethnography of Neoliberal Governmentality. *American Ethnologist* 29(4): 981-1002

Foucault, Michel. 1979 [1975]. *Discipline and Punish: The Birth of the Prison*. Translated by Alan Sheridan. New York: Vintage Books

Foucault, Michel. 1980. "Truth and Power". In *Power/Knowledge: Selected Interviews and other Writings 1972-1977*. C. Gordon, ed. Pp. 109-133. New York: Pantheon Books.

Foucault, Michel. 2003 [1997] *"Society Must Be Defended". Lectures at the College de France, 1975-76*. Trans. By David Macey. New York: Picador

Fraser, Nancy. 1992. "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy. In *Habermas and the Public Sphere*. Craig Calhoun, ed. Pp. 109-142. Cambridge: The MIT Press

Gramsci, Antonio. 1971. *Selection from the Prison Notebooks*. Edited and trans. by Quintin Hoare and Geoffrey Nowell Smith. New York: International Publishers.

Greenhouse, Carol J. 2002. "Introduction: Altered States, Altered Lives". In *Ethnography in Unstable Places: Everyday lives in Contexts of Dramatic Political Change*. C.J. Greenhouse, E. Mertz, and K.B. Warren, eds. Pp. 1-34. Durham: Duke University Press

Hall, Stuart; Chas Critcher; Tony Jefferson; John Clarke; Brian Roberts. 1978. *Policing the Crisis: Mugging, the State, and Law and Order*. London: Macmillan

Hansen, Thomas Blom; Finn Stepputat, eds. 2005. *Sovereign Bodies: Citizens, Migrants, and States in the Postcolonial World*. Princeton: Princeton University Press

Herzfeld, Michael. 1992. *The Social Production of Indifference: Exploring the Symbolic Roots of Western Bureaucracy*. New York: Berg.

Heyman, Josiah McC. 1998. *Finding a Moral Heart for U.S. Immigration Policy: An Anthropological Perspective* (American Ethnological Society Monograph Series). American Anthropological Association

Inda, Jonathan X. 2005. *Targeting Immigrants: Government, Technology, And Ethics*. Blackwell Publishing

Joppke, Christian. 1998. "Introduction". In *Challenge to the Nation-State: Immigration in Western Europe and the United States*. Pp. 1-46. Oxford: Oxford University Press.

Kaufman-Osborn, Timothy V. 2002**. *From noose to needle: capital punishment and the late liberal state.* Ann Arbor: University of Michigan Press

Kearney, Michael. 1991. Borders and boundaries of the state and self at the end of empire. *Journal of Historical Sociology* 4(1): 52-74.

Kosic, Ankica; Anna Triandafyllidou. 2003. Albanian immigrants in Italy: migration plans, coping strategies and identity issues. *Journal of Ethnic and Migration Studies* 29(6): 997-1014

Lahav, Gallya; Virginie, Guiraudon. 2000. "Comparative Perspectives on Border Control: Away from the Border and Outside the State." In *The wall around the West: State borders and immigration controls in North America and Europe*. Peter Andreas and Timothy Snider, eds. Pp. 55-77. Oxford: Rowman and Littlefield

Lutterbeck, Derek. 2006. Policing Migration in the Mediterranean. *Mediterranean Politics* 11(1): 59-82

Malkki, Liisa. 1992. National Geographic: The Rooting of Peoples and the Territorialization of National Identity Among Scholars and Refugees. *Cultural Anthropology* 7(1): 24-44.

Mbembe, Achille. 2003. Necropolitics. Translated by L. Meintjes *Public Culture* 15(1): 11–40

Mellah, Fawzi. 2001. *Clandestino nel Mediterraneo*. Translated by Antonella Furlan. Trieste, Italy: Asterios.

Mitchell, Timothy. 1991. The Limits of the State: Beyond Statist Approaches and Their Critics. *American Political Science Review*. 85(1): 77-96

Monzini, Paola; Ferruccio Pastore; Giuseppe Sciortino. 2004. "L'Italia promessa: Geopolitica e dinamiche organizzative del traffico di migranti verso l'Italia." CeSPI-CentroStudidiPoliticaInternazionale Working Paper 9/2004. Electronic document, www.cespi.it/PASTORE/Wp9-cnr.pdf, accessed May 30, 2006

Pajo, Erind. 2001. Longing and Belonging: The West as Territory of Nationness in Albanian Cosmologies. *Anthropology of East Europe Review* 19(1)

Perlmutter, Ted. 1998. The Politics of Proximity: The Italian Response to the Albanian Crisis. *International Migration Review* 32(1): 203-222

Perrone, Luigi, ed. 1996. *Naufragi Albanesi: Studi, ricerche e riflessioni sull'Albania.* Roma: Sensibili alle Foglie

Prescott, J.R.V. 1978. *Boundaries and Frontiers*. London: Croom Helm.

Ratcliffe, James M., ed. 1966. *The Good Samaritan and the Law*. Garden City, NY: Anchor

Rosaldo, Renato. 1997. "Cultural citizenship, inequality, and multiculturalism." In *Latino Cultural Citizenship*. W. V. Flores and R. Benmayor, eds. Pp. 27-38. Boston: Beacon Press

Rouse, Roger. 1991. Mexican migration and the social space of postmodernism. *Diaspora* 1(1): 8-23.

Rudzinski, Aleksander W. 1966. "The Duty to Rescue: A Comparative Analysis." In The Good Samaritan and the Law. James M. Ratcliffe, ed. Pp. 91-134. Garden City, NY: Anchor

Said, Edward W. 1979. *Orientalism*. New York: Vintage Books.

Sassen, Saskia. 1988. *The Mobility of Labor and Capital. A study in international investment and labor flow*. Cambridge: Cambridge University Press.

Sassen, Saskia. 1996. *Losing Control? Sovereignty in an Age of Globalization*. New York: Columbia University Press.

Schneider, David. 1977 [1969]. "Kinship, Nationality, and Religion in American Culture: Toward a Definition of Kinship". In *Symbolic Anthropology: A Reader in the Study of Symbols and Meanings.* J.L. Dolgin, D.S. Kemnitzer, and D.M. Schneider, eds. Pp. 63- 71. New York: Columbia University Press.

Seglow, Jonathan 2005. The Ethics of Immigration. *Political Studies Review* 3(3): 317-334.

Soysal, Yasemin N. 1994. *Limits of Citizenship: Migrants and Postnational Membership in Europe*. Chicago: University of Chicago Press

Thielemann, Eiko. 2004. Why European Policy Harmonization Undermines Refugee Burden-Sharing. *European Journal of Migration and Law* 6(1): 43-61

Todorova, Maria N. 1997. *Imagining the Balkans*. Oxford: Oxford University Press

Tsuda, Takeyuki. 2003. Domesticating the immigrant other: Japanese media images of nikkeijin return migrants. *Ethnology* 42(4)

Walters, William. 2002. Mapping Schengenland: denaturalizing the border. *Environment and Planning D: Society and Space* 20: 561-580

Warner, Michael. 2002. *Publics and Counterpublics*. New York: Zone Books