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WORKSTREAM 1

ITALY NATIONAL REPORT

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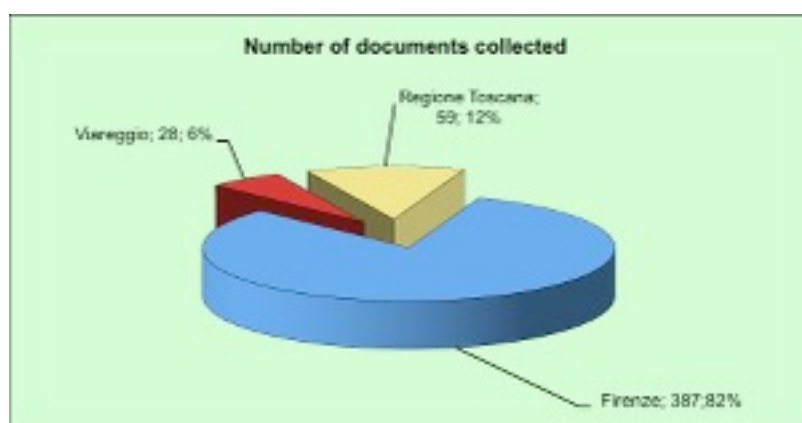
1. Quantitative general view of collected documents

In this first chapter we give an overview of the documents, referring to the excel file attached to the report for the complete list and additional tables and figures.

The total number of documents collected is 702, divided geographically as follows:

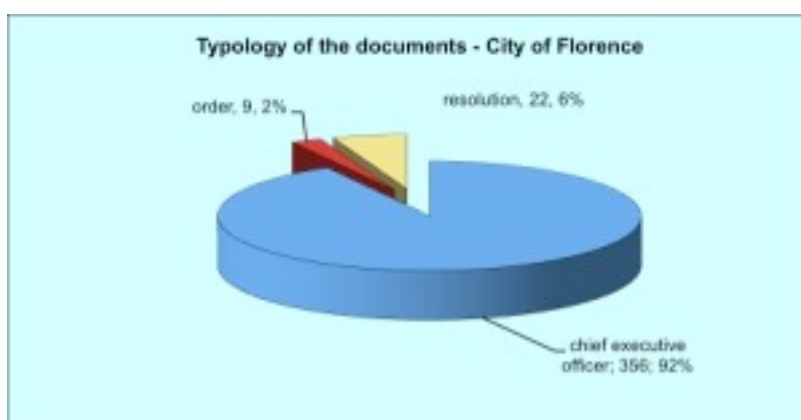
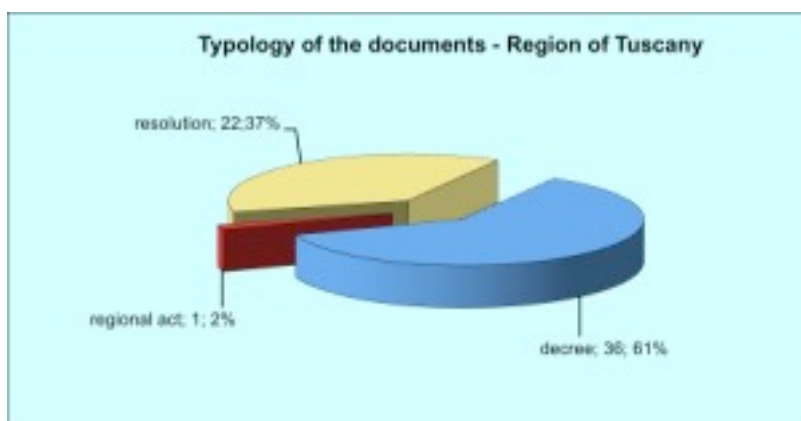
National level	Regional Level	N. Docs	Local Level	N. Docs
ITALY 13	Liguria	4	Genova	45
			Savona	3
	Veneto	5	Legnago	36
			Cerea	9
			Venezia Mestre	9
	Tuscany	59	Florence	387
			Viareggio	28
	Campania	11	Napoli	82
			Provincia e Prefettura di Napoli	3+8

We see that the predominant territory as a number of institutional documents produced is that of the City of Florence, as can be seen also at the regional level:

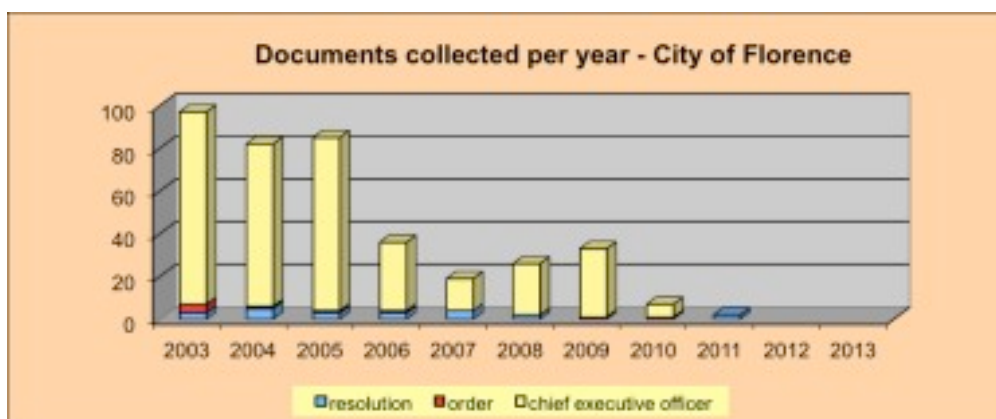


With respect to Tuscany, in fact, there are some important elements to consider:

- The Municipality of Florence has a very high number of documents because the research has been careful to probe the weight of the administrative apparatus by a meticulous collection of the chief executive office documents (management measures, *provvedimenti dirigenziali*). This was possible because the researchers knew in detail the actions and housing projects carried out by city of Florence. Indeed, we can see in detail the types of documents:



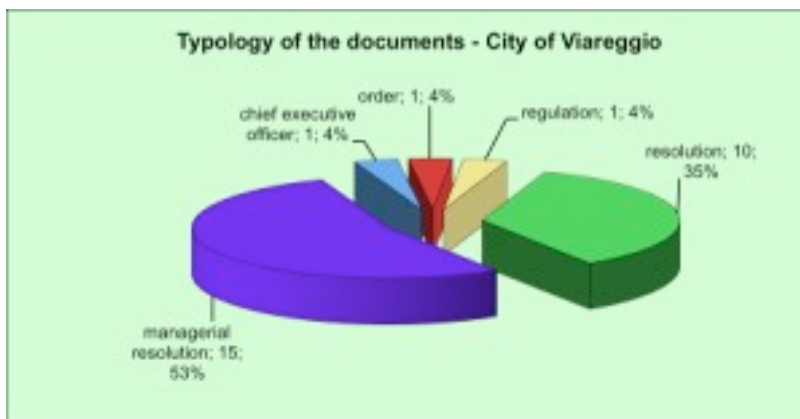
And also note the difference in numbers of the documents over the period of the research:



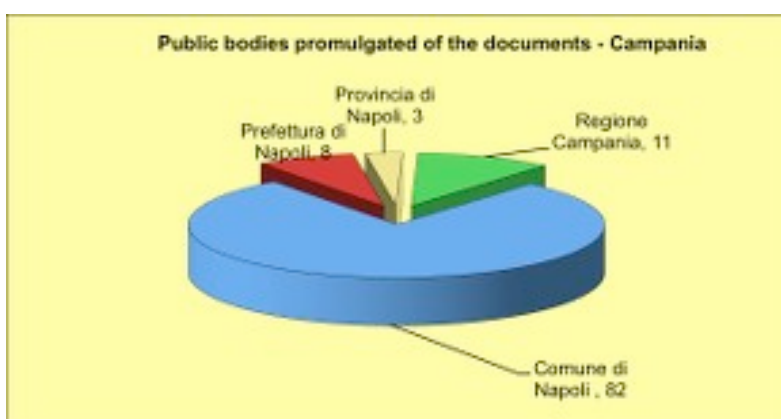
As we can see from the figure above, it is the chief executive officer documents to make the quantitative difference of the total of the documents produced between one year and other. The 2003-2004-2005-2006 are the years during which both lots in the temporary village of Poderaccio were built. In 2006 there was a significant decrease because the first lot was finished in 2005, with the allocation of housing units to the families.

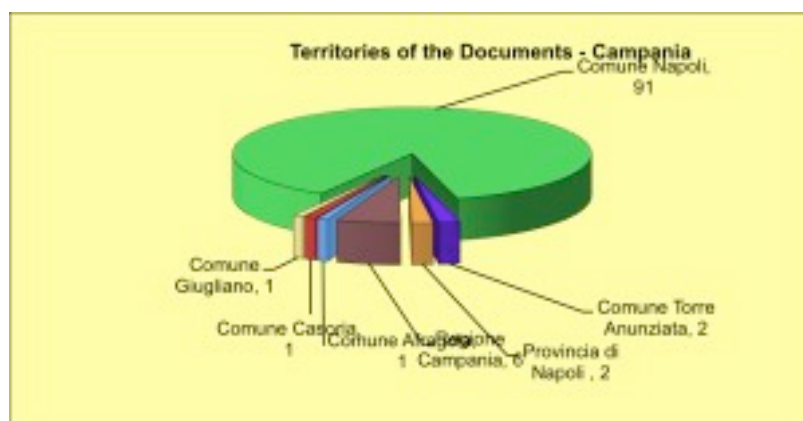
- The Municipality of **Viareggio** has always been concerned by the presence of the Roma especially transit, because the city is located on the coast of the Tyrrhenian Sea. Italian Roma, Sinti and Roma foreigners, particularly from Spain. A direct interest of local

institutions took place, however, with the latest migratory flow of Roma in Italy, namely the Roma from Romania, and in particular since 2007. As we will see also in the case study about Tuscany (see *infra* paragraph 7.1) - after an attempt not completed, due to the shift of the City Council, of housing assistance projects and of so-called social inclusion, Viareggio has built a nomad camp, despite the regional Law 2/2000 declaring the end of the “policy of the camps”.



About Campania, we have instead favored the city of Naples and the documentation produced by the Prefecture of Naples in the person of "Deputy Commissioner for nomad community settlements emergency in Campania" (see chapter 2). Precisely for this documentation from the Prefecture, from 2009 emerge other local areas as well as the City of Naples. So, because of the issue of the competent authority in the territories, we have divided the documents in the area to which they relate and in accordance with the institution that issued the document.



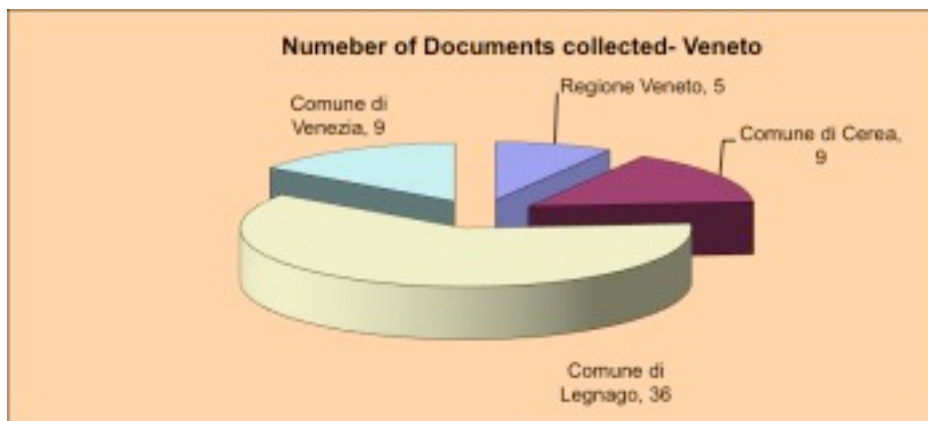


T	Comune Afragola	Comune Casoria	Comune Giugliano	Comune Napoli	Comune Torre Anunziata	Provincia di Napoli	Regione Campania
P		1	1	1	91	2	6
B				Comune Napoli	Prefettura di Napoli	Provincia di Napoli	Regione Campania
				82	11	3	11

About the **Regions of Liguria e Veneto**, as the others territories, we have covered the last ten years, but with a few significant exceptions because of their importance:

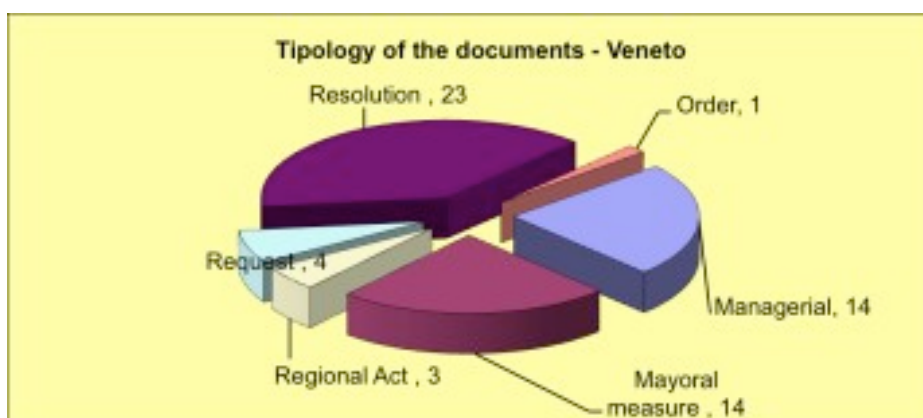
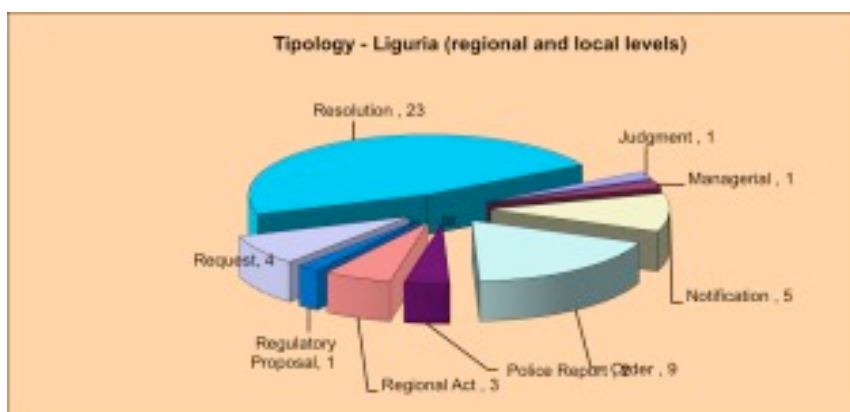
- regulations of Camps in Bolzaneto (1988) and Cerea (1997);
- Regional legislations about “nomads / gypsy / Roma people”: Liguria (1992), Veneto (1984; 1989);
- one Municipal Assembly's Resolution (1991) defining the guidelines for interventions affecting about “nomads / gypsy / Roma people” at the municipal level (a sort of “gestation” step in sight of the Regional Act of 1992).





As we can see in the follow figure, both the areas selected, we find a leading role played by the different City Councils (resolution power), together with an important intervention of the Officers, especially in the Cerea-Legnago municipalities areas.

Moreover, we should not forget the special power granted to mayoral authorities and their technical staffs regarding the eviction orders issued for public security due to the “hygienic-health emergency”.



1.1. Topics of the Documents

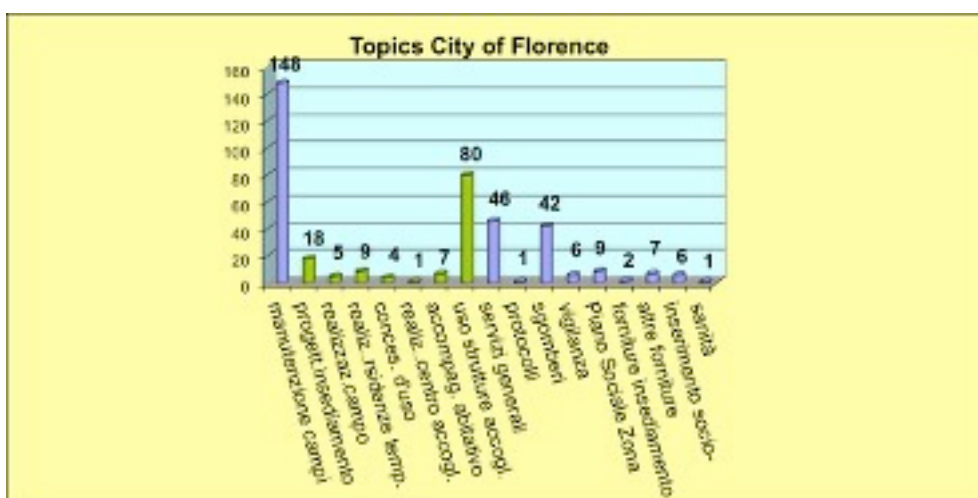
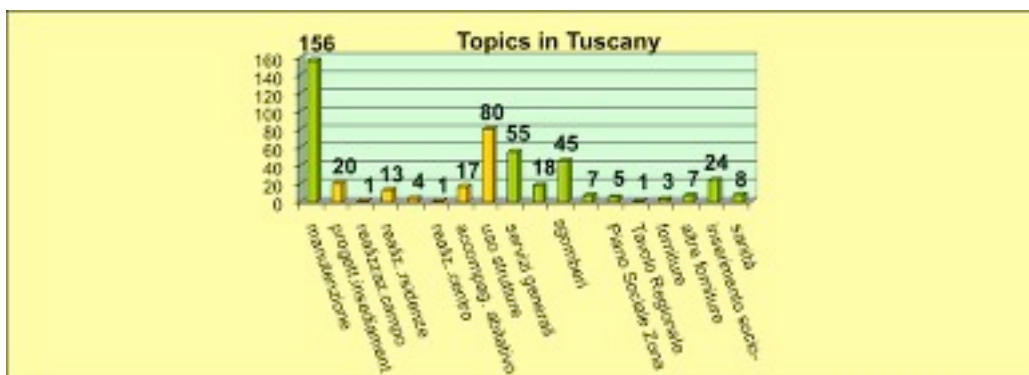
The list of topics was obtained a posteriori from the analysis of the documents. In the attached excel file in column I can find the topic assigned to each document.

Italian	English
2 → Manutenzione Campi ordinaria e straordinaria	2 → Routine and Emergency Maintenance of Camps
3 → soluzione Abitativa	3 → Housing
3.1 Realizzazione insediamento.	3.1 Realisation of the settlement
3.2. Realizzazione campo e acquisto di roulotte in campo già esistente	3.2 Realisation of the camp and purchase of caravans in camps already existing
3.3 Realizzazione residenze temporanee/soluzioni intermedie di rilascio/assegnazione moduli abitativi	3.3 Building temporary residences / housing intermediate solutions / assignment of housing units
3.4 Concessione d'uso e rinnovo, canone noleggio casette	3.4 Granting of use and renewal fee rental houses
3.5 Realizzazione centro di accoglienza	3.5 Construction of shelters
3.6 Ristrutturazione immobili e impegno di spesa per immobili (acquisizione o ristrutturazione)	3.6 Restructuring and property financial commitment for real estate (acquisition or restructuring)
3.7 Accompagnamento (abitativo), sistemazione alloggiative/in alloggi, trasferimenti in alloggi	3.7 Housing assistance , housing solutions , relocation of the families in the houses
3.8 Uso di strutture di accoglienza, trasferimento in strutture di accoglienze	3.8 Use of shelters , relocation of families in shelters
3.9 Bandi ERP	3.9 Calls for Social Housing
4 → Scuola e Servizi extrascolastici (compresi Laboratori per i minori e sostegno extrascolastico)	4 → School and extracurricular services (including workshops for children and school assistance)
5 → Protocolli di Intesa e Leggi	5 → memoranda of understanding and Law
6 → Sgombero, Allontamenti collettivi, ad personam (con contributo economico o senza)	6 → Evacuation / eviction , collective or da personam moving away (with or without a financial contribution)
7 → Vigilanza	7 → Vigilance (of service)
9 → Piano Sociale di Zona	9 → Social Plan
10→ Tavolo Regionale	10 → Regional Table for Roma inclusion
12 → Forniture	12 → Supplies
12 a: forniture riguardo gli insediamenti e l'abitare	12a supplies related settlements and living
12 b: altre forniture	12b : other supplies
13 → Inserimento sociale e lavorativo	13 → Social Inclusion
14 → Servizi Sanitari/Salute	14 → Health Services / Health

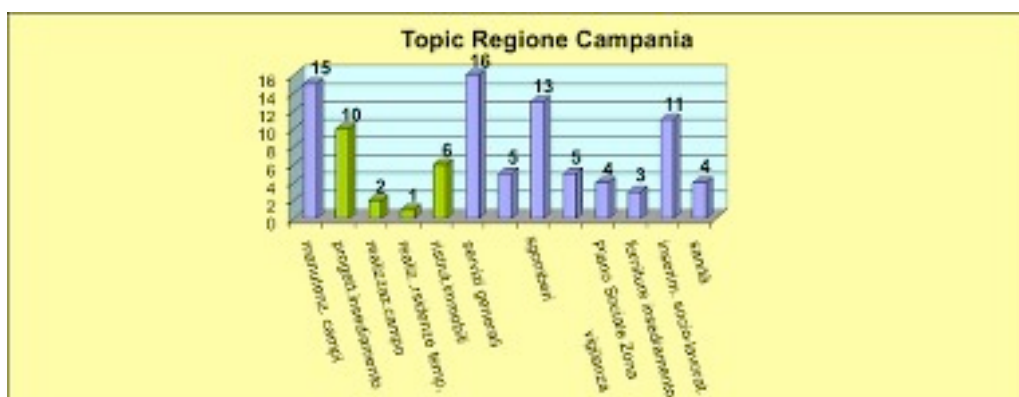
It's seems appropriate to stress that the research is focused on the housing issues and therefore the topics not directly related to it (number 4, 12b, 13 and 14 in particular) are inserted into the table just because they appear in the collected documents. Of course, they are largely underestimated compared to all the documents produced by the institutions.

With this clarification, look at the distribution of topics in the areas of our research, a distribution that seems interesting to the differences that expresses it (see also annex 2).

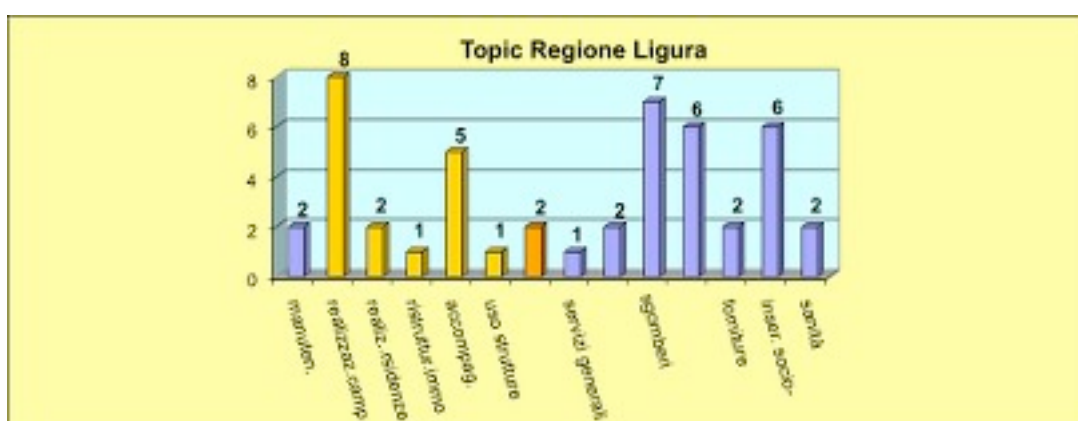
In Tuscany Region (Region and Cities of Florence and Viareggio) the topic n. 2 Routine and Emergency Maintenance of Camps (156) is the highest one, then n. 3.8 Use of shelters, relocation of families in shelters (80), n. 4 School and extracurricular services (55) and n.6 Evacuation / eviction (45). This is because the City of Florence with its managements measures is predominant: the topic n. 2 is in fact under the responsibility of the administrative field, producing a high number of chief executive office documents (management measures).



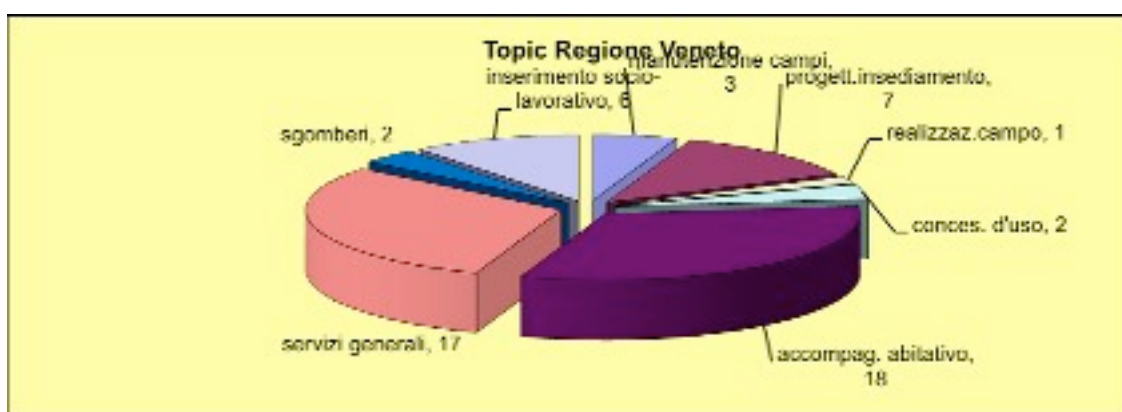
In the Campania Region (all territories), i topics n. 2 Routine and Emergency Maintenance of Camps is n. 4 School and extracurricular services, n. 6 Evacuation / eviction and n. 113 Social Inclusion are equivalent.



In Liguria (all territories) the Realisation of the camps is the highest, and are relevant also the n. 6 Evacuation / eviction and 7 Vigilance.



In Veneto Region (Region and cities of Venezia, Legnago and Cerea), the highest topic is the n. 3.7 Housing assistance , housing solutions , relocation of the families in the houses (then n. 4). This is because of the case of Legnago (see infra paragraph 7.2). Also interesting the topic n. 3.1 Realisation of the settlement because the documents are related to the Mestre Village.



For the regions of Tuscany and Campania, we tried to verify the costs sustained by

institutions for each topic. Nell'annex 3, you can see the tables relate to each specific area (Region and cities) distributed per year.

Here we give only the table of the costs for Routine and Emergency Maintenance of Camps (topic n.2), the highest topic in such territories.

Year	N. of interventions	Firenze	Regione	Viareggio	Cost tot. €	Average cost per intervention €
2003	44	44→902.110,18	0	0	902.110,18	20.502,504
2004	32	32→1.058.541,46	0	0	1.058.541,46	33.079,420
2005	26	26→335.126,7	0	0	335.126,7	12.889,488
2006	8	8→400.834,96	0	0	400.834,96	50.104,37
2007	7	7→288.385,99	0	0	288.385,99	41.197,998
2008	19	12→182.633,25	0	7→94.143,56	276.776,81	23.064,734
2009	13	12→344.177,05	0	1→15.000	359.177,05	27629,003
2010	4	4→194.656,8	0	0	194.656,8	48.664,2
2011	2	2→100.000	0		100.000	50.000

Year	N. of interventions	Napoli	Regione	Provincia	Cost tot. €€	Average cost per intervention €
2004	1	1→ ---	0	0	/	/
2008	3	3→298.556,74			298.556,74	99.518,913
2009	1	1→601.472,39			601.472,39	601.472,39
2010	1	1→150.000			150.000	150.000
2011	3	2→894.000		1→110.020	1.004.020	334.673,333
2012	1	1→50.000			50.000	50.000

1.2. NATIONAL LEVEL

In the last decade, in Italy we have a few but significant number of national sources (13 in total), in particular: 1 Statute, 3 Legislative Decrees, a Senate Committee Report (2011), and a “National Strategy for the inclusion of Roma, Sinti and Camminanti” produced in 2012 by the U.N.A.R., a governmental body working against social forms of racial discrimination.

But we have also the Government Decree 21 May 2008, known as “Nomad Emergency Decree”), which was extended in 2009 and 2010, by wich declaring the state of emergency in relations to the “nomad camps”. This Decree is based on Law No 225 of 24 February 1992 on the establishment of a national civil protection service, which empowers the Government to declare a state of emergency in the event of natural disaster, catastrophes etc. Though this Law contains no reference to situations arising from existence of “ethnic” groups, the issue of the Roma and Sinti has been considered like a natural calamity or catastrophe! And so must be trakled with extraordinary means and powers.

So, about the “State of emergency” we have:

-3 Presidency of the Council of Ministers Decrees (2008, 2009, 2010);

-1 Presidency of the Council of Ministers Order (2009).

Fortunately, the Decrees were annulled by State Council in its judgment no.6050 of 16 November 2011.

With the declaration (2008) and the extension (2009, 2010) of the “state of emergency”, the Prefects of Venice and Naples (following the same process occurred for the other Regions) were appointed Deputy Commissioner in order to achieve the final overcoming of the so-called “nomads emergency” within the regional boundaries. The emergency, as stated in May 5th 2008 Decree, was definitively ended when the Supreme Court, in 2013, confirmed its illegitimacy, already declared by the Administrative Supreme Court with Decision n. 6050/2011. Please, note that some documents, although relevant, are not part of the collection, which deals with Government, Parliament and administrative acts in force, therefore excluding judicial decisions and draft legislation (such as the national “Norme per la tutela e le pari opportunità della minoranza di Rom e dei Sinti” of June 30th 2010, or the venetian “Regolamentazione e disciplina degli interventi sulla presenza delle popolazioni nomadi sul territorio veneto” of February 22th 2007).

- The rights “of” Roma people: an eventual category, subordinate to the right “for”

Roma people

In Italy, we can observe a resurgence of an anti-gypsy attitude, despite the problematic introduction, since the ‘60s, of “integrative” and “safeguarding” policies for nomads, later, translated into a sequence of regional laws on stopping-camps (expression of an attempted – and failed – “at distance” assimilation), during the ‘80s and ‘90s.

The crossed spread of negative behaviour and attitudes also involves the public discourse, when the social division gets the form of not only discriminatory written acts, but also of acts having an official role, depending from the administrative authority. Granted that, no discourse is, in general, exempt by stereotypes, either declared or supposed, in references and in silences of “democratic racism” (Palidda 2009; Faso 2010), the official language (contained in legislative, administrative and addressing documents, besides in courts decisions) can strengthen the old social *habitus* - by legitimating it – of considering the “gypsy” as the “foreigner”, who cannot be naturalized, because “lacking” of territorial roots and of definite identity.

To the repeated acts of collective violence, of the last years, a media expansion corresponded, in the discourse against Roma or Sinti people, or, in an all-encompassing sense, against “nomads”. This term seems to exempt authorities from ascription of any citizenship. In our set of rules, the normative framework of regional and provincial laws (Autonomous Province of Trento) can compensate only in part the lack of a national

legislative discipline. Despite the sensitive debate, arisen during the preparatory works and last proposal of law of 2010, Law 482/1999, which would intend to safeguard linguistic minorities, existing in Italy, does not recognise its applicability to Roma and Sinti people, because they are “lacking of a territory” (another paying lip service motivation).

In our point of view, it is exactly this imbalance, among juridical sources at various levels, to show the system’s gaps and the axiological leaps, impacting on it and referring to production areas that are not only physically distant, among them. The influence of the European discourse, oriented to the supremacy and to the affirmed inviolable fundamental rights, partially includes some national documents, having no law enforcement power, anyway. First of all, there is the National Strategy of U.N.A.R. (“National Racial Anti-Discrimination Office”, in direct compliance of the Communication of the European Commission nr. 173/2011) of 2012. Here, it is also wished a concrete overcoming of “camps” in favour of a “housing integration”, coordinated by local institutions and third sector. Then, in a lighter way, there is the “Report of the Special Commission of the Senate on the condition of Roma, Sinti and Camminanti people, in Italy”. Here, it is lamented (in 2011) the absence of a national strategic plan, even structured on the basis of the needs of each territorial environment. Besides these acts, having an addressing value for future social policies¹, and, anyway, symptomatic of the will to limit dangerous xenophobic deviations, we can retrieve a general safeguard, among primary sources, only in articles 3 and 6 of the Constitution (guarantee of formal and substantial equality, reference to an *ad hoc* discipline for linguistic minorities).

The fact that Roma and Sinti people are not included in the Law December 15, 1999, n. 482 “Provisions for the protection of historical linguistic minorities”, it’s meaningful and so we can note a normative gap, separating above-mentioned documents from regional and local ones (regulating the access to stopping-camps for “nomads”)². In the first case, regional laws, from ‘80s and ‘90s, are built upon two categories: a concentrating one (the “camp”) and a demographic one, totally detached in Europe (the “nomad”). While facing texts, being produced in series by a same ideological “mould”, despite some variants of the ‘90s, a diachronic comparative reading allows us to follow the existing “resistances” in the rhetoric of non-gypsies on gypsies and, thus, to measure the anti-gypsy thought – if there is one – beginning from a common normative model. In the case of administrative

¹ They are not, therefore, juridically binding, equally to important *soft-law* International acts, like the “Convention-frame for the protection of National minorities” of 1994, the “Universal Declaration of UNESCO on Cultural Diversity” of 2001, and “Strasbourg Declaration” of 2010.

² In order not to create misunderstandings: the authors are opposed to a national law exclusively only for the Roma people.

provisions, issued by local bodies (especially, ordinances, resolutions and regulations) addressing Roma, Sinti or, simply, “nomad” people, data are less linear.

2. Contexts (territories) of the research

2.1. Liguria and the cities of Genova and Savona

The documental production collected concerns two selected parts of Liguria, i.e. the provincial capitals of Genova (also the regional capital) and Savona. These are in the middle of the geographical arch described by the Region, which is folded between the south-western mountains range-system and the Tirrenian Sea. Concerning our purpose, the former municipal area has revealed itself as a good network for informations about public policies directed to Roma and Sinti as well as an important center for the sources production (statutory and political / technicaladministrative acts); on the other (east-oriented) side, Savona could be defined as an “anomalous case” of steady but informal presence concerning some Sinti families. Omitting the extreme-west ligurian side because of its almost full lack of administrative documents (except for some recent removal orders of "nomadic squatters" sleeping in tents close to the sea shore in Imperia provincial territory), we kept on studying both these above-said contexts, in part geographically similar and 50 km far one from the other, but very different in order to the official response addressed to “gypsies” by the respective territorial authorities.

Genova

About Genova we have collected 45 files, including acts of different legal nature, which corresponding to the local operational level. These are municipal ordinances, resolutions decrees and regulations, including the technical informations based on attached expertises as well as some joining to national programmes or pacts.

Although traces of their presence or passing can be founded in historical documents, (since the XVII century) some dispersed presences are attested since '60s, but their administrative “emergence” starts at the ending of '70s, when several families of italian Sinti are living along the riverbanks of the Polcevera Valley. During the next two decades , other groups will come first from Yugoslavia, later from the countries affected by the succession of the balcanic wars. Since the second half of '90s, and with new boost, 2007 (incorporation of Romania into the EU), several families romanian Roma, even though less visibile, have come. However, it should be born in mind that “social visibility” is mainly the effect of specific policies addressed to a group of persons by local powers. Since their arrival, Sinti and Roma have found different policies (silent non-intervention, “temporary” camps and regulations, partial shift to social housing) moving into a common territorial

space, as created more than a half century before by the fascist urban regulation.

The Regional Act n. 21/92, introducing the distinction between “staying” and “transit” areas, defines the criteria to be observed for a “camp” (location, surface limits, equipment, health and social services). It also establish a Committee (with two representants of “nomads”) playing an advisory role, as wel as the obligation of children education as necessary condition for staying. It's important to note that, since 1988 and during de following two decades, no one “final” regulation has been produced by the local government. The camps, yet, were set up and still are.

After several removal and re-placement of Roma families in Molassana, part of the 122 bosnian Roma residing there were re-placed in public houses and “temporary” buildings managed by the Municipality of Genova. In 2006 a new Regioal Act abrogated the former legislation on “camps”, shifting the issue to an “Integrated System of Social Services”. Camps, Roma and Sinti have disappeared only on paper.

Finally, a draft-Regulation of 2010 has been provided for both the existing areas of Molassana and Bolzaneto, placing before any stay application the signature of a “Pact of responsibility”.

Nowadays, the current Roma and Sinti population in Genova has been surveyed (December 2012) as follows:

- Molassana Camp: 103 ps. (of which 50 under 18)
- Bolzaneto Camp: 151 ps (of which 64 under 18)
- Social housing : 151 ps (30 families, of which 76 under 18)
- informa/irregular (“without a legal authorization”) settlements: 20 (corresponding to 150 ps. living in Bolzaneto, Molassana, Voltri and Pra municipalities).



Bolzaneto

Savona

Regarding Savona, whose situation is still not regularized, we founded primarily two main documents concerning the relocation of the Sinti stationing area, a bulk of bills containing the missing payment for utilities supply, such as water and electricity and a sketch of unapproved regulation to formally create a "camp for nomads", preserved in the Municipal Police headquarters archive.

In Savona since more than two decades we find a small number of Sinti families (8 today, around 12 from ten to five years ago, part of a parentally "strong" cognatic group) coming from Piemonte (town areas of Asti and Alessandria). They are living in the upper side of "Fontanassa" neighbourhood, northwards from the city center. As we were saying above, their presence is well-founded, but not fully recognized with regard to the legal standards required by the regional law to stay. The "camp" doesn't exist on paper even if it's there since twenty years. At the moment, we have founded 2 local acts issued by the City Council attesting the relocation to this place in 1993, after the removal from a central parking area. To the local Sinti, it is a "domestic area" that results to be, in such a way, self-managed.



Fontanassa (Savona)

2.2. Veneto and the cities of Venezia (Mestre), Legnago and Cerea

Since august 2013 the research has been extended to another regional context, that is Veneto, selecting two different local levels: the southern provincial area of Verona and the municipality of Venice. If formally we have adopted two different biases identifying the focus territorial areas (the regional chief town municipality versus a larger provincial towns area), that depends basically on Roma and Sinti population density, which is lower in one case by reason of the scale and following their tendency to dispersion. Then again, as happened with Genoa and other urban realities, the administrative territory of Venezia is the product of an unification, during the fascist regime, of several municipalities that were previously autonomous. Similarly to

Molassana and Bolzaneto (where still are the two main “campi nomadi” of Genoa) we can find the “Sinti Village” of Venice located in Favaro Veneto, near Mestre: both municipalities are territorially part of the Venice since 1926.

The documents collected concern mainly Slovenian-Croatian Roma (locally called “Sinti”), coming from Friuli Region and of Slavic origin (from the north of former Yugoslavia). They live scattered throughout the Region into “campi nomadi”, social housing and private plots of land for building.

- Legnago and Cerea³

In both municipalities the Sinti are present at least since the late '60s. However, the first “stabilization” in Legnago, date back to the early '80s, at the former municipal slaughterhouse. In 1985, a controversy broke out after the eviction order of a few caravans parked on the banks of the Adige river. In 1988, after the forced transfer to an area adjacent to the swimming pool (Via Olympia), the City Council approves the resolution to carry out a n equipped area of 2000 sqm. In 1992, 4 prefabricated houses are assigned the new “campo” (regulated by Regional Act n. 54/1989) to as many Sinti nuclear families. The area reserved for people in transit will be later converted in favor of relatives of the first beneficiaries. In the early '90s start the disinfection operations of the “campo” (municipal ordinances) as well as some measures for washing Sinti children before they enter the local school. The “campo” (2300 sqm), now called “St. Francis Village” (that emphasizes the active role played by the parish and his volunteers), is completed in 1993. Ten years later, arises problems of overcrowding in the area: more than 50 people is living there (non authorized presence of other caravans, a mobil home and several vans), so the administration start the first hypothesis for social housing transfer. This situation has led to the dismantling of the “Village”, which took place in 2009. Today the Sinti in Legnago are less than a hundred, one third of whom live in social housing (“ATER” houses).

About Cerea, We can find a similar situation (presence dating back to the '60s), but less defined. The nomad camp, which still exists, was created in 1997 using an area located in Via Firenze (quite far from the town center). The camp hosts, according to the Regulation (Article 2), a maximum of 15 caravans (13 to stop the “sedentary” and 2 for the provisional one. The total number of Sinti in the City is estimated to be about 60 people (including four families living in social housing). The major interventions, attributable to Social Services, relate to the maintenance of the staying area and interventions of schooling with the help of regional contributions.

³ During the research we collected documents in other municipalities bordering Legnago and Cerea, but they are very small territories that is why we preferred not to include.

- Venice.

In the venetian municipalities has been recorded the presence of Roma and Sinti. About Venice, public documents are addressed mostly to Sinti because of their historical settlements in the Mestre area, in the municipality of Favaro Veneto. As “Sinti” are classified both those groups that social workers say declaring themselves by self-definition, and those families historically known by the local community as carousels and circus workers. Since the early 70's, 12 families coming from Friuli Region (especially from the town of Casarsa) are present in an area adjacent to Via Vallenari, between Mestre and Favaro. They have 15 caravans and some little cabins. the mid- 70s , 7 families were settled in housing, while the others remained in the area. It's important to note a strong continuity of residence in that area (what has led to talk of “sedentary Gypsies of Venice”), until the eviction Order of Mayor Cacciari in 2009. The creation of a new “village” conceived as a “third way” between the “campo” and the sedentarization in public housing, will bring new arguments and representations, now renovated echo media resulted in an internal conflict in two families of the Village. That transition will be one of our core analysis and main topic of discussion.

Regional level, 5 documents (political):

- 3 Regional Acts (1984, 1989, 1996);
- 2 Regional Council Resolutions (2003, 2006).

The 1984 Act n. 41 (“Interventions to protect the culture of Roma”, the term Roma including Sinti, as stated in the second part of Art.1) was the first example of regulation on areas reserved for nomads, before being replaced five years later by Act n. 54/1989, still in force. It also follows the model of “ethnic borderline communities” that must be “protected”, with an explicit exhortation to make a step towards access to sedentary lifestyle and public education for children.

The 10/1996 Regional Act, without mentioning expressly nomadic people, Roma or Sinti, regulates the allocation of social housing, providing the personal requirements and procedures for access to the list. Among the situations of emergency housing, We find the “evacuation of residential units to be recovered” and the aid to “special social categories” (Art. 11,1).

The Regional Council Resolution n. 4054/2003 consists in a contribution allocated to the Municipality of Cerea - one among our targets - for the renovation of a staying area (“campo-sosta”). The last document, of same form and similar contents, is addressed to two Municipalities (Verona for setting up a “campo” in the area of Boscomantico; Schio for making improvements to an already established structure) that have applied for contributions by the Region, under the Regional Act n. 54/1989 (Artt. 8 and 9). The request of Verona cannot be accepted due to the lack of “Territorial Management Plan” (which complain with the chosen area) approval.

They are **all political** documents.

Local level (3 Municipalities): 49 documents (22 political/27 technical-administrative):

- a) Venice: 12 documents (9 of which are political) [time span resulting: 2003-2013]
- b) Legnago: 30 documents (12 of which are political) [time span resulting: 2000-2012]
- c) Cerea: 7 documents (9 of which are political) [time span resulting: 1997*- 2009]

The local acts collection constitutes the bulk of the materials examined as well as the textual analysis core. For Cerea Municipality, we have only one City Assembly Regulation concerning the “Campo of Via Firenze” and dated 1997, whereas about Legnago we dispose of 2 regulating acts of what was called “S. Francesco Village”.

For more details about the list and the formal nature of the documents, we refer to the Excel File.



Villaggio Mestre, “Venezia Today” 27.04.2013



Legnago, the former slaughterhouse. “L’Arena” 20.08.2010.

2.3. Tuscany and the cities of Florence and Viareggio

Current Roma’s communities situation in Tuscany should be interpreted by the different phases that characterized their settlement in the area:

- The Eighties and Nineties: Romas migration from ex Yugoslavia countries:

Nomad camps in Tuscany are the outcome of a first migration’s phase started at the end of the eighties and consolidated in the nineties. These are groups mostly coming from

Kosovo and Macedonia. In the mid-nineties the authorised settlements by municipality (and a lot of not authorised, but “recognised”, settlements) had more than 2.500 roma and sinti. Nowadays there are about 1.200 roma and sinti in “nomad camps”.

- The years Two thousand: romanian Roma:

Since 2000 begin new Roma migratory flows from Romania (most arrivals are between 2005 and 2007, but in Florence we have a significant presence from 2002). These new informal/irregular settlements are excluded from the programs of nomadic camps overcoming.

- An ancient presence: the Sinti

These are italian resident citezens, lot of them stopped in some ares because of the total or partial relinquishment of their travelling occupations. They are present in official settlements or in private areas; the latter solution represents a settlement practice expressing exit and resistance strategy from institutional answer as for example nomad camps.

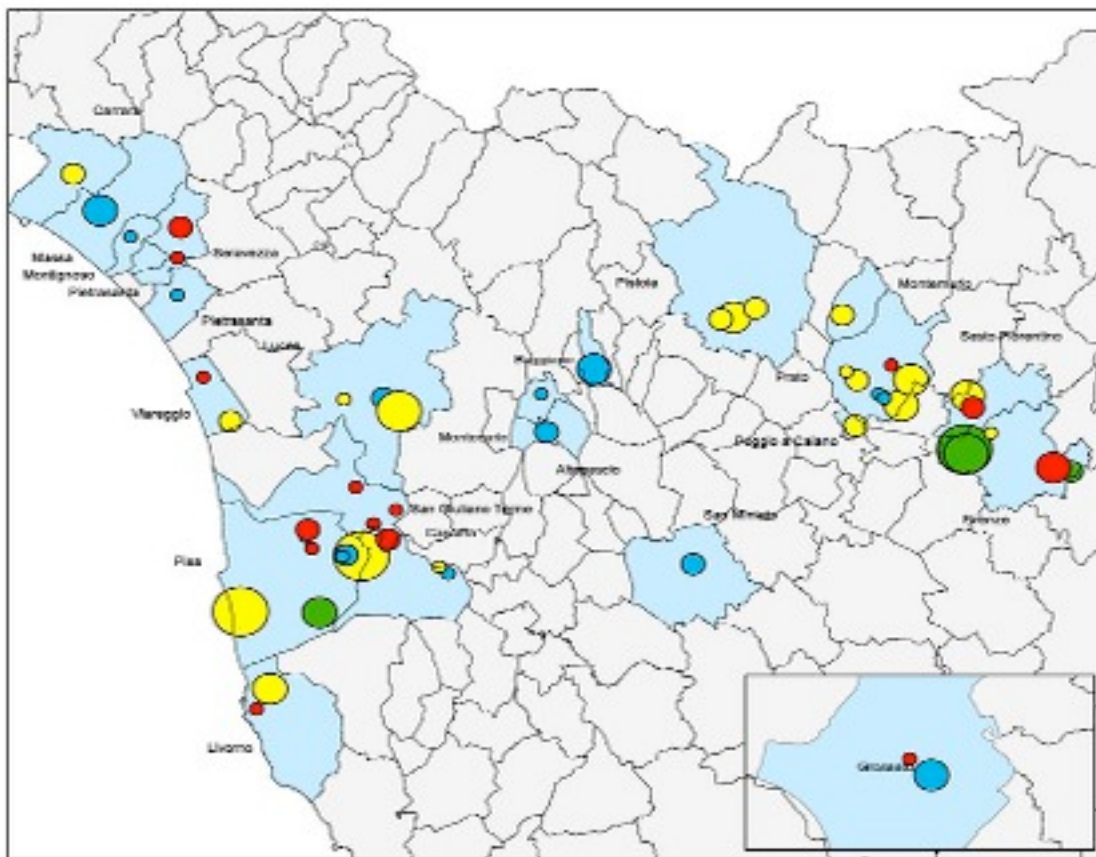
About the regional level, in Tuscany we have collected 59 legislation and documents, included the Regional Resolution for the inclusion of Roma and Sinti (2013). The Regional Law for Roma and Sinti is earlier than the reference years of research (2000).

At the local level have collected:

- Florence: 387 documents (from 2003 to 2012)

- Viareggio: 28 documents (from 2007 to 2009)

For an in-depth view of the social-housing situation of Roma and Sinti in Tuscany, see the Regional Observatory edited by Michelucci Foundation (www.michelucci.it/osservatoriorom) and the first case study *infra* (chapter 7).



Roma in Tuscany, Settlements typology. 1) Authorised settlements : yellow; 2) Villages (temporary or permanent): green; 3) Not authorised settlements: red; 4) Private areas: blue



Guarlone (Florence): Permanent village (masonry houses), 33 Roma from Macedonia



Poderaccio (Florence): Two Temporary village(now very similar to a campo nomadi), 418 Roma from former Yugoslavia. Photo by Silvia Paggi

2.4. Campania, the Municipality of Naples and the the Province of Naples

The Roma situation in Naples is paradigmatic about the Roma situation in Italy. Infact, before the '90s, there wasn't a "Roma issue" or a "Roma problem". No one at political and administrative level was interested about Roma people in Naples. The "local" Roma called Napulengre were (and are) rather invisible, they live in flats often in the popular districts of the city, mixed with non-Roma families. The measures taken by Institutions against Roma from former Yugoslavia were influenced by the "nomadic theory" (see paragraph 6.1. *infra*) and by the the emergency situation. The current issue of Roma in Naples suffers from a history of institutional approaches (political and administrative/bureaucratic) against them, where many elements are found that our research reveals.

The majority of the Roma population in the city of Naples live in makeshift settlements made up of shacks buikt from improvised material insede areas often lacking the most basic utilities water, electricity, adeguate bathroom and toilet etc.).

From a survey carried out in 2011/2012 by some associations in collaborations with the

Municipality of Naples, a number of interviews and a visit in May 2013, we can conclude this brief overview of the Roma population settlements in Naples:

- Secondigliano: the only settlement equipped by the Municipality (divided in two parts). There live 600 Roma from former Yugoslavia. The camp borders the prison and it's along a high speed road
- Scampia: there are approximately 4 informal camps. There live 700 Roma from former Yugoslavia. The City of Naples has obtained a grant from the Region Campania of € 7 million to build a new housing condition for the Roma population in Scampia, but at the moment the project is stopped.
- "Centro di prima accoglienza ex scuola Grazia Deledda": A shelter open with the financial resources from the "Nomad Emergency Decree". There live 100 Romanian Roma (in particular from the District of Călărași).
- Poggioreale: about 300 Romanian Roma live in Via del Riposo in a very difficult living conditions.
- Other about 120 Romanian Roma live in the urban centre area and in the port area in the same conditions.
- Barra: two informal settlements (*slums*). In a camp live 350 Romanian Roma from the District of Călărași, in the other one live about 50 Romanian from Suceava.
- Ponticelli: two informal settlements where live about 350 Romanian Roma.

After the Government Decree, known as "Nomad Emergency Decree" (21 May 2008), in the Region of Campania (specifically for the Province of Naples) was declared the state of emergency in relations to the "nomad camps". The Prefect of Naples (with the Prefect of Rome and Milan, and after in 2009 also the Prefect of Venice) has been designated Special Commissioner for the Roma and Sinti emergency, granted extraordinary powers to carry out the interventions in his region (OPCM n.3678 of 30 May 2008). The specific powers include the monitoring of formal and informal camps, identifications and census of people, measures aimed at clearing "camps of nomads" and evicting their inhabitants, as well as the opening of new formal "camps".

We have collected some documents from the Prefecture of Naples and from the Municipality of Naples about the actions and projects linked with those "specific powers".

After the ruling issued by the State of Council - which annulled the Decree of 2008 and subsequent extensions - the Prefecture of Naples had to stop the ongoing interventions. The Prefecture will have to restore to the Ministry the financial resources not yet

committed, which then will be re-assigned to complete work which is not yet finalized. In the meantime, the Prefecture has contacted the City of Naples to formalize an agreement for the continuation of the interventions.



The border between the prison and the Roma settlement in Secondigliano (Naples)

3. Social housing in Italy. A general view

(M. Colombo)

The social housing issue that in our national context is almost exclusively represented by Edilizia Residenziale Pubblica (ERP, Public Residential Building), appears as a fundamental component of welfare state, likewise a crucial part of economic, social and political history, common to most part of European countries. In particular, it is one of the few opportunities to access to an accommodation by a more and more relevant part of the population, excluded from building market.

Its development constituted undoubtedly a fundamental aspect of architecture and city planning, as well as, of transformation processes, through which the contemporary city took shape and identity, in Italian Regions, in the not always successful attempt of facilitating “the realization of an acceptable housing and social context, within which it might be possible, accessing to not only an appropriate accommodation, but also to rich and meaningful human relations (Social Housing Foundation, 2009).

Although the “social” connotation has always been the one that, in legislative efforts, strongly characterized the role of interventions, the feedback of this vocation had different chances, throughout the years. Together with interventions, able to guarantee a housing offer, not-limited to provide an accommodation, but also all that might facilitate the establishment of relations, social participation, integration, in many realities, it was observed the realization of building stocks, without any connotation, but the one of mere housing containers.

Even by creating initiatives, not always coherent and linked among them, public intervention in the field of residential building was anyway one of the most relevant sector of Italian social legislation, which could not, nevertheless, understand and interpretate the developing transformations, concerning, in particular, emerging issues from new profiles of social discomfort.

In fact, while in past decades, huge housing plans of public residential building mainly were addressed to medium-low economical level families (workers, employees and artisans) with no particular profile of social discomfort, since the ‘80s, the widespread and structural reappearance of poverty and discomfort phenomena has had a direct impact on social composition of ERP areas. Further, the concentration of buildings of public residential building industry, in areas, where urban infrastructures and social opportunities were scarce or inexistent contributed to mark those settlements as problematic suburbs, of

neglect and urban insecurity.

The historical insufficiency in the offer, represented by the Italian public residential building (less than 4% in Italy and in Tuscany, in comparison to 19% in France, 21% in England, 35% in the Netherlands), especially the lack of appropriate policies concerning housing aspects, impeded, in fact, that ERP areas could present that necessary social mix, in our territory, to avoid the effects of concentration and of segregation of poorer and more disadvantaged populations.

In particular, since the '80s, in Italy, likewise in other European countries, the economic recession pushed governments towards the objective of reducing inflation and public expense, involving, as a consequence, social housing policies. This produced: several effects of withdrawal by the central State and of decentralisation of housing policies; alienation of public housing patrimony; reduction of public resources; liberalisation of rental market, consequently reducing the percentage of social housing and, most of all, of recipients.

Only recently, when the link between economic uncertainty and difficulty to access or to keep a house got evident, as a central element in the fight against social and poverty exclusion, the resource increase for social housing came back as a priority for many countries.

Nevertheless, the social housing sector must currently face complex change processes, which are involving urban territories and societies. The request of social accommodations is, first of all, subject to the pressure of social and demographic dynamics. Life expectancy is longer, fertility rate diminished, and, as a consequence, European population is getting older. The dynamic, seeing a reduction of family unit sizes does not only concern anyway older people, but the society in its whole: the percentage of units made up by just one person is increasing, and, simultaneously, it is increasing the number of family units requiring an accommodation. This happens independently from the fact that population might augment or diminish. To the augmentation of population – or to counterbalance the decrease – it contributes the high level of immigration towards European countries, in particular, to Southern and Western Europe. The availability of an appropriate accommodation becomes, for these persons, an essential condition to avoid a destiny of social exclusion in destination countries. Immigrants and ethnic minorities express, thus, in their turn, new housing requests, also exercising pressure on social housing sector. On the basis of these social and demographic dynamics, therefore, the profile of social housing's users is changing: it is no longer the traditional family model and, instead, the so-said

atypical families increase (extended families, one-member units, single-parent families). It is also registered a strong immigrant presence. Social housing must, therefore, respond to all these new requests and needs.

4. The Juridical Frame

(V. M. Carrara *Sutour*)

- Decentralization and subsidiarity.

The national juridical scenario is historically grounded in romanistic tradition, foreseeing a constitutional structure, which is centred on the “State of right” (the formal model enlivening the European juridical culture) and on separation of powers. This entails a formal record of law with regard to secondary sources (governmental regulatory acts, acts issued by territorial administrations) and jurisprudence. Likewise the most part of Union countries (except United Kingdom); jurisprudence plays a relevant interpreting role on primary sources (Constitution, constitutional laws, law enforcing acts).

Social change is assumed by sets of rules, through structural modifications, pertaining to internal distribution of powers. Social change is an expression of both centrifugal forces, present at national and transnational level, and of new ideological and political issues, inherent to government form, to administrative organisation and to the “citizen-client” concept. In a late implementation of the constitutional requirement (art. 117 and 118), Italy faced a first phase of regionalization, during ‘70s, that, anyway, did not involve local authorities (Provinces, Municipalities, regulated by the Testo Unico of 1934). When Regions were effectively established as “Bodies” (despite the opposition of the majority, at ministerial level and of the Constitutional Court itself), a re-order of bureaucratic structures did not correspond. It will take place twenty years later. Since mid-‘90s (D.Lgs. 77/1995 and cc.dd. “Legge Bassanini”, nr. 59/1997 and 127/1997), we assist to a strong opening, in autonomic sense, in favour of local bodies. The realised decentralisation is not only of financial and administrative order, but it involves the whole bureaucratic structure. We are facing a “social” and strictly politic fact, which is useful to understand the change of direction and of value, conveyed into the administrative discourse, being the object of our research.

This important abandonment of state functions, produced by the reform, can be considered as the success of widespread issues in European societies, translated in the new principle, for our set of rules, of subsidiarity, stated by the following amendment of the Constitution (L. Cost. n. 3/2001). By a perspective overturning, the new combination - stated in art.114, 117 and 118 - foresees that State has functions, expressly reserved by law, while local authorities (intended *lato sensu*⁴) have an “open” competence in

⁴ This category includes: Regions, local territorial bodies, local non-territorial bodies (for example, Chambers

administrative functions, related to citizens' needs, in their territorial environment. Such an "assignment" of functions and responsibilities places local authorities "at the centre of distribution of competences system" (Caringella, Giuncato, Romano 2007: 98), both in a hierarchical sense and on the horizontal level of co-operative relation among people (individual citizens or intermediate corps) and institutions. In line with the neo-liberal orientation of the reform⁵, the model of duties' separation asserts itself, dividing acts into political and technical-administrative ones: if the first ones specifically pertain to political and executive organs of bodies (for example, expressed objectives in a committee resolution), officers, whom financial, instrumental and human resources are allocated to, can act in total autonomy. Further, a residual power is reserved to managers to issue acts, not pertaining, by law or statute, of government organs of the body. In a full respect of this model, by exercising their functions and competences, local administrators will have to adjust to impartiality and of good governance principles (art. 77, clause 2 of TUEL⁶).

As a further confirmation of this new orientation, we remind, about regional autonomy subject, the opening provision of third clause, art.118 of the Constitution, according which state law can delegate administrative functions to Regions, also in immigration, public order and security issues, i.e., also in issues that are of exclusively competence of the state (Const., art. 117,2 lett. *b* and *h*).

The so-said "second reform" of local bodies, implemented by Law nr.265/1999 ("Regulation on the issue of local bodies' autonomy and set of rules"), focused on the variety of involved public subjects, by strengthening their statute authority. In this way, the definition of a body's nature and its functioning (organs' assignment, organisation of offices and of public services, people's participation modalities, access by the citizenship to administrative proceedings) are regulated by the related statute and no longer by law.

As a retroactive direct effect, in the current system, the bureaucratic language has partially changed, too, having taken on, as a model, the one of private business, with regard to managerial aspects. Private business subjects, together with Third Sector organisations

of Commerce) and instrumental public bodies (like ISTAT or other special organisations).

⁵ Besides the wide abandonment of state functions, it has to be considered the new measures of simplification of administrative proceedings (L. 127/1999), the privatisation of some public bodies and of activities, previously subject to authorisation, the frequent recourse of PP.AA. to outsourcing, the deregulation in work relations (L. n. 133/2008), the liberalisation of commerce (D.Lgs n. 114/1998).

⁶ "*Testo Unico sugli Enti Locali*", i.e. D.Lgs. 267/2000, partially amended by L. 125/2013 (pursuing urgent objectives of rationalising and limiting flexible work in PP. AA.). It is a sort of "code" of local autonomies, containing dispositions related to: institutional structure and set of rules; electoral system (including the ineligibility and incompatibility system); juridical status of administrators; financial and administrative system; controls; office and staff organisation – including municipal secretaries. The legislative structure of TUEL derives from the one of Law 145/1990 and following amendments and integrations, until the reform of Law 265/1999.

(included social business) collaborate with local administrations as specific operators, often called to manage resources and to provide services, on behalf of public bodies (outsourcing phenomenon; adhocracy⁷). As previously said, in this new vision about localised governance (it is no longer talked about “regionalization”), the profile of active citizen-client emerges: no longer as merely recipient of services, but as social actor, taking part to the definition of political space, in function of own needs. The wished citizen’s centrality is translated, since the framework Law 328/2000, in the forecast of the so-said “integrated systems”, i.e., of coordinated performances in different sectors of social life, able to integrate services to the person and to the family unit with eventual economical measures. At organisational level, “active paths” can be identified, which are able to optimise resources, avoiding overlapping of competences or fragmented responses to “fragile” subjects’ needs. The latter can be identified in those people, finding themselves in poverty conditions or with incapability or with physical or psychological⁸ disabilities or with insertion difficulties into social life and in job market. The integrated system gets, so, a universalistic character (Maggian: 2001) and it is conceived as a sort of “organic collector” of expressed needs by a territorial community.

At this point, within the limits of our objectives, it is legitimate to wonder where Roma people can be placed, in such a system and if they can be active part of the above-mentioned “community”, or not. Meanwhile, we can observe that, while in ‘80s and ‘90s, the Roma person constituted a cultural isolation, on the basis of ethnicity - although unknown, as a minority – nowadays, in several “integrating” legislations safeguarding citizenship, he/she totally⁹ disappears or re-emerges, under the pressure of European policy and as main recipient of addressed acts¹⁰.

⁷ It concerns a flexible system of management, as theorised by W.G. Bennis (1968) and, later, defined by A. Toffler (1970). It is based on decentred management and non-hierarchy of instruments and resources by a part of specialised and de-structured teams.

⁸ Among these subjects, we find included the recipients of a judicial authority provision, deciding the need of an assistance intervention.

⁹ See the relevant example of Liguria that by L.R. 12/2006 abolishes the previous law on stopping-camp of 1992 (“Interventions of safeguard of gypsy and nomad populations”).

¹⁰ We here refer to the National Strategy for Roma, Sinti and Caminanti people of 2012, elaborated by U.N.A.R. (“Ufficio Nazionale Antidiscriminazioni Razziali”) in compliance with Communication nr. 173/2011 of European Commission.

- Provisions

Let's conclude this brief *excursus*, by listing the specific characteristics of an administrative provision, constituting the official founding act, to the scope of our investigation, by widely referring to the file excel attached, with regard to the name of public acts and the related issuing authorities, on the base of their hierarchical and territorial level.

As a final outcome of an administrative procedure, the provision represents a formal manifestation of will, by the authority, in the exercise of its powers. It distinguishes itself from instrumental administrative acts (for example, a science declaration or a technical evaluation) by the following specific characteristics:

- *Typicality*: its validity is subjected to an expressed forecast, by the set of rules;
- *Nominativity*: each provision serves a precise public politically pre-determined interest, to whose care the administrative function is addressed;
- *Authoritative nature and one-sidedness*: the act displays just one will and it acts independently from its recipients' consent (differently from the agreements between P.A. and privates);
- *Enforceability*: it translates into effects the principle of administrative auto-safeguard (according to which the set of rules recognizes to P.A. the authority of unilaterally intervene in any issue of own competence). On the basis of it, the provision is directly and immediately executable, without the need of a jurisdictional preventive verdict;
- *Incontrovertibleness*: after deadlines for a jurisdictional or administrative appeal proposal, the act can no longer be appealed by interested subjects.

Finally, the typical structure of a provision (for example: resolutions, authorisations, expropriations, ordinances, no impediment to, decrees) follows the classic *disposition*, not casually based on the perspective of the issuer (Fortis: 74):

Dispositio	Example (from the Order by the Mayor of Venice nr. 994/2009 ¹¹).
Heading (issuing authority):	"The Mayor".
Foreword (elements of right, on whose basis the act is adopted):	"Considering local hygiene regulations"; "Considering art. 650 c.p.".
Motivation (factual circumstantial elements and related evaluations):	"Granted that, in the place (...), a community of Sinti ethnicity is present"; "Verified (...) the serious conditions of the population, (...) the proliferation of mice and other animals".
Mechanism (verb of will, followed by appropriate provisions):	"Orders...".

11 The mentioned act's parts are not complete, having here a merely illustrative function.

5. The qualitative analysis. The documents collected as “regulative texts”: methodological aspects

(G. Faso)

1. Although jurists and linguists reaffirmed, far-back, that “the rule does not exist, independently from a proportion describing it” (Silvestri 1989: 238), the analysis of juridical language, of law and administrative documents, has not received a particular analytical and methodological attention, for decades, in Italy.

Until two decades ago, in fact, even best handbooks, introducing to the linguistic analysis of law texts, rested upon - on the linguistic science side - only two pillars. From one side, there was the “parallelism of jurisprudence and language”, because both of institutional and systematic nature; and, from the other one, the first steps towards the analysis of the perlocutive function of enunciations, thanks to the inputs, originated by Austin’s famous Oxonian lessons, on linguistic acts’ performativity.

An evolution of analysis and interpretation methods began, only in 1900, mainly thanks to the input of a series of contributions, by Francesco Sabatini, former President of Accademia della Crusca, a venerable institution of linguistic studies, which was modernised, during that time, benefiting by the alternation in the Presidency of Nencioni and Sabatini. The scientific debate was, thus, renewed and, today, we can rely on a series of first contributions, collected in two useful works of written synthesis: Mortara Garavelli 2001 and Fortis 2005.

2. Retracing this path, somehow just started, allowed this research team to go beyond the valuable incentive, deriving from semantic and pragmalinguistic studies, and to acquire enlightening indications for our analysis. These indications are formulated on the basis of an original attempt of including the consideration of juridical and administrative texts, within a *typology* of linguistic texts (Sabatini 1990 and following).

It was a hermeneutic path, which developed together with the analysis of many collected, catalogued and read texts. After having retrieved, by texts reading, evident cases of differentiating expressions and of easy explanatory principles, qualitative analytical observations were developed. By comparing these outcomes, researchers tried to focus on other emerging characters, from the empirical analysis of texts that constituted interesting discards, in comparison to typical textual bonds of regulating texts. These discards consisted in expressions and real *lapsus*, due to the action of common sense

expressions and categories, as well as, to unconscious phantoms.

Although it is sufficient a knowledge on own rules of linguistic system (morphosyntactic and lexical-semantic ones) and a careful attention about *lapsus* and false steps, in order to realize the eventually existing stereotypes in a text, it has also to be recognised that such a knowledge is not enough to seize the communicative peculiarities of a text, having its purpose, its objectives, a situation context and a juridical tradition background. Therefore, a text is subject to further precise rules, specific of the communicative act, that are “determined by the variety of intentions, preconceptions and conditions, which are preeminent for that act” (Sabatini 1990: 280).

In other words, the differentiating expression or the use of improper explanatory principles leave a mark, it is true, as a revealing scar. This is not an impartial attitude, towards Roma population and it derives from strongly stigmatising common sense knowledge. This often affects the institutional characters themselves, whose normative texts are bound to, rendering them, therefore, ineffective or deteriorating their effects.

3.The validity of recent research on language and juridical texts also depends on the identification of “marks of surface” (Sabatini 1990: 294), characterising different kinds of texts and allowing elaborating parameters for a typology of texts. Sabatini himself elaborated, then, a parameter system of “rigidity-explicitness” VS “elasticity-implicitness” (Sabatini 1999). This allowed to offer a textual typology, according to a scale from “very binding texts” (among them, the juridical ones) to “few binding” ones (among them, the poetic ones or strongly allusive advertisement texts). The multiplication of synonymous, the reference to inexplicit preconceptions, the use of an easy and not rigorous language, emerging from the analysed texts, often disclose a self-absolving awareness. These elements contradict the rigidity of bonds, also realised by a highly codified language, typical of the normative text (Sabatini 1990: 291). “In the juridical normative text”, in fact, “the use of the historical-natural language reaches the highest grade of tension towards semantic univocity” (Sabatini 2001: 341).

The abandonment of the necessary rigour is often functional to a strange inversion of basic rules of texts that, conceived for law communication and, also, being rules, themselves, must order the elements of a demonstration. What has to be explained cannot be used as an explanation, especially in a perlocutive text, thus, with a strong debating bond.

See, for example, doc. N. 102 Tuscany Region in Annex 3A: “By acknowledging the

presence...of many Roma and Sinti subjects, as well as, of other communities...whom, due to their cultural roots, contrasting with social integration, require the assistance of the Health Service only rarely...". If we try to re-order it, as recommended to the writers extending those texts and by linguistics dealing with it (Sabatini 1990), we can order totally "normal" sentences, without an inversion of tense and without advancing explanations. So, we will have:

- (a) In a territory there are many Roma and Sinti and "of other communities" people; how many of them, we do not know: more or less of regular average? What are the eventual particularities of above-mentioned presence due to?
- (b) It seems that these people make just a too few use of the Health Service (nevertheless, this impression is not elaborated into data, statistics, analytical validations),
- (c) An explanation is needed for such a supposed attitude.

Instead of this simple procedure, we have an explanation, also advancing information: *whom*,

- (a) Due to their cultural roots
- (b) contrasting with social integration
- (c) require the assistance of the Health Service only rarely...

It has to be observed that, in this formulation, a fundamental rule is violated, concerning the preservation of text clearness, according which, in Italian, two relative clauses cannot be closed one into another (*telescope clause*). There is a relevant coincidence between this negligence and the recourse to the more frequent *explanatory principle* (Bateson 1976: 75-98) of differentialism. There is a recourse to an explanation in terms of *cultural belonging*, also ascribed to heterogeneous groups, having in common just a preconception of *indistinct and open alterity* : "and of other communities": un example of how a juridical provision should not be written.

It is particularly serious the judgement about the supposed cultural roots (a metaphor that naturalises a complex social phenomenon) of the mentioned population, contrasting the *social integration* action, addressed by this administrative text. A short circuit exists, as measures are declared, in advance, as invalidated or, at least, contrasted, while they are *perlocutionarily* implemented by this normative text. So that, from one side, there is an institution, knowing what is good for society and for Roma people, from the other one, Roma people, having a supposed and naturally expressed cultural reason, hampering, impeding, invalidating the decided positive measures,

whose failure and ascribed responsibility are declared, in advance.

The observation about the infrequent use of the Health Service is not supported by any evidence and it seems not functional to the deliberation, having as its object the health assistance, instead of confirmed rejection events. Signs for understanding unexpressed preconception can be found at page 2 of that document, where it is mentioned, at point 4, to involve ASL in projects to assure a periodical and continuative access that their “cultural roots” would impede. The recourse to “cultural roots” confirms that sense of misplaced concreteness, notoriously leading to fallacious results, according to Whitehead, cited by Bateson. This great epistemologist reaffirmed (Bateson 1976: 104; Bateson 1997: 108, etc.) that classificatory discourse categories, including “culture”, are abstractions, whose constructed character is forgotten every time, in which a *real effect* is ascribed to it. What needs to be explained, i.e. culture, becomes a comfortable and even usual *explicative principle*, able to provide supposed or convinced explanations, but, in its turn, inexplicable.

4. The recourse to explanatory principles radically contradicts the characters of strictness and explicitness, characterising normative texts. Nevertheless, it is a matter of frequent fallacy, in texts involving Roma people.

We can provide some samples of such a tendency. For example, in a document of the Tuscany Region Committee, the resolution n. 66/2003, while talking about “Struggle path against social exclusion”, it is added: “able to allow a reduction of Roma families concentration in Florentine territory”. This formulation must have been considered as appropriate to a following series of texts, regulations, conventions (see for example doc. N.35 on *Olmatellino* camp, paragraph 3 in Annex 3A), in which it is repeated, as a cut-and-paste. No diligent officer could think that, here, the means-aim relation is overturned. This relation should be stated in normative texts, by the greatest precision, in order to legitimate the perlocutive force of the text itself. On the basis of texts’ titles, the purpose is to outline *a struggle path against social exclusion*: a worthy purpose of social inclusion, a principle to be obviously shared. Nevertheless, immediately after this generous and encouraging title, an expression starts to indicate the purpose of the previously expressed action: “*able to allow a reduction...*”. The declared aim of the above-mentioned title is subjected to another purpose: this can only contradict the “rigidity-explicitness” parameter.

The possible reconstructions of this argumentative trap can be two. In the first one, the identification of a means-aim relation is overturned. Is the purpose that of struggling

against social exclusion or of reducing these presences – being deemed as thorny - in a territory? It would be sufficient to be honest and state the second purpose.

The second trap shows an unsaid preconception, in an underhand manner unsaid (Ducrot 1980: 1087), by a thoroughly studied movement, by pragmalinguistics.

Here is the syllogism, whose reconstruction is left to the reader:

- (a) *If* we need to fight exclusion
- (b) *And if* Roma families, by living close to each others, strengthen their cultural identity and auto-segregation mechanisms
- (c) *Then*, we have to manage it, in a way that not too many Roma families can leave together.

In both cases, we can observe unsaid impressions, undeclared purposes or preconceptions: but, the game of *dire et ne pas dire* (Ducrot 1979) breaks the strict rules of explicitness, identified by linguists, who are specialists in juridical language (Sabatini, Mortara Garavelli, Fortis). The relation between struggle against exclusion and “reducing” the “concentration” on the territory of Roma families develops through a series of avoided reasoning in a text that, by definition, must rely on maximum explicitness and cannot be based on not-clarified preconceptions.

5. The parameter of explicitness is not even respected, in particular, where statements of opening and acknowledgment principles can be retrieved. They are declared in total abstraction and without mediations, allowing identifying the stated rights by practical actions of concrete acknowledgment. In the “2007-2010 Regional integrated social plan” (mentioned in doc N. 92 Tuscany Region in Annex 3A) for example, it is mentioned the “...realisation of a plural and cohesive society, allowing everybody to strongly keep own origins and connected values”. In Italian, it is quite difficult to explain the meaning of *strongly keep own origins etc.*, in particular, when lacking of any orientation on concrete measures that should be provided by the administrative text.

Law 2/2000 of Tuscany Region begins affirming that “The present law provides norms to safeguard identity and cultural and identity development of Roma and Sinti people, to foster communication among cultures”. Then, it is mentioned the *safeguard of nomadism*, which would seem a concrete application, although, this moves from an ascription of nomadism to Roma people that is detached from any historical-social consideration of the involved population, who is mainly made up by Roma people, coming from former Yugoslavia, and who settled down since generations, or even centuries. Anyway, later on,

and in the administrative documents, referring to the above-mentioned law, as in the doc N. 89 Annex 3A, this “right” finds itself in a period that seems making no sense. In fact, the document aims at “ the safeguard of identity and of cultural and identity development of Roma and Sinti people, to foster communication among cultures, the stopover and sedentariness”. There are also proclamations of abstract rights, like: “identity, cultural development, intercultural communication” and of daily rights, also turned into abstract ones, like: “stopover, sedentariness”, because deprived of a context. On top of everything, there is the risk of an ambiguous reading of the text, because “stopover” and “sedentariness” are aligned, at syntax level, with “intercultural communication” : these are all heterogeneous “things”, not further detailed, to be fostered. In addition, even here, by exchanging means by aims, as observed in other texts, the safeguard of identity is declared as *finalised (in the purpose of...)* to communication (and, apparently, to stopover and sedentariness). Anyway, a reading is possible, to restore a possible unsaid meaning of such a confused formulation. We pass from identity to *development* (that would be needed by *their* culture), and the purpose will consist in the *stopover*, after ancestral nomadisms. The synonymous *nomad*, often intended in common sense as a *politically correct* euphemism for *gypsy* (but what is, it is not, because the ascription of nomadism is stigmatising), emerges in many of these texts, contradicting another principle of textuality pertaining to juridical written works. This principle is the one of *avoiding synonymy*: the semantic bonds are in fact delegated, in juridical texts, “only to repetitions, substitutions or hyperonyms”, but no symonyms that might produce arbitrary interpretations (Sabatini 1990: 295).

6. The intellectual and civil misunderstanding, leading to these statements, so contradictory with rigor issues in juridical language, probably originates from another typical movement of such principle declarations. The observance of subjects’ rights is confused by the acknowledgment of supposed values of belonging, and not according to the implementation of the human rights universal declaration.

The respect for a Roma person, as a subject, is not a formulated or suggested principle in these texts. On the contrary, they repeatedly plunge people in a categorising denomination. In this way, already in several provisions’ titles, like in doc N. 33 Annex 3A, it is not mentioned a welcoming of persons, but a “welcoming of “Roma ethnic group”, and in doc N. 204 Annex 3A it is mentioned “Roma ethnic group temporary residences” (referring to a chief executive office document - *provvedimenti dirigenziali* - of the

Municipality of Florence 15/02/2002). This is like if residences would not be for persons and families, but for *ethnic groups*, a difficult ghost, to be hosted in a text, pretending linguistic precision and high grade of codification, but useful because, as an *explanatory principle*, it substitutes the unpronounceable *race* (Rivera 2007).

Other terms, retrieved from imprecise and stigmatising common sense language, unfiltered by the bonds of juridical language, are, for example, “neglect” (doc. N. 94, 89, 35 Annex 3A), a word that, in Italy, has been used, during the last twenty years, to indicate a decrease of *decency* (another misused term) in public places, generally due to immigrant and Roma workers, “infesting” them (Faso 2010: 52-3). Further, the term “clandestine” (doc N. 94 Tuscany Region Annex 3A) is used to define persons in situations of administrative irregularity, subsequently converted into crime, under proposal of the xenophobic party of Lega Nord (Faso 2010: 43). In the same text, it is even more serious the ascription of dangerousness and of “neglect” to the presence of political refugees. It is not known, here, if a discriminatory will prevails, in contrast with all laws of the Italian Republic, whose statement is respectful of asylum-seekers, or it is simply a matter of linguistic neglect, the same neglect leading to write, in a resolution of the Florence Municipal Committee, doc. N. 34 Annex 3A, “they keep out”, a low level expression, definitely far from bureaucratic and legislative language.

Such a border, between unacceptable neglect in a juridical text and common anti-Roma alarm expressions, is continuously crossed, producing several improprieties, vulgarities and visible scars in the redaction of documents, requiring a high, precise and unambiguous language. So, it is called “proposal” that one, which is clearly an enforcement (doc. N. 34 Annex 3A). Generally, who does not accept such unilateral impositions loses all his/her rights. The right is shifted, it is no longer a person’s right, but the right to accept what it is imposed to this person. In a decree, it is mentioned the “minimum level of integration” (doc N. 80 Tuscany Region Annex 3A - refers also to a decree of the 12.05.2009), taking also the measures to promote “the associated management (of) social assistance services and for the integration of foreigners, stateless or nomads (minimum level of integration). Thus, the term *integration* reveals to be what it means, indeed, in the usual sense: a linear path, with unilaterally measured levels, and not a holistic framework, allowing achieving balance and bilateral transformations (Faso 2010: 75-6).

In many documents, there is a reference to a Regional programme of development (es. Doc N. 79 Tuscany Region Annex 3A) “foreseeing...the contrast to social exclusion, *also*

with regard to situations of extreme disadvantage". The word *also* is suspicious. It has widespread in laws and in administrative decrees, during the last years. This led, in other contexts (a Government decree on "security", enlarging police competence of mayors), to a declaration of unconstitutionality, by a verdict of the Constitutional Court nr. 115 of 2011, specifically pointing out the abnormal use of the term *also* (Guazzarotti 2011). Wisdom suggests that if contrasting social exclusion, not *also*, but rather, it will have to include, even more so, situations of extreme disadvantage". Likewise in other cases, it might be said that the linguistic misleading is a track of the trend to totally ascribe the exacerbation of disadvantage to Roma people. In the same document, this is revealed by a word on the "increase of marginalisation", that, in a context lacking of any reference to the historical-social situation, can only indicate the increase of a supposed auto-segregation: no other responsibility can be, in fact, identified in marginalisation mechanisms.

The last observation concerns the not infrequent use of a rhetoric element, the oxymoron, consisting in the convergent approach of two words, whose meanings are strongly antithetic, in our case: "sedentary nomads" and similar (see *infra* paragraph 6.1.). It is a matter of intellectual paradox that, in poetry, produces a cognitive tension, but it is suspect of *mala adfectatio*, and its use is recommended just in presence of a strong will of *estrangement* (Lausberg 1949: par 389.2). Outside poetry, it remains the *mala adfectatio*. In the case of a regulating text, it violates the binding principle of semantic univocity. Nevertheless, it was noted by a jurist (Staiano 2006) that the oxymoron element systematically reappears in the Italian legislation on immigration.

7. It is possible, although respecting all the foreseen rules by a juridical text, that the obsession for some words, the ascription, and the fallacy of a misplaced concreteness might lead laws, newsletters, regulations and administrative provisions, to contribute in building, in a determining way, an image of Roma people, which is consensual, discriminatory and stigmatising (Maneri 1996). The element of surprise for researchers, during their analysis, has been, nevertheless, the trend to weaken the textuality of the mentioned written texts, to violate particularly rigorous rules, probably, because pushed by an aligned unconscious to the most reactionary common sense. Paradoxically, in this way, it has been possible to become aware, once more, of the possibility of laws to avoid defining shortcuts, subordinating stigmatisations, dehumanising categorisations, by respecting at best the bonds that a long civil negotiation produced in the juridical language.

6. Qualitative analysis of the documents

The previous chapter has opened the qualitative analysis of the documents, in particular, through the instruments of semantics and pragmalinguistics, which allow us to emerge from the documents keywords, topics and explicit metaphors (see also the “Introduction to the National Reports”), together with the Decisions adopted (order, advice, delegation, mechanism, practice, apparatus).

This part of the report, therefore, explores the documents by analyzing the meanings, stereotypes and knowledge that are below the texts.

We provide below a list of keywords, explicit topics, metaphors and practices/apparatus extrapolated from documents. This list has guided us along the analytical work. We chose, therefore, to group them into “families of concept” which should represent the units discussed in the following paragraphs¹².

Keywords about the target of the documents

Italian	English
Nomadi	Nomads
Zingari	Gypsies
Popoli Rom e Sinti	Roma and Sinti people
Popolazioni Rom, Sinti e Caminanti	Roma, Sinti and Caminanti populations
Popolazioni zingare	Gypsy populations
Popolazioni nomadi	Nomad populations
Popolazioni nomade ed extracomunitaria	Nomad and non-European populations
Popolazione Rom	Roma population
Popolazione Rom straniera	Roma foreign population
Comunità Rom	Roma community
Comunità nomadi	Nomad communities
Nuclei familiari Rom	Roma family units
Cittadini nomadi	Nomad citizens
Occupanti dei campi	People occupying camps
Gruppi	Groups

¹² For the final version of this chapter, we will present a graphic representation of the “families of concept” as a “conceptual map”.

Gruppi comunemente denominati “zingari”	Groups commonly defined as “gypsies”
Gruppi tradizionalmente nomadi sinti e rom	Sinti and Roma traditionally nomad groups

Explicit topics

Italiano	English
Sicurezza, incolumità pubblica, illegalità (situazioni di)	Public security and safety, illegality (situation of)
Igiene	Hygiene
Degrado	Neglect
Decoro	Decency
Emergenza	Emergency
Emergenza Nomadi	Nomad emergency
Campo/campi	Camp/camps
Scuola/scolarizzazione/inserimento scolastico/frequenza scolastica	School/education/school insertion/school attendance
Premoderni/premodernità (nel Rapporto del Senato)	Pre-modern/pre-modernity (in Senate's Report)
“I _____ topics _____ dell’accoglienza”: Esclusione/inclusione, Marginalità/marginalizzazione (+povertà estrema e popolazione “a rischio”), Integrazione (integrazione sociale, lavorativa, scolastica), Accompagnamento e sostegno, Autonomia/responsabilizzazione e contratto sociale	“Reception topics”: Exclusion/inclusion, Marginality/marginalisation (+extreme poverty, and “at-risk” population), Integration (social, working, school integration), Assistance and sustain, Autonomy/making responsible for and social contract

Keywords/phrases

Cultura	Culture
Etnia	Ethnic group
Identità	Identity
Condizioni sociali di emergenza	Social conditions of emergency
Sosta	Stop

Stanzialità	Settling down
Nomadismo	Nomadism
Insediamiento “spontaneo” (con o senza virgolette)	“Voluntary” settlement (with or without inverted commas)
Campi nomadi	Nomads’ camps
Salvaguardia dell’identità rom	Safeguard of Roma identity
Sviluppo culturale dei rom e sinti	Cultural development of Roma and Sinti people
Livello minimo di integrazione	Minimum level of integration
Livello minimo di igiene	Minimum level of hygiene
Promuovere (es. l’integrazione)	To promote (for example, integration)
Favorire (es. l’integrazione, la comunicazione fra culture, favorire la sicurezza sociale...)	To facilitate (for example, integration, communication among cultures, to facilitate social security...)
Tutelare (es. interventi a tutela delle popolazioni...)	To safeguard (for example, actions to safeguard some populations...)
Informare e supportare l’incontro e lo scambio interculturale	To inform and to support the intercultural encounter and exchange
<u>Creazione del linguaggio sfuggente e/o ambiguo</u> , uso di : preferibilmente, ANCHE, possono (es. queste misure “possono essere utilizzate”)	<u>The creation of a blurred and/or ambiguous language</u> , use of: preferably, ALSO, can (for example, these measures “can be used”)

Metaphors

Alleggerire la concentrazione delle famiglie sul territorio	To lighten the concentration of families on the territory
Radici culturali	Cultural roots
Nucleo familiare sanabile	Sanitizing family unit
Misure per... (es. favorire), misure straordinarie	Measures for...(for example, to facilitate), extraordinary measures
Adozione scolastica	School adoption
<u>Questione “zingara”:</u>	<u>“Gypsy” issue:</u>
- Ordine pubblico	- Public order

- Risanamento etico e morale	- Ethical and moral recovery
- Rom come appartenenti a categorie “a rischio” di marginalità ed esclusione (programmazione sociale di zona)	- Roma people belonging to “at-risk” of marginality and exclusion categories (social local programming)
- Rom come pre-moderni (Senato): Approccio evoluzionistico, progresso sociale	- Roma people as pre-modern one (Senate): evolutionistic approach, social progress

Decisions adopted: order, advice, “taking time”, delegate to other (e.g. delegate to the Third Sector); Instruments/ mechanisms/ practices/apparatus (Foucault)

Allontanamento	Moving away
Distribuzione (o redistribuzione) territoriale delle famiglie	Territorial distribution (or re-distribution) of families
Servizio di piantonamento	Stakeout service
Regolamento Azioni di sostegno (a cittadini nomadi)	Regulation Sustain actions (for nomad citizens)
Interventi di accoglienza	Reception actions/interventions
Accompagnamento	Assistance
Accompagnamento abitativo	Housing assistance
Accompagnamento sociale	Social assistance
Accompagnamento lavorativo	Working assistance
Accompagnamento scolastico	School assistance
Sportello informativo	Information help desk
Sportello socio-legale, sanitario e di accoglienza sociale	Socio-legal, health and of social reception help desk
Servizio Educatori di strada a favore dei minori	Street Educator Service for minors of age
Incremento del Servizio educativo di strada per i minori	Increase of street education Service for minors of age
Trasferimento delle famiglie	Transfer of families

Dismissione dell'area	Area dismantling
Interventi di disinfestazione e derattizzazione del campo	Interventions of camp's disinfestations and rodent control
Noleggio WC chimici	Chemical WC rental
Realizzazione recinzione	Enclosure realisation
Censimento	Census
Chiusura del numero (dei rom sul territorio)	Closing of number (of Roma people on the territory)
Sgombero	Evacuation/eviction
Rimpatrio volontario	Voluntary repatriation
Rimpatrio assistito	Assisted repatriation
Smantellamento	Dismantling
Protocolli d'intesa	Memorandum of Understanding
Convenzioni con il Terzo Settore	Conventions with Third Sector
Tavoli interistituzionali	Inter-institutional Tables
Sistema di solidarietà locale (fra i Comuni) Creazione Fondo di solidarietà locale	System of local solidarity Creation of the Local Solidarity Fund
Superamento dei campi nomadi	Overcoming of nomad camps
Istituzione del Comitato Tecnico Operativo	Establishment of the Technical Operative Committee
Piano Operativo Locale per l'Integrazione dei Rom	Local Operative Plan for Roma Integration
Piano Operativo Locale per l'Accoglienza dei Rom	Local Operative Plan for Roma Reception
Lavori di manutenzione ordinaria	Routine maintenance works
Lavori di manutenzione straordinaria	Emergency maintenance works
Realizzazione centro di accoglienza	Realisation of a hosting centre (shelter)
Realizzazione area attrezzata	Realisation of an equipped area
Realizzazione villaggio attrezzato	Realisation of an equipped village
Realizzazione insediamento	Realisation of a settlement

Adozione scolastica dei bambini rom	School adoption of Roma children
Poliambulatori mobili (unità sanitarie mobili)	Mobile group practice (health mobile units)
Vigilanza (servizio di)	Vigilance (service of)
Vigilanza sociale (servizio di)	Social vigilance (service of)
Vigilanza igienico-sanitaria (servizio di)	Hygienic-health vigilance (service of)
<u>La “temporaneità stabile” OSSIMORO:</u> residenze temporanee, dimora temporanea, accoglienza straordinaria, prolungamento dell'accoglienza straordinaria, residenze provvisorie, spostamento temporaneo	<u>The “stable temporariness” oxymoron:</u> temporary residences, temporary home, extraordinary reception, extension of extraordinary reception, provisional/temporary residences, temporary transfer/move

6.1. Nomads and Camps

(S. Tosi Cambini)

In Italy the public discourse about Roma people has been built on a deep misunderstanding: Roma=nomads. Their supposed nomadism is considered, in fact, their main socio-cultural identity feature, and the variety of Roma and Sinti groups is assumed inside the generic category of nomads, in which we can find again ascribed communities that, since centuries, do not practice any form of itinerant habit, nor they show features linked to the so-said peripatetic communities¹³ (Rao 1987, Piasere 1995).

Nevertheless, this category is not certainly naïve. By reflecting, in fact, on assigned locations to nomad camps, if it is might be possible, to bear them in mind, as a photographic sequence or as cartographic survey, it could be possible to easily deduce the adopted parameters, so common everywhere to appear as norms of a reverse city planning (cf. Fondazione Michelucci: 1999), the one to be defined “city planning of scorn” (cf. Brunello, 1996): areas identification, in fact, often concerns spaces, aggregate to various big infrastructures, uncertain spaces of conurbation, former dumps. Far from everything and from everyone.

Besides the fact that 80% of Europe Roma people are currently settled down (Piasere 2004: 14), in institutional and juridical language they remain *nomads*, as nomadism is considered embedded in their gypsy Roma identity. Nomadism does not represent a “life style”, but rather the affirmation of an irreducible distinction between “settled down/civil” – corresponding to “we”, the majority – and “nomads/uncivilized” – i.e., “they”, the minority as “interior foreigner”. This contributed to build, with regards to Roma groups, a differentiating treatment and it can be understood, thus, from one side, the reason why very few Roma people, when migrating towards Italy, following Balkans’ conflicts, could have recognised their juridical status of refugees and, from the other side, the centrality that the nomads theory had in many Regional laws, focused on creating “equipped transit and stopping areas”. This contributed in supporting the orientation of institutional policies in considering Roma and Sinti groups, as subjects without a country of origin, to be substantially addressed in terms of containment. So, the model of the “nomadic camp” has spread like apparatus (Foucault) that produces the “institutional exclusion” of the Roma and Sinti and a continuous control against them.

¹³ Cf. Rao, 1987: by this expression, we refer to wanderer groups, with an endogamy social structure, practicing a kind of economic activity, consisting in providing services to clients. Nevertheless, not all gypsy communities adopt wanderer strategies, as well as, not all wanderers can be classified as gypsies.

The abolishment of differences among several groups and the reductionism implied, while considering Roma people, just a public order problem or just a poor and social excluded issue. These are the supporting elements of camps' policies. The latter built throughout the years an extraordinary and exception state, by creating real paradoxes (*the camps*, in fact), sustained by oxymoron that can be retrieved in institutional documents. The most representative is the one that we can define of stable temporariness: documents are full of terms and sentences like: "temporary residences", "temporary home", "extraordinary reception", "extension of extraordinary reception", "temporary residences", "temporary displacement".

As we will see in the first case study (see paragraph 7.1 *infra*), the Institution creates a negative circle, by responding to a situation of hard housing challenge (for example, shacks along a river) and of inappropriate accommodations for people's and families' lives (separation of family units in hosting centres, roulettes, containers). This kind of solutions should last for a very limited time (because they are considered, by the Administrations themselves, as extraordinary accommodations to respond to an emergency condition). Nevertheless, they last for years, sometimes for decades, re-defining people's lives, within a situation of permanent temporariness, uncertainty and – consequently – of housing uncertainty.

This institutional origin of extraordinariness and of exceptional nature can appear sometimes in following wide programmes, addressing the "overcoming of camps" – in which it is also affirmed a generic acknowledgement of a culture (but, which one?) and/or of an identity (but, whom do they mean?). It disappears, instead, from all those documents, in which a politically correct "*mea culpa*" is not needed, but it is needed, instead: decision-making, funds allocation, designing administrative, political, and of social work mechanisms. On the contrary, in those documents people are placed in a marginality condition, of which they would be responsible for the most part (without specifying not even whom the other part of responsibility should be ascribed to, despite the several European admonitions¹⁴).

The fluctuation between public order issue and social issue, in 2007, following a public anti-gypsy discourse (at the same time, sustained by mass media and by several political representatives) focused on first one: at national level – with strong impact on local level (see paragraph 6.3 *infra*): *nomads and dangerous classes* become the same issue, whose

¹⁴ I.e. in 2002, by the European Commission against Racism and Intolerance (ECRI 2002), which condemned the deplorable living conditions of Roma people, in Italy, and the clear division between these communities and the rest of the Italian society.

correspondence at spacial level is constituted exactly by the camps.

From 2007, and, in particular, from the 2008 to the 2011, in Italy we can find acts in which, if it is clear the effect of indirect discrimination, their direct discrimination nature is also visible: the Government Decree 21 May 2008, known as “Nomad Emergency Decree”, which was extended in 2009 and 2010, was also a declaration of the state of emergency in relations to the “nomad camps”. This Decree is based on Law No 225 of 24 February 1992, on the establishment of a national civil protection service, which empowers the Government to declare a state of emergency in the event of natural disaster, catastrophes etc. Though this Law contains no reference to situations arising from existence of “ethnic” groups, the issue of the Roma and Sinti has been considered like a natural calamity or catastrophe! In this way, it must be tackled with extraordinary means and powers.

After this Decree, the Prefect of Naples (with the Prefect of Rome and Milan, and after in 2009 also the Prefect of Venice) has been designed Special Commissioner for the Roma and Sinti emergency, granted extraordinary powers to carry out the interventions in his region (OPCM n.3678 of 30 May 2008). The specific powers include the monitoring of formal and informal camps, identifications and census of people, measures aimed at clearing “camps of nomads” and evicting their inhabitants, as well as the opening of new formal “camps”. We have collected some documents from the Prefecture of Naples and from the Municipality of Naples, about the actions and projects linked with those “specific powers”.

Fortunately, the Decree - and subsequent extensions - was annulled by State Council in its ruling no.6050 of 16 November 2011. Subsequently to this, the Prefectures had to stop the ongoing interventions. The Prefectures will have to restore to the Ministry the financial resources not committed, yet, which then will be re-assigned to complete the work, which is not yet finalized.

After a few months, at the end of February 2012, A “National Strategy for the inclusion of Roma, Sinti and Camminanti” is produced by the U.N.A.R.(a governmental body, working against social forms of racial discrimination) as the implementation of the European Commission Communication n.173/2011.

By diachronic analysis of these documents, it emerges that, during the time, the term “nomads” has progressively lost its reference to a supposed lifestyle, becoming, more and more - and explicitly - a personalogic aside category. This is a categorization process, finding its completeness in the “Patti per la sicurezza” of 2007¹⁵, in which dangerousness

¹⁵ See Simoni 2008, Tosi Cambini 2009 and *infra* paragraph 6.3.

is the central trait of this category. It is this dangerousness to become the only justification for defense measures that majority society must pretend towards nomads. This process will lead, on the following year, to the already seen Presidential Decree.

6.2. Words of reception/treatment

(S. Tosi Cambini)

From analysed documents, the perspective of Institutions emerges, towards Roma people, seizing different dimensions of the encounter between majority and minority, in which the first one consider having to face a “gypsy issue”, whose declensions can be summarised in this outline:

- Social exclusion/inclusion, marginality, “at-risk” categories. This also includes a sort of ethic and moral “recovery”, through, in particular, paid work and children’s education. In this sense, we can have, from one side, a misleading overlapping of being a Roma person and being a poor (with all the sociologic implications of the “poor”); from the other, a latent certainty that Roma inclusion will not happen only through the social autonomy, made up by a house and a work, so much pursued in projects of assistance and in social contracts, but also through the consideration of an educative action, able to transform them in “good” and “civil” citizens/adults.

- this second aspect is deeply linked to the construction, by Institutions and by a wider society, of a Roma identity, categorised as nomad, according to the dichotomy settled down/civil – nomad/uncivilized. Even where policies admitted the “guilt” of the nomadic paradigm, while facing relations with Roma people, this approach keeps on circulating even in most official contexts (cf. Tuscany Region Council member). The term nomad seems, thus, as decayed, mainly for reasons of politically correct language, rather than for a real change in mental patterns addressing Roma people. By that, we could explain, maybe, also the fast spread, in Italy, of Roma categorization as “pre-modern”, so that it became a new scientific stereotype, immediately included by Institutions in their texts (cf. Senate). This would also explain why Roma people are sometimes considered without a culture and sometimes with a Culture, having never had any declension. For it, its acknowledgement can be declared but impossible to be practiced (how can we recognise what we do not know?). Sometimes they are bearer of cultural traits, built in antithesis with our presumed culture (scarce parent attitudes, misogynists)

- Being *poor* and *nomad* (nomad is the foreigner par excellence), they are, thus, *dangerous*, by definition. Therefore, the “gypsy issue” has to be intended, also or mainly, as a public order issue: control mechanisms – including *camps* and operations of identification and registration -, moving away, evacuations.

- Social exclusion and marginality

We begin from two huge notions, exclusion and marginality, so widespread in the current social work and, therefore, in “our” acts and documents, as an “object” of their intervention: as a matter of fact, it is inside these big containers, that Roma as a great number of persons, all different the ones from the others, are located. Even if of age-old custom in the discourse of the sociological discipline, the second notion is nowadays often used in an exchangeable way with the first one, by the Institutions, by the mass-media and by many people who – with different roles and points of view – are committed to the social issues. We should at least remember that by “social exclusion” we indicate a process, while by “marginality” we indicate a status. The exchangeability that emerges from the documents, first of all denotes, in our opinion, a diffused confusion, by which the social phenomena are named and the tendency to crystallize the life situations of people in troubles, i.e. identifying the first ones with the second ones. The choice of using “notion” instead of “concept” to indicate the two words is done accordingly with the formulation given by Didier Fassin in his article of 1996, where he compares the words “exclusion”, “underclass” and “marginalidad” referring to them as, precisely, notions, because “besides some efforts to theorize them, these terms work, either in the common discourse or in the scientific language, as sets without a theoretic fundament” (*ibidem*: 38).

In a long debate¹⁶, both of them are undoubtedly the priority references of the policies (...of contrast towards social exclusion, of contrast towards marginality, etc..) and of consequence of projects and interventions: people think to have to work with marginal and excluded persons, giving low attention to put these notions under discussion.

Either the word marginality or the one of exclusion rely on spatial metaphors that are focused on two dichotomy couples: centre/periphery, inside/outside. The space is the social space; the space relation spreads the power relation that is embedded, then, in the representation itself that one has of the social space in a specific historical-cultural context¹⁷.

These dichotomies actually create two alterities in which the first one executes a power (cultural, economic or political) on the second one that tends to maintain the dichotomy itself: who is “inside” or “in the centre” decides for himself/herself and for those being “outside” or “in the periphery”.

¹⁶ See at least studies of : Robert Castel, Pierre Rosanvallon, Serge Paugam, Jacques Donzelot.

¹⁷ To these dichotomised couples, Fassin adds the one of on/under which is typical of the notion of “marginalidad” (1996:38). It is important to remember that Bourdieu defined the sociology also as social topology, referring to the possibility of representing the social world as a built space on the basis of the differentiation and distribution principles (1984).

If it is true that since about twenty years, we observe an increasing worsening of social inequalities (the well-known “scissors” differential), it is also true that, at the same time, – obviously, the two things are closely linked – we assist to the weakening of a whole system, which made a person be somebody who was “secure”, “inside”, “in the centre” (and this is the process that mostly destabilises). The so-called “vulnerability” is by now a condition in continuous movement, in which millions of people in Europe are actually involved. People who are not related to “histories” of poverty, that we could define generational and that have been shifted into a new definition (the one of “new poverties”) or fluctuate very near to them. In substance, we could imagine the poverty status as an evident point of a nebulous, in which a series of characteristics reflecting difficulties and hardships thicken and become rarefied, little by little, as we depart from it. The image should be seen in the opposite way (i.e. starting from the nebulous), bearing in mind, anyway, that the life path of people may change of direction more times: the nebulous covers currently an enormous quantity of enough different people, facing very different difficulties, changing at certain quickness. On the contrary, either exclusion or marginality are notions that denote very different images: as a matter of fact, they outline clear borders, they act as a watershed, they create a “rupture”. Using great sharpness, Robert Castel has compared the current centrality of the increasing rate of precarious employment to the centrality of nineteenth-century pauperism in the first industrialisation dynamic¹⁸: “The current problem is not only the one that states the constitution of a “precarious periphery”, but also the one of the “destabilisation of the stables”. The growing phenomenon of precarious employment crosses some of the anciently-stabilised work areas. Lifted up again by this mass-vulnerability, one has observed, then, that it had been slowly averted. *There is nothing of marginal in this dynamic.(...)* There is enough to set a “new social issue”, that has the same wideness and the same centrality raised by the pauperism of the first half of the nineteenth century, with the astonishment of the contemporary people” (1999: 661-662, translation and italics by us).

Talking about marginality, saying social exclusion, at an operative level sets a great problem by now: the one of indicating nothing, and on the contrary of hiding a situation that concerns the whole society (who is at its centre!) and the relevant processes of change. What emerges is, thus, the inability of these terms (and of the abuse that has been done of them) to account for the nowadays existing social phenomena, and, as a consequence,

¹⁸ According to the author, we are in front of a new social issue: it is the failure of the salaried society to put under discussion the principles of the social cohesion and the basis of the social status.

the impossibility of a practical use of them by those who practice a social work.

Concerning Roma people, risks of an uncritical use of exclusion and marginality categories, led to a substantial overlapping of being a Roma person and being marginal/poor/excluded. For example, it can be read: "In Campania, some big groups of the society are at-risk of exclusion: unemployed of long-term, young people with a low education level, families with occasional revenues, immigrants, Roma and Sinti people" (Social Plan of Campania Region, chapter 9. Vulnerability, discomfort, integration: policies of contrast against poverty, p. 113), and "[...] to promote special inclusion and combat poverty [...] better emphasizing the struggle for youth employment [...] and for the creation of opportunities for most disadvantaged individuals and groups, *like Roma people*" [...](ibidem, our *italics*). Cited texts have no discourse on antidiscrimination and/or anti-gypsy, as a reference, but they only refer to poverty, where the justification of Roma people as an aside category is justified in itself (sometimes it is joint with the one of immigrants), and, in addition, it is used in a paradigmatic way. Their families, with occasional revenues; their young people, with a low education level, etc., could not be included in above-mentioned cases, instead, they constitute something aside, to be explicitly distinguished, only by the Roma word. Further, not only Roma people are considered all the same, ascribing them an "ethnic" uniformity and abolishing, so, differences among the several groups, but it is ascribed them also a status uniformity, as there would not be (and it would not be possible to be) any social stratification, inside their groups. It is like if Roma people could be defined in an assertive way (who they are, or better, who they are supposed to be) only when they become visible, through the typical welfare categories.

- *Autonomy, making responsible for and social contract*

When facing these keywords, explicit topics (autonomy, making responsible for) and the related mechanisms (now we will see, in particular, the "social contract", then, "the assistance").

We will begin by a sentence: "A sanitising family or not". This appears in the evaluation criteria, belonging to many administrations' documents, concerning projects, carried out by them, through, in particular, social services and/or delegated services to bodies of the Third sector (thus, social operators of associations and cooperatives).

The metaphor is strong, it picks up again the dominant medicalizing discourse and it is at the base of the so-said individualised "treatment" of families.

Besides the typical categorizing way of the classic *welfare*, at least from the Nineties, we assisted to a progressive fragmentation of the services, corresponding to a body control (Bergamaschi, Fassin etc.). Among the elements at the base of that mechanism, there was certainly the one of reductionism, too: the reduction of the person to the own “hardships”, somehow “diagnosticable”, like to say a “social diagnosis” (together with a medical-sanitary one) or also a socio-sanitary one (such as in the case of drug-addicted persons). If the medicine reduces the patient’s body to its “corporeity”, the social assistance/social operator acts in the same way: disconnects the person from his/her socio-cultural *milieu*, till the point of ignoring his/her reality of social person (cfr. Collière 1992), making him/her to coincide with his/her “hardships” represented by a social problem, corresponding to a series of possible services. As we can see, there are several slippings. Now, facing a *metamorphosis of the social issue* (as the title of the famous Castel’s work), a complexity that requires a long-range vision of the elements that contribute to define a vulnerability situation, the mechanism of the fragmentation and the person/user= (social) problem equation, reveal all their incoherence with the reality. But at this point, people who, more than others, show those “symptoms” (here is the medical language: the symptomatic uneasiness and a- symptomatic...) that can be reconducted to already determined “social problems” are called as “multi-problematic”. This is like to say: a sort of body section has been operated, because so, it seemed to work better with them (and of course to control them better), then when it becomes totally impossible to continue to practice it, one does not go to the heart of the problem – i.e. that this fragmentation is so scarcely effective, either for the representative dimension or for the operative one – but one defines the user-person as “multi-problematic” and it is felt mandatory to compare to the other services that intervene on an other single problem. The interpretation inside the pathological order – most of all psychological and psychiatric – is often used in paths and practices to which we do not compare, inside which we often do not know how to find a sense, and therefore, we end to find a certain support in the medical-psychiatric categories.

Pierre Aïach sets a phenomenon to the base of it, that is historically and sociologically relevant and that refers to all the industrialized countries: the medicalization. He identifies four forms of expression of it, among which we highlight some aspects of interest:

- The extension of the medicine’s competence field, and of everything related to it that nowadays relies on the formidable scientific legitimacy, by which it benefits;

the health integrating elements of the social field that, since that point, were escaping, offers to the medical *expertise* new dominations of activity.

- The propensity –highly interiorised – to declare, at first, light symptoms, health and disease problems. This phenomenon can be analysed as a product of many factors that are translated in a modification of the problems and symptoms perception threshold.

The medicalization is a dynamic phenomenon - Aïach explains – that marks our society in depth that orientates the economic development, the social practices, the expectations and the satisfactions/dissatisfactions starting from the objectives and purposes about the health if understood as supreme value. The use of the medical-psychiatric categories to reflect on the more different social situations is not only accepted, but it is also considered aprioristically legitimate.

In comparison to the wider and wider integration in the social field of the psychologising dimension, especially about what concerns the pathologic corner, he identifies a series of factors reinforcing this tendency. Among these factors, there is the diffusion among people of what he defines the “psy vulgate” (2006), encouraged by the public power, that “by the demands taken in charge by the social treatment, proposes solutions and remedies facing individual psychological aspects in the lack of concrete tools responding to the in-depth problems, that are present, at the same time, at a collective and at an individual level” (2006:72).

It is appropriate at this point to deepen the dynamic of the psycholisation, either at a usual procedure level or as a production of a specific discourse framework.

According to Pierre Aïach, the psycholisation occupies a place apart in the more general process of medicalisation/sanitarisation, due to the fact “that there is a heavy tendency to respond, by a psychological approach, to the several social problems, whose solution depends by politics of opening, demanding considerable resources, an aim and a political willing that those people who govern us do not have” (2006:73).

In France (and in the United States, too) this dynamic is more evident in comparison to the Italian context, either because people often go to the psychologist as a much more widespread praxis, or because there are many governmental records clearly foreseeing the introduction of such a professional profile in the *équipe* of treatment. As a consequence, also in France the debate on this issue is very lively. In Italy, the psycholisation is less institutionalised (even if not so much, anyway...) and, at the same time, less subject to a critical look. Nevertheless, it is strongly present in the usual

procedures and in the approaches. We can just think to the higher and higher demand by the social operators of psychological or psychiatric kind of interventions, to the fact that cases arriving to and taken in charge by the mental health services, are cases in which the psychological problem does not exist (not even the psychiatric one), to the increasing recourse to the individual “development” and “auto-determination” paths, to the so-said *empowering* approach, to the abuse of the suffering language (not the social one, a critical approach that we will see later on), to the education of the social operators, that does not develop a critical and political interpretation of the social issue, etc.

More than twenty-five years ago, Robert Castel – referring back to Elias’ thought about the civilization process as a process of rationalization and psycholisation, and to the Foucault’s analysis of the psychiatry – theorised the emergency of a new psychological and relational culture as a further form of totalitarianism.

Such a culture distinguishes itself from one side, for an over-investment of the relational practices and, from the other one, for being strictly linked to a psycho-analytic approach: “psychologies and relationalities play the role of substitute of a social in crisis” (Castel 1981:197).

The management of the risks is shift on the development of psycho-relational techniques and of intervention on people, that does not represent a reinforcement of the already existing systems, rather a completely new way of managing the diversities, the fragilities and the risks, working on the “human potential” (*potentiel humain*): a new general strategy by new techniques.

The author, then, registers the advent of fresh forms of treatment for social problems, starting from the management of the person’s peculiarities and affirms the evolution of the society towards a “post-disciplinary” order, where different strategies co-exist. Among them, there is, just, the administrative policy of “handling the risks”, that distributes people *à problèmes* inside specific circuits. The development of new work techniques *sur soi*, make the mobilisation of the subject be “the new panacea to face the problem of life in the society” (*ibidem*: 15).

In his analysis, the social work finds itself re-positioned to the edges of the psychiatric expertise, of the sanitarian action, and of the “therapy for normal people”: the diffusion of the psychological and relational techniques participates not only in the management of the social, but in the manipulation of people, too.

Starting from Castel’s thought and from the autonomy issues, of the modern, hypermodern or hyper contemporary person construction, Didier Vrancken (2006) suggests that rather

than talking about psycholisation of the social intervention, it is much more important to elaborate the hypothesis of an in-depth transformation of the social policies, starting from the extension to several sectors of treatment way and of intervention on people (2006: 27). A re-orientation that comes true by the “individualisation of the socialisation ways concerning social risks” (ibidem:29).

It is this “individualisation” that – according to the Institutions and the Third sector – includes Roma people inside a social work of that kind. According to them, it is not the psychological aspect to be addressed, but the cultural one – or, even better – the absence of culture, of which they are *bearers*, in an analogical way that can be compared with the psychological pathology. It is like if their (non-) culture would be embedded in their bodies – as Roma people – like a disease is and/or like a psychological discomfort of majority society members. Which are, in fact, principal parameters to evaluate if a family unit is sanitizing or not? Or, in general, on what can be *the families’ integration measured?*

-The juridical status of its members, in particular, of those coming from former Yugoslavia countries, if they have their documents or not, and, in case, if this can have a solution or not (and likewise) but mainly:

- If they have or could have, by a support to a working activity search
- If they have or could have, by a support to the chance of paying a housing rent or not

The parameters are those of economic autonomy and this becomes the objective of the social action (for example, “assistance to the autonomy of family units” etc... Inserire altre citazioni dai doc) inside a precise institutional cultural idea concerning work – which must be a paid work- and that has to be an ordinary housing. According to the Institutions, these are the exact perspectives lacking among Roma people (inserire cit dai doc).

In fact, inside Institutional projects (delegated to Third sector or not, which seems to be not only adjusted, but also supporter of this approach), focus is never only on housing and/or working problem solution, but also on educative action towards Roma people that seems to be inseparable from those public order problems. It constitutes the pillar approach of these projects, exactly because Roma people – according to this perspective – must be educated to be citizens. The objective is that of making them functional subjects of the society, by using anyway the words of new praxis of social intervention: the autonomy passing through their getting responsible, their “protagonism”.

The new ways of social intervention, in fact, are accompanied by the idea of “protagonism” of the person, the one of his/her “responsibleness” concerning the own situation. It is a

very widespread praxis (unfortunately, as a “good praxis”) that the person – holding rights – becomes part of the **contract of assistance**, negotiated with the institution, where the mutual duties are written. Let’s pay attention, it is useful to always bear in mind what Lascoumes and Le Galès say about the public action’s tools, i.e. that they are not neutral, but they incorporate and establish meanings, representations of the stakes, theories and rules for action, they give the possible ways (rules and procedures) and rule the relations between public powers and the recipients of the policies (2004). The praxis, about which we are talking, as a matter of fact, incorporates either the logic of the contractuality, or the one of the user as consumer: so, logic of market¹⁹. Further, and even more important, if such a contract – as Vrancken notices – is inspired to the contract of work, nevertheless it would be misleading to render them comparable: “the contractual relation is not an authentic relation of negotiation or of market between equal *partenaires* “ (2006: 30), the two parts are not juridically equals and the public strongly predominates. What comes out is a simulacrum of a real contract, like if the parts were really come to an agreement after a negotiation, like if the willing, the wishes, the thoughts of the two parts had been expressed freely, like if the contract would be the result of a voluntary agreement: “cette notion de ‘quasi-contrat’ nous introduit à l’idée d’une dynamique du simulacre, d’un ordre fictionnel en train de s’orchestrer dans la sphère juridique de l’assistance (...). Cette dynamique du simulacre contribue considérablement à la tranformation de statut du destinataire de l’aide” (*ibidem*: 31). Here is, thus, how the person is led to take a role of protagonism, of direct participation in the own project/programme and also – corollary of moral order – having got responsible i.e. responsible for the own path. The mechanism is very subtle: the public institution gets concretely and in substance to modify slightly its own way of looking at people in hard difficulties but, at the same time, shifts the responsibilities of the “inclusion” or of the “insertion” path on the person. To this double advantage of the public, an ambiguous re-positioning of the “user” corresponds. And there is another parallel shift of responsibility: from the institution to the one of the individual operator. Let’s look more carefully: the public recognize to the user the status of subject of right; it makes a contract of assistance with him/her in which its own power dominates in the

¹⁹ Such a logic - as Centemeri, de Leonardis, Monteleone 2006, notice – is clearly observable also in the praxis of fulfilment in the horizontal subsidiarity foreseen by law 328/2000, where the risk of a predominating market regulative model emerges and, in case it could happen, the experimentation path by the active involvement of the territory stops in its own mechanisms of business logics, in which the service becomes a performance, the territory a user basin, the participation becomes a distribution of market shares among actors (institutions, co-operatives, associations, etc.). An example about it is represented by the study of the *voucher* modality, in the regional system of Lombardia (for it see Monteleone 2005).

objectives, in the praxis and in the timings; the “user” has a strictly reduced margin of negotiation; the two contractor subjects are both responsible for the undertaken commitments: the public substantially for what concerns the resources, the subject in practice for his/her willing of accepting. The public intervention often takes form in the so-said service of accompanying: an operator (or a small équipe) becomes the interlocutor of the user (the family, in our case). The operator often finds him/herself alone in welcoming the expectations and the wishes of the user, or alone in supporting him/her in the search of a job, of a house, etc. Yes, because in most cases, the famous individual project (vs. the standard path of the former kind of assistance) becomes just a gasping search of a work or of a house, in which the operator beats against the macro-structural variables (as the “Tuscany Roma Project” has showed - see the last chapter).

So, first shift:

- the users (in our case: the Roma families, in particular the “capofamiglia”) are responsible of their own path,
- these persons are considered as follows: in the *bluff* of the juridical system as citizens holding rights and duties; concretely, as marginal, excluded people, but also as people who are unable to establish relationships by the rules that the services and the market require, without a “culture of work” (modern, wage earning, fordist - post-fordist, but also, in general, of work as “struggle”, in banal affirmations of many institutional representatives that can be summarised, as follows: “they are parasites, They are not willing to work”), without the supposed awareness, typical of a citizen, without the appropriate cultural basis to live, according to the supposed cultural models of the majority society.
- the intervention is wholly shifted on the person/family: *in primis* it is the person, who has to be *modified*

second shift:

- the public/institution puts the resources
- thus, the public willing exists
- the one belonging to the person? The old but crucial issue of the user willing – shadowed by the juridical system - comes out again

third shift:

- the public/institution models the intervention via the operator, who accompanies the user in his/her own path
- the responsibility of the public shifts on the operator’s or on the équipe’s shoulders

What does it happen at this point? The Institution delegates its own mandate to the Third sector (social cooperatives, associations). The operator (or, in best cases, the équipe) has a pragmatic vocation, his/her intervention is strongly focused on being able to find work opportunities for the assisted person/family, together with housing facilities, and a special attention by the operators to minors regarding their schooling.

Difficulties and contradictions emerge:

- the rents of the estate market are too high (not just for roma!);
- from the work grant (often built by facing complex administrative-bureaucratic passages) there is no link to an effective work;
- the operator feels like a sort of Don Quixote, who fights against the windmills: the “accompanied” person has not a house, nor a work and has crossed different worlds than those of the operator – sometimes he/she understands him/she, sometimes not;
- the operator feels his/her social mandate as not so clear, the objective – the autonomy of the subject – is too hard to be reached. The life situation of people are too complex; the resources at disposal for the operator in the end are always the same (work grant, training course, dormitory..); he/she observes then the vanishing of his/her intervention, because he/she finds himself/herself in front of the work market wall;
- the operator feels the whole load of the person’s path on himself/herself; he/she feels as complex the responsibility of the “user”, there is something that does not make sense...it is not easy to deal with the *marginality*... with roma...
- the critical elements of macro and micro nature end to be the same at the sight of the operator...sometimes, the second ones go far from the first ones: the actual situation is hard for everybody, the “precarious” situation is widespread, but the persons to whom our intervention is addressed are particularly weak.
- The operator gets, obviously, in confusion (i.e. “They don’t tell the truth”, “they are not collaborative”).
- The “user”, who was not concretely involved in decision processes, remains stuck in various spheres of different nature: with the operator develops a personal relationship mainly good, with the Services maintains a more or less inexistent or bad relationship. The person knows that nothing of what he/she thinks about himself/herself or about his/her wishes has been taken into account by the public; in

the fictitious space of equality of the parts, in the assistance contract or in the personalised “programme”, anyway tending to his/her “responsibleness”, for the person “it is, thus, important, [...] to try and keep control of oneself and of the situation, to try and cope facing who intervenes” (Vrancken 2006: 31).

The difficulties encountered in bringing forward the above-mentioned “contracts” are interpreted, in our case, as a scarce commitment/unwilling (unwilling to adhere to the project) of the person/family.

About Roma, the individualisation of social problem leads, thus, to a shift of reading about such problems, of the praxis and of the policies connected to them:

- the interpretation of the issues is not linked to social inequalities, to difference of levels in the power, to physical and symbolic violence present in the society,
- this means “to ethnicize” the problems and
- somehow “to naturalise” problems
- creating an ideological production mechanism of false interpretation about the situation and about legitimating powers,
- the response to social problems occurs in a depoliticised way, renouncing to an effective transformation of the reality,
- a neo-liberal ideology asserts itself, in which we find three fundamental points: “1. The need of giving back to the individual persons/family/group (vs. the large collectivity) their own responsibility in handling risks; 2. The idea that the risks can be evaluated, therefore foreseen, thus, assured; 3. A concern itself of the assisted persons as people at risk for the maintenance of the social order” (Sicot 1996: 72).

- *Support and assistance* (V. M. Carrara Sutour)

Educational “assistance” and “support” constitute the local declension of housing policies and social insertion, addressed to Roma people.

In an asymmetric (of force) relation area, like the one between individuals and institutions, the first term recalls the co-participation to an oriented path, while support emphasises the need of an external action, due to a lack of “autonomy” of the assisted subject.

With regard to the official issue, emerged by the collected acts from Ligurian and Venetian municipalities, it was decided to put together these two terms, because of their substantial closeness, in the recourse to support strategies for minors of age and “nomad” families

(subjects of “unstable housing”), finalized to their socio-housing²⁰ inclusion.

Here, as follows, we report some textual examples, extracted from public acts and issued in two of the selected regional areas (Liguria and Veneto)

A. Municipality of Legnago.

The “Monica” Project on “educational and parenthood²¹ support for single mothers and Sinti families” represents the *tool to facilitate an increasing integration and economical autonomy of this social group, leading to assimilation-integration of younger people with their peers and to an easier insertion of them in educational-working paths that will make them feel a lively part of the social²² body.*

In an operational sense, the educational support reveals itself by its objectives, touching historical orientation and metaphors, specifically addressed to foreigners and gypsies. The situation of social disadvantage is the reason of the initiative (which we will explain, later on). The mentioned disadvantage has to be referred to Sinti resident²³ families. Further, it is given for granted a total lack of economical autonomy of the “group”, i.e., of all Sinti people, present in the municipal territory. In a later moment, assimilation and integration processes (traditionally opposite in social sciences) become like consequential moments of a sort of active uniformity or of “sensitive” adjustment. Considering society as a “body”, made up of more or less “lively” parts (anatomic representation²⁴), the support constitutes a means (or *the* means) for Sinti “insertion” and for their passage from external “group” to added “organ” to this social body, which is expression of that wished active citizenship, by neoliberal policies of decentralisation.

In another resolution, it is also mentioned a *normal* access to the work world and an

²⁰ In another place, on the specific theme of schooling, the *2012-2020 National Strategy of inclusion of Roma, Sinti and Caminanti people* (elaborated by UNAR and approved by the Council of Ministers in February 2012, for implementation of Communication nr. 173/2011 of the European Commission – increase of social inclusion policies) will talk of “increase of education opportunities (...) also through pre-schooling processes”. It will also talk about the need of an “educational support for those, who prematurely abandoned mandatory school cycles”, with particular attention to “adolescent mothers”. Roma and Sinti children are here defined “at-risk of poverty minors” and the right to education expressly considered as “most effective policy of contrast against poverty and social exclusion”.

²¹ The concept of “parenthood” refers to the sphere of ascribed functions to parents, with regard to family, intended as an establishment.

²² Resolution G.C. nr. 270/2006.

²³ Management resolution, IV Sett., nr. 210/2002: “Convention approval for the realization of a project of educational support and assistance to Sinti minors, resident in the Municipality of Legnago”. The “convention” in object (regulated by art. 7-9 of Law 266/1991 on volunteerism) is just a contract between a public authority and one or more no-profit bodies to provide services of assistance or social nature, aligned with the “integrated” concept (see point 4 of present report) of programme and project policies and of social service management.

²⁴ This political analysis metaphor, shared among philosophers of the old Europe, keeps on making sense, nowadays, in legislative and of governance logics, besides supporting the classic structure of the administrative system (an organised system of relations among “organs”).

*overcoming of social marginalisation*²⁵: the “support-assistance”, in order to exist, needs, from one side, a uniformity in relations between citizen and institution (juridical precondition); from the other one, it needs a “margin” or *locus* for subjects’ recovery, offering a grade of sociality, close or equal to zero (factual precondition).

Further, in this case, access to the establishment of support and normal working insertion of Sinti families pass through the necessary paternal acknowledgement of children²⁶. In all documents about “support” (half of them collected in Legnago), it is not mentioned any culturally relevant existing establishment, like marriage among Sinti people. In the attached Project to the managerial approval²⁷ act and among criticalities, it can be observed the presence of *unstable living and housing conditions* and the *cultural non-value of schooling and work*.

B. Municipality of Genoa

On the basis of *narratio* (reasoning on factual circumstances) included in the resolution of the committee and issued “for population of gypsy origin”, occupying an area, located in neighbourhood Foce (demolished in June 2006), we can read that:

*Nomad family units, resident in the above-mentioned camp, are placed in alternative and definitive housing solutions; in the purpose of assisting (...) towards the above-mentioned solutions (...), it is needed to widen the educational presence (...), for the benefit of these units themselves*²⁸.

“Disadvantage” is not here explicitly mentioned; a process of “assisted” transition imposes itself, instead, being necessary to overcome the previous housing condition. This process is intended in a double sense: special, from the camp to the housing project or other alternative solutions (for example, housing modules); figurative, like an almost ritual passage to a new acquired *status*, taking a place in the society, by starting from grade “zero”. In this resolution, like in other ones, included those ones issued before the evacuation, the service is available *for the benefit of population of gypsy and nomad origin (...) with a particular attention to minority age*²⁹. In the attached terms to the resolution concerning service assignment, we can find, among the objectives, an *educational mediation among individuals, groups of reference target and external realities, in the purpose of facilitating (...) the acquisition of the necessary tools for a dialectic relation*

²⁵ Municipality of Legnago, Resolution G.C. nr. 8/2009.

²⁶ *Ibidem*

²⁷ Management resolution, IV Sett., nr. 96/2003.

²⁸ Municipality of Genoa, Resolution G.C. nr. 1254/2006.

²⁹ See, in particular Resolution G.C. nr. 425/2004, by which the “social co-operatives and their associations” (the Consorzio Sociale “Agorà s.c.r.l.” will get the assignment) are authorised to the integrated service performance.

outwards (art.5). The competent social district, besides taking in-charge users and verifying service quality and efficiency, will have the duty of defining projects (individual and/or collective) of action, by collaborating with the educational team (art.11)³⁰.

With regard to the clear caesura with “outwards” or “external reality”, it is not clear, if it is postulated in comparison to the internal side of “nomad camp”, even created by the municipal authority itself, or, in an indefinite and broader sense, to the Roma world, intended as something totally separate from non-Roma people’s life.

In 2006, by L.R. nr. 12 for the “Promotion of an integrated system of social and socio-health services”, it is cancelled the old regional normative about the foreseen stopping areas “to safeguard gypsy and nomad populations” (L.R. 21/1992). From now onwards, it will be a matter of “foreigners and nomads”, a pair, which is included in the category of “people in indigence status” and of the “poorest bracket of the population”³¹.

The support refers to a heterogeneous domain of knowledge, involving socio-educational work, psychotherapy, educational activities. Its actors are teachers, educators, operators of the psycho-social and pedagogical areas. Among the methodologies that can be connected to the concept of assistance, we can find, besides mediation, counselling³², mentoring³³ and coaching³⁴. From the analysis of enacting texts of support/assistance, a phase path emerges.

- The presupposition is given by the conditions of “lack”, “incapability”, “fragility” or “precariousness”, i.e., all forms of subject’s unsuitableness with regard to the relations’ system where he/she lives, producing a “disadvantage”. The *locus*, in which the disadvantage takes place, is at the borders of social reality. It is an undefined margin, to which a reference is done, in terms of “exit” or abolition. “Typical”³⁵ expressions of disadvantage are: confusion in facing rules, isolation for a lack of affect and lack of ability to communicate with others, due to abandonment

³⁰ Attached to the Resolution, mentioned in the previous note.

³¹ Cf. the Resolutions of the committee nr. 337/2007 and 563/2007, as well as, text of L.R. 12/2006.

³² *Counselor* is defined a professional in a “help relation”, involving people in situation of uncertainty and of psychological and social difficulty. The purpose of this relation is to empathically lead the assisted person, through an auto-awareness path, to regain self-esteem and to take responsibility of own decisions.

³³ It is a widespread methodology in professional environments (mainly in artistic or sport ones) and in the field of social re-habilitation. By working on increasing personal motivation and on “learner-client” (*mentee*) potential, the optimal achievement of results is searched in the profession or in family and social relations, for a full (re)-insertion.

³⁴ In this case, neuroscience fully serves business management : “self-awareness” became a specious goal to increase personal productivity and for strategic decision-making by power.

³⁵ This concept, so trendy today, was retrieved by A. Adler contribution and, then, “transferred” into bureaucratic language.

(Montecchi 2011) or loss, to stigma referred to a relative (recipient of a penal conviction) and or to the social context of belonging. By custom, a strong individualism, culturally generated by contemporary society, is considered a strengthening element of this condition. Possible effects of disadvantage are aggressiveness, also towards oneself, and, from a juridical point of view, a tendency to deviance.

In the support action strategy, the subject is constituted by a set of (expressed or supposed) “needs” and he/she is equipped with a series of “capabilities” that, in functional terms, are translated in “resources” for society.

- A project process (whose object is life itself, projected in its future developments) started by public *ad hoc* operators, who are external to the social reality of origin and, by custom, are unasked, by the assisted subject.
- A series of oriented goals towards a corrective (sometimes, clearly contrasting) citizenship model, with regard to habits of provisions recipients.

In recent time, the expression “way of life” has widespread, to refer to minority contexts, in comparison to the set of social habits that can be faced (or that can crash) in the juridical discipline (rights, duties, obligations and interests), with regard to relations among citizens, social educations and public subjects. Such an expression is never defined and we can suppose that it is applied as a synonymous of “form” or “style”, referring to “spontaneous” housing modalities or to social habits (relations inside one or more families), practiced by “nomads”. Regardless logical inferences, leading to its current use, it can be observed that, in ethology (the biological science on animal behaviours), the existence itself of a “specie” is defined by biological relations among organisms (physical structure) and the way of life (social structure).

Finally, it has to be reminded that both terms in object are used in other specific areas of assistance: the one provided to disable people or, in different context, the one provided to subjects in a detention condition.

In a material sense, the term of “assistance” can also be referred to an operative modalities, applied by public authority in the purpose of accelerating the access to offices (to regularise own civil status, to access to housing assignment, to obtain the use of a good or service). For example, in the form of the “responsibility agreement” – attached to the Municipality Code of authorised “nomad camps” in the territory of Genoa – it is presented as a “equivalent” of a series of duties and obligations, like the exercise of “active

citizenship”, the possession of valid identity documents, the choice of an housing solution, external to that area.

6.3. Security and Public Order

(V. M. Carrara Sutour)

- *The barometer of the system: an open container (considerations on “public order”)*.

In the collected administrative documents’ text, there are several mentions on “public order”, likewise in other official contexts (we allude to existing references in legislation or to acts, issued by judicial authorities). The fact that it is a matter of an aside category and not of an establishment, regulated in precise and defined terms, is evident from the constant absence of definitions or clarifications, accompanying each single reference. The act reading (the linguistic con-text) hardly helps to shed light on meaning, as perhaps it might emerge from the detailed motivation of a verdict: administrative provisions do not contain reasoning of facts and of their link to norms and principle of right. More in general, public order appears to be something that does not need of definitions, an untouchable placed superstructure, undefined – because indefinable. In effect, it shows itself in a form of exception clause, an absolute limit of compatibility with the system and its principals. In absence of univocal definitions, to be retrieved by the normative *corpus* (we will soon see, in which terms the primary source mentions it), we cite a recent contribution, from the so-said “living right”:

For the civil Cassation, public order is *formed by a set of principles, inferable from the Constitutional Chart or, anyway, if not finding place in it, (...) able to characterise the attitude of the system itself, in a determined historical moment and to form the cornerstone of the ethic, social and economic structure of the national community, giving to it a well identified and unmistakable character*³⁶.

We can observe here a mirror definition, recalling Kelsen³⁷’s style: “the fundamental norm is the one setting up the system”, tempered by the reference to the history of values, contained in it. These values ascribe a “physiognomic” identity (i.e., inherent to the concrete “nature” of law) to the national community.

³⁶ Civil Cassation, Sect. I, Verdict nr.27592, 28.12.2006. Object of the examined case was the principle, according to which, whoever affirms to be the father of somebody always is provided with the guarantee to act for the related verification, in court.

³⁷ According to the Austrian philosopher and jurist Hans Kelsen (1881-1973), the *Grundnorm* (“Fundamental norm”) is a pure “supposed” norm, with undetermined content, and expression of a transcendental logic, founding the validity of all other norms, in a hierarchical scale (forming *jus positum*). Its nature recalls, for the systems of European nation-states, reinforced during the last two hundred years, the laic sacredness of concepts like: “State”, “right”, “society” and of the powers exercised in their name.

The “open” nature of the category makes it take shape (in terms of principles) through the safeguard, by the system, of distinguished interests, going beyond the sphere of individual freedom. From a combined reading of the Constitution, priority areas of public interest work like vehicles of sense, converging towards public order. Safety, security, health, good habits are considered as binding limits to the exercise of freedom, safeguarded by the Constitution Chart itself. More precisely, *public order* intervenes in reducing personal freedom, in limits of preventive detention (art. 13, 5), freedom of circulation (jointly with the safeguard of public *health*, art. 16, 1), freedom of gathering (jointly with public *safety*, art. 17, 3); good habits constitute instead a blockage to freedom of the press (art. 21, 6) and of religion (art. 19). Each one of these interests can be considered as a sectorial or thematic declension of public order, implicitly emerging by other norms, too (for example, art.18 about freedom’s limits of gathering, defined by penal law). Given its general and virtual open-endedness, it expresses a compression on all fundamental freedoms, from the personal one (the principle of legality in penal area has, in fact, a formal nature - art. 25, 2 Cost.) to civil and economic freedom³⁸, constituting for any internal or external³⁹ juridical system, the barometer of system’s legality. Concerning the absence of definition, documents addressing Roma people that, as such, have an enforceable and not interpretative nature, do not make any exception: we won’t find in them any inherent reasoning to public order. Here is a textual example, from a municipality in Verona’s area:

The Mayor, considering the Municipal Regulation on the management of the stopping-camp (art.2); considering that, following some effectuated checks, some impediment elements subsist, concerning the safeguard of public order and of good management of the Camp, also in consideration of the situation of overcrowding that would be determined, DOES NOT AUTHORISE Mr. (...) to any temporary stop, with his family unit, inside the Camp (...) [Municipality of Cerea, Union Provision nr. 16694/1997].

In Art.2, Clause 3 (regulating camp’s availability) of the cited “Management’s Regulation”, we can read: (...) *same allotments might be temporary reduced, because of the safeguard of hygiene-health or public order*, while the first Article (“Object”) closes with a reference clause, *concerning here not-included items , (...) under state, regional and municipal in force norms (...) in the field of civil right, of public order safeguard and of safeguard of*

³⁸ To this end, see references to *general interest* and to *function* or to *social usefulness* included in the limitations to freedom of emigration, in first case, and to the economic initiative and private property (Cost., Title III).

³⁹ Here, we refer to the norms of private International law, in front of which, the judge, due to fundamental needs of *internal harmonisation*, is obliged not to apply norms (and to disregard verdicts) of a foreign State, if conflicting with public order principles, informing the system of belonging (cf. Art.16,1 , 64 and 65 of L. nr.218/95: “Reform of Italian system of private international Law”).

hygiene-health. Considering its meta-juridical and structured nature, it is legitimate to wonder, which discipline of public order, the present regulation refers to, also observing that it always results approached to another common good (in this case, Health) concretely more “visible”.

The first legislative definition of this concept, intended as an establishment of administrative⁴⁰ right, can be found in D.lgs. nr.112/98, re-defining the structure of Civil Protection, in compliance with the first “Law Bassanini” (L.n. 59/1997). Such a normative insert itself in the field of transfer of functions and competences to local administrations, according to the principles of subsidiarity (vertical and horizontal), which took place in the second half of the ‘90s⁴¹ (see, extensive reference to Chapt.4). In Art.159, 2, we can read: *Functions and administrative duties, related to public order and public security (...) concern the preventive and repressive measures, addressing the observance of public order, intended as the whole of fundamental juridical goods and of primary public interests, on which the regulated and civil coexistence lies on, in the national community, as well as, the security of institutions, of citizens and of their goods.*

The security of subjects of rights (either physical persons or social structures, public institutions or private citizens) is both physic (value of safety) and patrimonial, while “primary public interests” are, in the interpretation of constitutional judgment, *only those interests that are essential to the observance of a regulated civil coexistence*⁴².

In order to understand the role of public order, with regard to housing policies of settlement or enforced moving away from an area, by Roma and Sinti families, we should, therefore, search for its contents, in the profile of public security and of its foundations, taking into account that it exists as many “public orders” as the fields of interventions of public authority in the safeguard of specific social guarantees.

- Roma people and public security

When the first decree was issued by the chief of government on “nomads’ emergency” (2008), the Municipality of Genoa renewed (with the Prefecture, the Province and the Region of Liguria) the “Agreement for a Safe Town of Genoa”, agreed 14/07/2007⁴³, by

⁴⁰ It can be, in fact, relevant as an establishment of private law (cf. Art. 31, disp. Prel. al Civil Code, as well as, Law 218/95 – *hic*, note 4) or penal one (see, to this end, Book II, Title V of Penal Code “About crimes against public order”).

⁴¹ For the administrative decentralisation policy, see *infra* Chapt. 4.

⁴² C. Cost., sent. nr. 290/2001.

⁴³ It concerns one of the 16 “Agreements for Security”, subscribed by the Home Office Ministry and by representatives of local institutions: collaboration tools, finding their normative base in Art.1 of financial Law nr.296/2006 (authorisation to Prefects to stipulate conventions with Regions and local bodies to

programming, upon initiative of the in charged Assessor, a series of interventions and following integrations to safeguard urban security. Common commitment was based on contrast, through prevention, to *criminal phenomena, producing a widespread state of uncertainty among citizenship (...), mainly connected to (...)illicit behaviours, generating social alarm* [among which] : (...) *presence of nomads and irregular immigrants, unauthorized housing occupation by the latter, phenomena of social discomfort and urban neglect (damages, arsons, garbage neglect (...))* [Municipality of Genoa, Resolution G.C. nr. 264/2008]. It has to be observed that, in this case, the mere “presence” of classified persons, according to a supposed, as well as, undefined housing modality (also, when the “irregular” adjective is referred to them, assimilating the condition of “nomad” to the one, also controversial⁴⁴, of “clandestine foreigner”) is significantly equalized to a series of crimes like: theft, robbery, drug trafficking, damages. It is also referred to behaviours like: “unauthorized commerce” (i.e., crimes of falsification or piracy) or “widespread street prostitution” (serious evidences of inherent crimes of exploitation and aiding and abetting). On closer inspection, the two sets can partially coincide: the “nomad” might be somebody, who immigrates to stay; instead, differently from the “immigrant” and according to a stereotype not extraneous to the bureaucratic environment producing the above-mentioned act, the nomad results “unstable” in space due to nature or culture, both when he/she is included in temporary housing solution and when he/she is “unauthorized”. Coming back to the already cited D.lgs. 112/98, the identified subject as “security police” (preventive safeguard from acts in contrast with the sources of set of rules, safeguard of public order and security) is covered, for public interest, control and unity reasons, by state reserve of law, as specified in new Article 117 of the Constitution⁴⁵. At the same time, the functions of regional and local administrative police (instrumental and ancillary with regard to the substantial functions of active administration) are defined and regulated at Art.159, Clause 1.

The security police is centred on the concept of “prevention”, to safeguard people by direct intervention of public power, on the basis of primary collective rights and interests, related to the coexistence context. Prevention has, in itself, guarantee and limits: “positive”

programme and fund the access to bound resources, by choice of those bodies, for performances in the field of urban police, urgent technical aid and security of citizens).

⁴⁴ In addition, in serious terms, no accused person for the crime of “illegal entrance and stay in the territory of the State” (so-said “clandestine state”), introduced in T.U. on Immigration (D. lgs nr. 286/98) of Art.10-bis L. 94/2009 (so-said “Security Package”), can be incarcerated only for that behaviour, integrating a violation sanctioned by a monetary penalty (from 5000 to 10000 Euros).

⁴⁵ In Clause 2, same Article, as so substituted by Art.3 L.Cost nr.3/2001 (reforming Title V of the Constitution, reserved to public territorial Bodies), among subjects for which State has an exclusive legislation, public order appears, jointly to security, “exempt local administrative police” (lett. h).

freedoms of citizens-clients (so-said “social rights”) and security of subjects (individuals, social units, institutions), through the restrictions, produced by interests of public order. Later, we will see how, in current neo-liberal and of State decentralisation policies, the two levels (“security from” and “security of”) blur, with regard to “nomads”, in an anomalous way.

Concerning the related concrete translations, there are two channels of intervention in preventive activity:

- The search of objective situations of danger or of beginning of penal illicit activity, through surveillance, controls, authorisations, licences issued by the Prefect or by the Mayor, as local authority of public security;
- The identification of supposed subjective conditions of dangerousness, reported by the police (in charged authority), on the basis of a judgement of value, concerning people usually involved in crime activities or living by related income; it is a matter of crimes against minors of age (physical or moral integrity), public health, security and serenity (it has to be noted how the link between the two levels, regulated by distinguished disciplines⁴⁶, can constitute only an eventuality, despite in the agreed official discourse – “Safe City” – or of emergency – Decrees on nomads – sometimes tend to overlap).

Concerning the emblematic case of evacuation, public order acts, even when not mentioned, in the way of public security and safety safeguard (jointly with “health”).

From the order of evacuation to “restore” the ex-Camp in Foce of Genoa neighbourhood, in the *narratio* of this act, it is considered that, besides the usual parameters of public health and hygiene, *it appears no longer acceptable to prolong a situation, which is considered source of danger in terms of security and safeguard of people*, considering necessary a *civil arrangement of those family units elsewhere*. Further, in the mechanism, among the delegated duties to the police headquarters (Questura), it is included the support *for all interventions and compliance of pertinence by public security authority, which might be necessary to implement the present order*. This is a clear evidence of a wide discretional margin [Municipality of Genoa, Unit Order nr. 190/2006].

⁴⁶ See, to this end, T.U.L.P.S. (“*Testo unico delle leggi di pubblica sicurezza*”, R.d. nr. 773/31 approved by executive regulation in 1940, on the so-said “wandering works”, still forbidding, in Art.121, the activity of “magician and fortune-teller”), object of several amendments and following integrations, and L. nr. 1423/1956 (“Measures of prevention addressing dangerous people for security and public morality”) and following amendments (L. nr. 327/88, L. nr. 256/93, L. nr.128/2001).

Imperative reasons of public safety and security, assumed in the expressed safeguard of public order, still sustain the urgency of the evacuation of a civic property building, located in another territorial section of the same city (Molassana). This is object of unauthorized occupation by a consistent number of nomad subjects, of Romanian ethnic group, using these premises (...) in situation of overcrowding (...), as well as, of danger, in consideration of the fact that occupying people use makeshift means for heating, such as: braziers and stoves [sic]. Further, repeatedly elaborated measures, by in charge Offices, to inhibit the access to the structure and to avoid damages to other people, are not sufficient to guarantee public safety [Municipality of Genoa, Unit Order nr. 55/2012].

Security is here threatened by dangers of structural (places and settlements condition, limited availability in comparison to the number of people) and hygienic order. It is of interest observing the building, as a particular object of safeguard, also physically “aggressed” by unauthorized occupying people *because the particular morphology or this structure allows the entrance from several points*. This happens despite *interventions to close accesses to it* [ibidem] and the fact that only third parties must be protected from danger, i.e., whoever lives (or happen to be) close to the building, health and safety, totally disregarding “unauthorised nomads”.

As a temporal manifestation (deriving, in concrete, by urgency) of public order, security also comes from physical “cleanness” and from spacial “order”, sometimes loosing materiality and assuming a moral connotation of “neglect” or a social one of “discomfort”⁴⁷. In “emergency housing situations”, the threat to the safeguard of primary interests contributes, at municipal level, to define the classification for the assignment of E.R.P. accommodations to Roma and Sinti people. Acting within his/her technical-administrative functions and on the basis of objective effectuated surveys, an officer can declare that *a building is not in conformity with standards (...), it is occupied in an unauthorised way, without any title to it (...) as lacking of security, health-hygienic and structural requirements, as well as, a system compliant with legal standards (...) to safeguard private and public safety*. [Municipality of Legnago, Managerial Provision (order), Prot. nr. 35613/2012].

According to the interpretation provided by the Home Office Ministry, *by public safety, it is intended the physical integrity of the population and, by urban security, it is intended a public good to be safeguarded by defense activities, in the area of local communities, in compliance with norms regulating civil life, and to improve life conditions in urban areas, as*

⁴⁷ For both concepts, see related dissertations *infra* paragraph 6.4.

*well as, civil coexistence and social cohesion*⁴⁸.

In terms of urban security, as meant by the authentic interpretation of the above-cited Decree, the living condition of a Roma settlement is always doubtful, even when it is conceived and authorised by a Regional law, with all local specific amendments (the regulations of Molassana and Bolzaneto Camps are always “temporary”). Besides this factual premise, other less clear and less measurable reasons allow to consider coexistence and social cohesion more as an obligation, rather than the effect of possible choices, by those people, who suffer an evacuation.

- “Return to the order” (conclusions).

Historically, in liberal nineteenth-century State, security is an ideally safeguarded good, in “negative” terms: security *from* third parties and *from* public powers, according to the fortunate principle of state non-interference in private relations (“laissez-faire”). By the arrival of a social-democratic system, on constitutional basis, we can talk of State and “social” rights, of collective material security, of objective nature and tangible in safeguard guarantees for citizens. Since at least two decades, this vision has modified, in a neo-liberal sense orientation: political relations, management and public allocation of goods and services get managerial aspects, similar to those ones of a big company. Public authority addresses more and more to private sector operators, while citizens become active clients, with regard to “provided” goods and services, within the discussed juridical limits of this chapter. Objectively untouchable values of the system, besides playing a prevention role in positive freedoms, also protect (no longer from State, but) *from* “objective” dangers, themselves, but concretely measurable and subject to census, but able to resist, anyway, to the imposed change. The presence/emergency of Roma people, their problematic “impurity”⁴⁹, released to the power of special commissioners and to the (extraordinary) power of mayors, is a particular form of this resistance: the couple of terms of “not-contingent and urgency”, equally as in public order, does not result elsewhere defined⁵⁰.

Roma and Sinti people are perceived, as such, as a public order issue, due to the fact that every aspect of it involves them. The “return to the order”, wished for Roma people and foreigners, through “integration”, corresponds in the first case to an inversion of values: if,

⁴⁸ Ministerial Decree of 5/08/2008, Art.1.

⁴⁹ See Chapt. nr. ... “Neglect-Decency-Hygiene” of present Report.

⁵⁰ See Art. 50, clause 5, of TUEL. (Testo Unico degli Enti Locali, D. lgs. nr. 162/2000). On this matter, see Chapter on “Neglect-Decency-Hygiene” and the analysis of Order nr.994/2009, issued by the Mayor of Venice, in situation of “health emergency”.

from one side, Roma people, in order to remain so, practice strategies, rendering them invisible among non-Roma people, from the other one, to access to the effective safeguard of fundamental rights (formally already acknowledged) and to become visible to the non-Roma society, they should renounce to behave “as Roma people”. This inversion is symmetric only in an abstract sense, corresponding to a loss for people with their past. The fact is that “society” includes both Roma and non-Roma people, which does not seem evident to the administrators, not even in phase of proceeding (i.e., that formal path to the act’s issue). The inclusion in the name of order can, thus, involve a rooted division, which is a mirror of the politic imbalance of an entity that continues to auto-define itself as “national community”⁵¹.

Public order and its threat (physical persons becoming the attribute of the declared emergency) are something blurred and “detached” from the discourse: one (a constitutional category) is at top of principles, the other one (a social typology of ethnic mark) is outside the citizenship system, unless transformed in anonymous “client”. Social policies of neo-liberal State alternate exclusion and moving away for reason of public security to the privatised management of needs considered as a priority for “poorest bracket of the population” and for “fragile persons”, re-absorbed in social fabric, by an integrative strategy. It fixes the necessary conditions to be subjected to the system, on the basis of predefined juridical categories.

It remains the doubt on the fact that even tacit allusions to public order and security act, in the *ratio* of public officers, within the conceptual limits of their historical relativity, being able to be subjected (especially the first establishment) to judgment of value, based on common feeling (not really corresponding to general principles of the system, although they might be flexible) and, exactly for this, to arbitrary extensions.

⁵¹ On the matter of security, see the Decree, at note 13.

6.4. Decay, Decorum, Hygiene

(V. M. Carrara Sutour)

- **Decay and Decorum**

- *Introduction*

Among the concepts more openly connoted in a moral sense, we find urban "decorum" and "decay". While "hygiene" and "safety" are something that appears to be physically measurable on the basis of an "external" factor (dirt, presence of bacteria, danger of collapse, lighting of open fires and other situations defined by law as being "dangerous"), the first two, respectively a "common good" and a socially anomic phenomenon, qualify an aspect that makes them mirror each other. We are talking about *modus vivendi*, that varied set of ways of living related, with some haste and ambiguity, to a matter of "style". Outside of the criminal context, the "lifestyle", perhaps something more "substantial" for those who practice it, is often considered by public authorities "not necessary" or even "harmful" as compared with primary interests falling (not without forcing) within the scope of public order. In the specific case of safety policies regarding Roma communities, hardly the way they conceive inhabiting falls within conducts which are not deemed in conflict with the legal system. What is most surprising, in the official response, is a kind of *total* management of space (the "camp" or "village" and social housing) relating to the practices of those directly concerned, ranging from a traditional and 'problematic' mobility (as is the case of Sinti in Veneto and Piemonte) to sedentary living (consider, for example, the case of Roma from Romania, coming to Italy in search of work and planning to return home and build their own house).

Although conceptually mirror, these two terms have a partially distinct genesis. Only recently, with respect to the administrative measures for critical situations compromising urban safety (which include the presence of Roma or Sinti), they "physically" came together in the legal text, becoming the poles of an established "social dignity".

- Decay

This concept, coming from the recent provisions on "urban safety," has kept his sociological matrix until a few years ago (Cisterna 2010); therefore, it should be advisable to open a short parenthesis on that type of safety, laid down in the "emergency" legislation produced during the period 2006-2009.

Article 54, fourth paragraph, of the TUEL⁵², rewritten by D.L. n. 92/2008, on the power to issue *extra ordinem* orders (Jovanovic 2012) by mayors, talks about *serious threats to urban safety* that this measure should *prevent* and *combat*. Given the broad spectrum of applications reserved for it, before the dramatic temperament made by the Constitutional Court in Decision n. 115/2011⁵³, a declination of public safety turned into an indefinitely open "container" in which to include, at the discretion of the authority, any act potentially disturbing the public peace. In that way, there have been "ordinary" orders in form of extraordinary measures and related to conducts such as, for instance, the gathering of people in front of craft food stores, or simply getting closer to cars at a traffic light.

Because of their priority status, safety and quality of urban environment require a particular coordination between the organic administrative spheres of competence and territorial levels. At the municipal level, especially in big cities, mayors are joined by prefects in the preventive (and no more "timely") control of the *contingent and urgent* orders issued in accordance with Art. 54.4. Also, the prefect himself will be called to hold the office of special commissioner under the declared "nomads emergency"⁵⁴. The legal concept of "decay" is obtained from a definition of "urban safety" provided by the Ministry of Interior Decree (D.M.) n. 5/8/2008: it is a *public good to be protected through activities undertaken, within local communities, in defense of compliance with the rules governing civil life, to improve the liveability conditions in urban centers, civil coexistence and social cohesion*.

Among the listed values, "liveability" is relevant for our purpose, being an apparently basic construct, although nearly ultra-flexible and juridically transcending as "public order" (to which it is linked in the urban context). The same Decree should circumvent the difficulty in determining its boundaries: what actually threatens the conditions for use of urban

52 Consolidated Act on the Structure of Local Authorities, approved by Legislative Decree n. 18/08/2000, n. 267.

53 The Court declared partially unconstitutional Art. 54.4 TUEL, that gives the mayor the power to order measures for the safety of citizens, omitting the conjunction "also": *The mayor, as an officer of Government, adopt, by a motivated act and in accordance with the general principles of law [also] contingent and urgent measures, in order to prevent and eliminate serious hazards that threaten the safety of citizens*. This judgment caused a significant reduction of the discretion connected to that power.

54 See the well-known DPCM 21/05/2008, mentioned several times in this Report.

spaces? The official interpretation provided is so articulated as to mask the legal text's vagueness, symptomatic of the safety policies in recent years. Among the mayoral duties we can find the prevention and fighting of *situations of [social] decay or isolation*, causing *criminal phenomena* (follows a list of offenses, the same reported in the various "Agreements for the Safe City"), *damage to public and private property*, and leading to the *deterioration of urban quality*, which is (as we will see shortly) the basis of "decorum"⁵⁵.

Decay (in more opaque terms) and isolation (emblematically) are presented as causes of threat for safety more than the effect of a weak or absent Welfare State. Again, negative definitions are the primary remedies: a society, with its institutions more or less transformed and reformulated by law, is defined by what it is not, i.e. starting from the dangers that threaten it, or rather, by its fears for them.

Also, in Art. 2 the list of cases for authority's intervention lengthens, providing - among others - situations easily referable to the "nomads emergency" just decreed: in addition to decay (an avoidable redundancy), we find the *illegal occupation of properties* and, shortly forward, the *illegal occupation of public land*, which alters the "urban decorum". Finally, among the *conducts offensive to public decency, also for the way they occur, begging harassing, capable of seriously jeopardizing the free use of public spaces, or making difficult or dangerous the access to them*, is reported by way of example.

We are facing here a strongly "political" text, which combines a series of criminal offenses undoubtedly "serious" (i.e. violating fundamental rights: drug dealing, exploitation of prostitution, use of children or disabled persons in begging) to minor offences and, in some cases, even generic conducts (such as hampering the use of public roads and, more generally, public and private spaces) subject at most to a fine. The lack of coherence does not seem to have compromised the success of "decay" as a reason for intervention, on the contrary...

In local realities, one of the most common contexts in which decay is invoked is that of eviction:

as a result of inspection [by Local Health Service technicians] (...) it was detected the presence of a settlement of nomads, divided into sections and made up with makeshift shelters constructed with waste materials. (...) very bad sanitary conditions (...), non-availability of drinking water supply and electricity, uncontrolled accumulation of organic waste and inert materials (...); in addition to this situation of massive decay (...)

⁵⁵ See Art. 2 of the cited Decree (the words and expressions in italics are, as usual, those extracted from the text of the article).

[Municipality of Genoa, mayoral Order no. 48/2009]⁵⁶.

In situations of emergency provided by the legislation on public housing⁵⁷, decay becomes an implicit assumption for building recovery, as shows the annual allocation of public housing in Legnago: *eviction of residential units to be recovered (...) [and] to provide for the benefit of certain social groups* [Municipality of Legnago, CEO Resolution (Sector IV) n. 21/2006].

Within the limits of this investigation, it was noted that, for illegal settlements (as well as those being authorized but going to be dismantled), the resorting to hygienic emergency is dominant⁵⁸, whereas, in provisions relating to urban safety⁵⁹, the protection of public space from the conducts listed in Art. 2 of the aforementioned Decree (D.M. 5/8/2008) is overriding. In cases of "camps" extraordinary administration, we can find combined with the hygiene some requirements of social ecology (internal/external), namely the *maintenance of an acceptable liveability, by eliminating, on the one hand, the most obvious causes of decay [hygiene and safety] (...) and, on the other, by re-qualifying the living environment of the community improving, therefore, the aesthetic and environmental aspects of the area* [Municipality of Genoa, City Council Resolution n. 237/2005].

The extemporaneous attribution of an aesthetic value to the living context experienced by Roma, leads us to talk about "urban decorum".

- Decorum

Residents are required to comply with the rules of hygiene and public health, dignity and decency of the area, daily cleaning of the pitch assigned. (...) The residents who cause disorder in the camp with (...) vandalism against equipment or towards third parties will be immediately removed, except for the assessment of facts, for which we will proceed also by law, in relation to their gravity [Municipality of Genoa, City Assembly Regulation n.

56 Order issued on proposal of the "Safe City" Councillor. See also the mayoral Order n. 47, issued on the same date (on March 5th, 2009), which provides, for the same reasons and with similar arrangements, the evacuation of another area illegally occupied by nomadic peoples. In both cases, the measures referred to families of Romanian Roma living near the banks of Polcevera river.

57 See the Statute n. 560/1993 and, for Veneto Region, the Regional Act n. 10/1996.

58 See the Venetian mayoral Order n. 996/2009, referred to in paragraph n. 3.

59 See the Resolutions integrating the so-called "Safety Pacts" between State and local authorities (see the Chapter "Safety - Public order").

1792/1988, Art. 7, paragraphs 4 and 6]⁶⁰.

*Users are required to occupy the housing unit completely according (...) to the current Regulation of Urban Police, and in particular to the relevant requirements of cleanliness, decorum and order, as well as the peace and safety of the whole residential area. (...) [Also] they must not improperly use or occupy the public green and the streets with various materials and objects nor let animals free to vacate [Municipality of Venice, Regulation's Scheme annexed to City Council Resolution n. 634/2009]*⁶¹.

In both the documents mentioned above, rather distant in time and respectively directed to “nomads” and Sinti, we can find explicit references to “decorum”. Then, the question arises about how perspectives have changed: despite a quite apparently similar practical content, there are signs of changing towards a more structured regulation firmly focused on urban safety.

In the older Regulation, the mentioned provision takes an aesthetic-stylistic nuance in relation to housekeeping obligations, traceable by analogy in Art. 1120 of the Civil Code⁶², covering the structural changes made to a residential block. At this point, it is important to remark that “decoration”, “decor” and “decorum” are three distinct concepts, but in Italian language are denoted by a single word: “decoro” - this fact can actually produce semantic overlappings and confusion. In the architectural sense endorsed by the case-law⁶³, “decorous” means “in harmony with the style of the building.” It begs the question of what was the “style” of Bolzaneto camp in the late 1980s. Conceived as a temporary accommodation, the camp included the prohibition of making permanent changes to the structure, cleaning obligations and the respect (about number, positioning and perimeters) of each “stall”⁶⁴ assigned.

Moreover, we can notice the most significant difference looking at the safety duties inside / outside of the area, for which the Venetian document refers to the Municipal Regulation on

60 Concerning Genoa, it is the first “Provisional Regulation for the management of a stationing area for nomads in Bolzaneto - Via Santuario NS della Guardia”, the only one before the new (“provisional”) Regulation signed on December 16th, 2010.

61 Regulation for the residential area called “Village for Sinti”, located in Favaro Veneto (Venice), Via del Granoturco n. 5.

62 The last paragraph of Art. 1120 states that “Innovations which can undermine the stability or safety of the building, [or] alterate the architectural *decoration*, are forbidden (...)”.

63 See the national Supreme Court, Decisions nn. 851/2007 and 8830/2008.

64 *Sic* : Art. 6, first paragraph.

Urban Police⁶⁵. According to Artt. nn. 12 and 13, this last measure sanctions practices that are considered to be against decorum and decency (going bare-chested in public places and on public or private transportation means, damaging the urban space, including public parks and private buildings).

Briefly coming back to the repeatedly mentioned Ministerial Decree (of May 8th, 2008), we find here the recent meaning of decorum as a public interest expressing the quality of urban life, in the same sense taken by the Venetian Regulation:

The Mayor takes action to prevent and oppose (...) any conduct causing the deterioration of urban quality (...) [and] any situation altering the urban decorum (Art. 2, letters b and d), which are, after all, the same expressions of decay already seen.

Again, in the same provision we find public "decency" and "carelessness" (i.e. the lack of care for the everyday environment), also relating to decorum and clearly reflected in the local measures. This subject, although symmetrical with respect to decay, seems to involve, in addition to public space, those actors (and only *those*) being outside the settlement areas: the third parties injured, for example, by abandonment of dangerous objects at the roadside, by the *continued presence of nomads*⁶⁶ just beside a sports complex or by caravans parked near a commercial establishment, juridically harming its "image"... The question remains whether the references to "aesthetic and environmental aspects" (the "Landscape"⁶⁷), contained in the above-mentioned Resolution⁶⁸, are dictated more by image concerns (also referable to territorial institutions⁶⁹) than by the need of a civil coexistence with the camp inhabitants.

Therefore, the concept in analysis lends itself to considerable ambiguities, arising from a growing imbrication of different sectors and disciplines, which emerges in local executory measures; this aspect generates interpretations that are not always clear and consistent,

65 That is contrary to the general reference to "vandalism" and "damage to third parties" contained in the Genoese Regulation. It should be noted that vandalism does not constitute an autonomous kind of crime, being able to integrate other conducts specifically regulated (see, for example, Art. 639 of the Penal Code).

66 Expression reported from a reminder (Municipality of Genoa, Traffic Department Office, September 8th, 2006).

67 Today, the protection of the landscape assets is regulated by Legislative Decree n. 42/2004 (the so-called "Urban Code"). The concept of "landscape" includes goods belonging to the cultural and environmental heritage.

68 See the previous paragraph: Municipality of Genoa, City Council Resolution n. 237/2005.

69 National Supreme Court, 3d Civil Section, Decision n. 4542/2012.

involving at least three meaning "areas":

- the aesthetic force of its etymology (which we shall talk about in conclusions), with the resulting inclinations towards landscape and the protection of a territorial image, in accordance with the Regional Plans; it is the language concerning "beauties", the "traditional aesthetic value", the environment-landscape becoming an "heritage of identity resources" (Clementi 2002), from which "nomads" would seem logically cut off;
- the legal system of urban safety (as discussed in the previous paragraph), combining the material conditions of inhabited sites with an urban space's ethic oriented against "deviance" phenomena: the lack of decorum is a sign of both moral and social decay. An "indecorous" life will therefore be contrary to "decency", because it lacks of values shared by the rest of society;
- starting from this second sense, the external features of decay/decorum transfer, at times, directly to the occupants of urban space as a result of a spread meaning, close to the person's "honourability", which exists in our penal context⁷⁰.

Conclusions

As we have seen, decay has to do with the local deterioration and the brutalisation of persons, taking a moral, sometimes aesthetic nuance, in opposition to decorum. Etymologically, it designates the descent below a minimum threshold (of liveability, of dignity) which provides a "place" in society, thus it constitutes a "loss". In contrast, the Latin term *dècus* connects "convenience" (from which the noun "decency") connects "convenience" to "beauty" and personal "honour", until they will find consecration in "glory" or, at least, in the orderly and *civil coexistence* within the citizen's "own" public space. Often abandoned in historical town centres more than in suburban areas, this space is perceived as an environment loaded of dangers, where the management of essential services is privatized and citizens become "customers", under a predefined system of information and access to goods and resources.

At the perceptive level, decay arises from administrative texts (ministerial decrees, eviction measures, technical reports, agreements, reminders) more as a defect in *living* than

⁷⁰ See the case of "Insult", as set out in Art. 594 of the Penal Code. "Decorum" here includes every element that makes the victim worthy of a positive opinion on the part of his social *entourage*. In a distinct way, Art. 595 ("Defamation"), sociologically significant, protects the interest in *reputation* arising from that opinion.

featuring the inhabited space, pervading the places occupied (legally or not) by “nomads”. If, back to the premise, the “lifestyle” could easily be seen by public authorities as something different from committing crimes, still remains a constant tendency for those subjects to lose their own decency, a kind of “naturalization without constraints” that pushes them *below* the minimum level required.

- *Hygiene: the good fortune of a social metaphor.*

During the last decades, and by a historically huge increase, the phobia against Roma people built upon rationales of contrast, able to reproduce themselves into unprecedented forms and contexts. Among the active stereotypes of this social division process, in Italy, the hygienist paradigm played a central role, i.e., the idea of their “garbage”, offered by the legal order, through norms and power instruments.

The Ottawa Charter (1986) identifies, in the *subjective* rights (i.e., as directly claimable) to housing, schooling, environmental health, healthcare service, a pre-requisition to the exercise of the “right to health”. Despite the widespread references, in national and regional sources, to the international set of rules, the texts issued by local administrative bodies adopt another language, which is very less structured. Here, Roma and Sinti, instead of being entitled to those rights, become “physical” obstacles to their exercise.

The gypsy, as a dirty person, besides that biologically convoluted and socially deviant has allowed the Western Europe political systems to shape themselves, on the basis of a “fully” negative representation and of a total non-involvement towards public order values, defending the state. The national identity, in order to define itself with respect to Roma people existence, needed two components: a powerful metaphor and an absolute disownment of juridical subjectivity.

The stereotype range addressed towards gypsy was wide and tested, already during the *Ancien Régime*. The idea of a separate “race of people”, also “unruly” and without “history” (Piasere 2009: 52-53), sustained by the myth of damned stocks (Cain and Cham) and by the collective imagination and, later, by the modern positivist “raceology”, produced recurring and devastating effects (massive expulsions, manhunt, deportations, forced sedentarizations, five centuries of slavery in the today Romania, extermination in Nazi lager), within the borders of the today-defined “European space”.

These interlinked images work in a nonlinear way to the conservation of an unbridgeable distance, between the majority society and the Roma people: the gypsy, even when living

nearby, still remains a “foreigner” and his/her taking roots appears as a contradiction. Nature’s supremacy is, thus, invoked, as an objective guarantor, to validate irreducible differences. To this end, politics and biology joined forces to provide exact demonstrations of antisocial behaviour of individuals and human groups. After being discredited, at a scientific level, the reasoning, at the base of the existence of genetic defects, inferior races and criminal minds, was run out. By commutation, i.e., without losing the initial repressive requirements, it comes back, as effective for Roma people, an ancient element, something of “prosaic” and material (consequently, less likely to be attacked by anyone seeing in it a source of discrimination): the *garbage*, their living as “dirty” people, in the dirt.

Etymologically, the Italian term “sporco” (dirt) comes from the Greek *pèrkos*, “of dark colour, blackish, mottled by spots” and, backwards, from the Indo-European root *parc-*, *sparc-*, “to touch, to sprinkle, to spritz”. Far-back, Mary Douglas shed light on the declensions of *impurity* and on how the act of violating hygienic provisions and interdictions related to physical contact, ingestion, sexual relations, can lead individual actors and the whole society to a situation of insecurity and danger (Douglas 1966). Concretely, even touching a Roma or *Romní* person has always been a disgusting action for many people. Like forbidden food (for example, the pig, between two prototypes, as from Douglas’ ethnography), borderline social realities, escaping from the existing cosmological order, are, from one side, potentially dangerous (if we would live as gypsies, the system would get into a crisis), from the other, classifying objects, behaviours and persons as “marginals” is useful, exactly through their interdiction, to strengthen the society, by structuring it. Concerning possible connections, between the Roma community and the dominant society, to the “fluid” taking roots, by the first, through a scattering on the territory, corresponded, during the last two centuries, an “exclusivist” political identity, enmeshed by social control in the fight for real or unreal threats. A question can be raised: *what* can constitute a danger for current societies?

In the history of European countries, the development of hygiene and public security norms took place, since the industrialization of big urban areas, during the so-said “second industrial revolution”. This socio-economic development process radically changed the topography of the old continent, class relations and institutions’ functioning. In the suburbs, a definition of national reciprocal territorial borders - by strengthening the bureaucratic and repressive mechanism - corresponded to the metropolitan planning. As Franco La Cecla writes, the birth of the modern city produces a “stiffening in the “common sense” of space”, tending to “regularization” and “cleaning”, not only of urban fabric, but also, and most of all,

of behaviours (...). It is then that it takes place the kind of prescriptive space, in which, still now, we live ” (La Cecla 1993: 17). It is a matter of project of political auto-construction, which is able, in its plastic realization, to suppress impurities and imperfections. While the domicile becomes residence, irregular and transitory settlements are swept away, together with their inhabitants. In Chadwick’s London, sustaining public health reform, the urban lack of healthiness was associated to “social pathologies” (revolution included) and to forms of “neglect”, a smoky concept, which is very trendy, in Italy, nowadays, particularly in local administrative acts, addressing “nomads”.

The fact that “irregular marginals” like Roma people, by their mobility, could create problems of public order, emerges by the police reports, of that time, stating an increasing control, accompanying to the border and expulsions, between 19th and 20th Century. Under the authority of Alphonse Bertillon, identification and filing procedures spread over, including fingerprints and anthropometric surveys. In Liberal Italy, meanwhile, “administrative police” took inspiration, by abstraction, from special laws, regulating control and intervention powers and by subject (healthcare police, of waters, traffic corps,...), in order to elaborate its statute. Official attitude towards gypsies, emerging from acts and coordination among local, peripheral and top bodies, shows a European society changing trend: national borders were strengthened, while police system developed, by scientific claims.

Although, European Roma people’s history can be interpreted as a travel along a series of geographical (changeable) and ideological (scarcely negotiating) “borders” (Piasere 2004: 63), their juridical subjectivity is systematically denied. Deviants by nature, accompanied to borders and expelled, they are not entitled to legally stopover in a territory. They are a social “plague” (i.e., an incurable harm) and they do not form part of a juridical relation with the public authority. Here is the eternal anatomic metaphor of a society, suffering from murky harms: the path to recovery of a sick body will need a definitive surgical solution – a “final solution”.

By the Italian Statute n. 296/1958, and by absorbing the competences of several Administrations, it was established the Ministry of Health. It was done by explicitly recalling Art.32 of the Italian Constitution: “The Republic safeguard health as a fundamental right of the person and as an interest of the collectivity”. By “collectivity”, it is meant not only the citizens, but all those individuals, who, for any reason, find themselves in a state’s territory. Two years before, very close to the first welfare policies, Statute n. 1423/1956, on “Measures for prevention from dangerous people, for security and public morality”, offers

an effective tool to the police, in order to expel Roma people stopping over the municipal territory (see also: Piasere 2012: 68). Among the affected people, there are also those, who, on the basis of factual elements, are considered as habitual offender “those, who offend or put in danger the physical or moral integrity, health, security, or public calmness” (Art. 1). In Art.5, about special monitoring cases, the “idle” and the “tramp” are compared to “the person who is suspected to live by crime’s income”. As it can be observed, public security, morality and hygiene are strictly related and dirt is a hardly decomposable attribute, between body and mind. Beyond the regional laws issued in serial sequence to regulate the stopping over of “nomads” in the municipalities, the issue related to the legislative silence, addressed to Roma and Sinti people, seems not to be an obstacle to public powers. On the contrary, it facilitates their action. The hygiene paradigm has been functional to inclusion or rejecting reasoning, like settlement evacuation for apparent public hygiene and social security reasons, the “state of emergency” declaration, disinfection campaigns addressed to Roma children, considered as lice- or other parasitic-bearers in school environments (among the many existing cases, see the case of the School Institute of Via Baccano in Roma or the project “Water and Soap”, promoted by a public school for minors of age in “Campo Tribolino”, Milan). In the second case, to the discrimination accusations, it is responded that it is a “simple matter of personal care”, an obligation towards the collectivity’s interest: *collective* measures, adopted towards a “*simply* dirty” collectivity, in favour of another one. By the legislative Decree “Bindi” (n. 299/1999), modifying Statute n. 833/1978, establishing the National Health Service, mayors do not manage the health service in own territories, any longer. Nevertheless, they still have a planning and an evaluation power on Local Health Centre (ASL) director general’s performance. Further, they can adopt provisions, in case of “intolerable environmental conditions” or of “incumbent dangers”, by the obligation of informing people, about the risks to which they are exposed to. It is up to ASL to define the framework of hygienic and health conditions of a housing settlement: when operators consider them as “alarming” or “(absolutely) inconsistent with human life” (this was the opinion of ASL, in La Spezia, last September, with regard to the evacuation of “Campo di Boschetti”), the technical advice is sufficient to indirectly produce an enforcing act.

An example, in this sense, is the evacuation Order n. 944/2009, by Venice’s mayor of that time. The Local Community Health Centre (ULSS) note, requiring a “necessary hygienic-healthy reclamation”, is accomplished by a prescriptive act. This is issued in the purpose of avoiding the risk of a “natural” human disorder. Besides “serious conditions” and “very

serious hygienic inconveniences”, we can read the “proliferation of mice and other animals, rendering necessary an immediate disinfection”, the “outdoor everyday life”, with “out-of-control fires” and “the spread of diseases”. Such a framework constitutes a “serious danger for nearby inhabitants’ health, for people in settlements, themselves, and, anyway, for the whole collectivity” (italicized by us). Differently from the person living on the street and his/her personal conditions, Roma people are considered dirty in their whole and their ethnic dirt safeguards, first of all, the border with the neighbours, living outside (the “real” collectivity).

The dump, as an abusive or legitimate “field” is often considered, exists, starting by people occupying that space. So that, in Liguria, while Roma people of Molassana work for the Public Multi-services for Urban Hygiene, in the separate collection of rubbish, at “Campo di Boschetti” (La Spezia), resident people of the quarter regularly get rid of their rubbish. If it is so, garbage remains untouchable and it has nothing of evident: to go around a dump means to hazard into the territories of the sacred.

The other relevant etymology, to investigate the gaps of a so-guarantist political talk (playing on the combination of the following affirmations: “in the end, it is true that they are dirty!”, “the interventions are addressed to improve their conditions”), is exactly that of the Italian word “*mondo*” (clean, pure), from which we get the Italian word “*immondo*” (dirty). Its root is the proto-Indo-European *mand-*, meaning “to adorn”, “to shed light (where it is lacking)”, “to shine”. Who is “*mondo*” (i.e., clean, pure) is bright, clean, tidy; so, it will be, also for the Pythagoreans, the space in which we live, ideal of order and beauty. To reject gypsies into the sacred dark, from which they came, is a power’s duty, negative source of their impurity. The democratic *rumor*, meanwhile, develops its function of servant: “The *immondizia* (dirt) is an objective fact, it has nothing to do with ethnical prejudices!”.

6.5. Housing settlements and School

(G. Faso)

The attention towards Roma minors of age is almost always accompanied by alarms and stereotyping, even when they seem to be totally unjustified. Usually, there are complains about the extent number of minors of age, like if it would constitute a complication element for social policies. The adjective, used to define such a presence, is “massive” (see for example doc N. 123 - Municipality of Florence - Annex 3A). It is an adjective involving threat, substance, magnitude, resistance to action. Elsewhere, they talk about “conspicuous presences” of minors of age in the schools, like in doc N. 131 - Municipality of Florence - Annex 3A. “Conspicuous” is another strong adjective, deriving from Latin *conspicuus*, literally meaning: “ manifest at first sight”. It does not result in proportion to the numerical extent, we are talking about: 168 minors of age assigned to 6 big schools, less than 4% of the school population (we are referring to the closest Florence neighbourhood to compulsory settlements for Roma citizens). In addition, for their laboratories, the above mentioned document allocates a total contribution of only 5,200 euro, for one year. It is the case to remind that administrative documents, containing these phraseologies, are supposed to avoid strongly negative adjectives, because duty-bound to a high grade of “binding nature of interpretation” (Sabatini 1998: 325).

Among these bonds, there is the obligation of avoiding expressions, typically stating personal impressions, like the following Italian “*sempre più*” (more and more): “Since early ‘90s....considerable presence of Roma community, with whom the institutions confronted themselves, in the framework of a more general commitment, addressed to comprehension and management of a territory with a more and more multi-ethnic social composition”. This is about a resolution of the Municipality of Florence (doc n.59 Anne 3A), on a “school sustain and improvement Project”. Like in other similar documents, a specific point of view is built, since the very first lines, by the apology of Administration action (“strong Municipality commitment”) and the indication of obstacles and difficulties, explicitly ascribed to the targeted subject of the social intervention.

What should be analytically justified is taken for granted, including the scarce “personal hygiene” of children to be sustained, and the difficulties that Roma minor of age faces at school are not expressed, except for “the insufficient knowledge of the Italian language”, which would be “an obstacle to a full integration and to a full school success”. This

concerns a common sense remark, supported by no confirmation or reflection.

It was thoroughly observed that we are in presence of a fallacy, by national and local Italian policies with regard to reception and integration of immigrated workers from poor countries: “Ministerial mechanisms move from not-scientific premises: *foreigners can integrate, if they learn our language*. We could, thus, paraphrase the assumptions, which are at the base of ministerial rules. *There is social integration, thus, language developments can take place*, we can say. The Italian State should use its funds to create opportunities for a concrete social integration, rather than use them in evaluation mechanisms of Italian language knowledge (Faso-Pona 2014: 235). The scarce funds, allocated by these administrative texts, in addition, rarely foresee an obligation, for the selected operators, of a solid training on language acquisition methods. Notoriously, this is a field of studies, which considerably developed throughout the last decades, so that a new branch arose, within the science of linguistics: the acquisitional linguistics. In this new area, a lively debate exists, in the Italian scientific community, although with a scarce feedback in school practice. Here, it is still common, in fact, talking about “learning a language”, without perceiving any difference between “to acquire” and “to learn” it. It is usually discussed about “learning” and “knowledge”, instead of understanding the mechanisms, on which acquisition and competences build upon. Therefore, we might affirm that slow learning of L2 Italian is mainly due to a lack of welcome strategy, allowing minors of age to integrate in their classes, to receive the input in L2 and to communicate with their classmates. At the beginning, this should happen, in particular, during school breaks and cooperative activities, although the latter are more and more sporadic, in Italian schools. Difficulties are ascribed, instead, totally to them: ” for linguistic gaps or because lacking of valiant sustain, by their families” (doc N. 59 - Municipality of Florence - Annex 3A). Struggling against school abandonment is also seen in contiguity to “risks of involvement in micro-criminal activities in juvenile age”. This is a common sense explanation, which is not supported by appropriate analytical and investigatory validations. *The document’s spirit seems to be sincerely concerned about marginalisation’s risks, or, even, about the opposite ones, of uniformity*. Nevertheless, it seems hard to abandon a given for granted language, both while expressing prejudices and in supportive action attempts. A concern exists about illiteracy that “represents one of the most serious problems among Roma population, with consequent forms of auto-marginalisation”. It is not in-depth analysed the marginalisation of the considered Roma groups, so that, this is totally ascribed to them: “auto-marginalisation”. Also the adjective “consequent” can hide a

research reduction: it is limited an effect, which is already thought in a reductive way, to just one cause (by isolating marginalisation causes, which are not internal to the group).

One concern is declared (not so frequent in administrative texts) about trends towards uniformity ("that may produce stress and discomfort among little Romas"). It is also added that "it is no coincidence the increasing number of children in therapy for language disorders and psycho-emotional unease. Nevertheless, even here, it can be easily remarked wrong tactics and strategies in the Roma group: "the trend of Roma children to form a group aside often constitutes a reply to the discomfort, arising from feeling oneself not fully accepted for his/her cultural identity". Recommendations about the need to "promote a renewal in the didactics, taking diversities into account" remain within the rhetoric of solidarity, because indication of a minimum related starting point are totally lacking.

Instead of saying that somebody takes the responsibility to describe the causes of school difficulties, what kind of complex and of system action project is build, as well as, its expected results, on the basis of what, implicit and common sense theories are enhanced about such difficulties. A sum is also allocated to operators in order to act without a project, based on circumstantial analysis and diagnosis.

It is maybe not a case the unexpected linguistic shift, as a sort of gaffe, when we hear talking about "gypsy minors".

The glance summarizes, so, the distance of who stays on the right side and comes on the scene, as the one called to safeguard principles. Thus, in not just a few documents, it seems as natural to indicate the school obligation, as a requirement in order to keep the housing use grant (doc N. 43 - Municipality of Florence - Annex 3A). Rights become duties and the stated acknowledgment of rights gives the space to the position of "policeman of duties" (Jankèlevitch 1986: 195).

To acknowledge these children's and adolescents' rights, it still lacks, in these provisions, an acknowledgment of the "strict truth", indicated in well-known Jankélévitch lessons on moral: "Human rights are others' rights, without concessions nor compensations, without any kind of adjustment" (ibidem : 189).

7. Case studies

In this section of the Italian report, three case studies are presented: Tuscany, the cities of Legnago and Cerea (Veneto) and the city of Genova (Liguria). For the final version of this chapter, to be included in the book as it is previewed in the WE project, we will add the Naples case.

7.1. A bureaucratic history of Roma in Tuscany through Institutional documents

(S. Tosi Cambini)

By the elaborated analysis of this research, the in-depth knowledge of the previous decade and of observed contexts, it is possible to re-build a “bureaucratic-administrative” history, beginning by the Institutional documents concerning the Roma presence, in Tuscany, since the ‘90s to this day.

This history seems, from one side, going through elements of continuity, permeating documents, and, from the other one, being made up by three parts with different characteristics, on the basis of the years of reference, and if Roma subjects originate from former Yugoslavia or are Romanian Roma.

We can proceed, thus, through these three distinctions, by systematically providing main keywords, topics and mechanisms/practices, in relation with the analysis of previous chapters, and in relation with each period.

First of all, some cross-elements should be anyway underlined, as they are present throughout this history:

- the (political and administrative) institutional intention of deciding the spacial and temporal coordinates, within which Roma people can project their lives and the mechanisms to reach the determination of that material and symbolic area. Time, space, people's number, control strategies: a real management of bodies that can be clearly read by Foucault's bio politics notion;
- this goes together with a dominant definition of a totally institutional situation (in documents, in fact, a Roma reading never appears, with regard to what is happening and life conditions;
- the nomadic issue still remains anyway present, as a background of institutional reference, even when it is officially admitted that an error has been made, when

considering Roma people from former Yugoslavia as nomads;

- Homogenization and undifferentiated groups: nomads or Roma without specifying their nationality – Use of the term “ethnic group”, by a substantial vision of it and, thus, “naturalistic” and reificatory: an unchangeable entity, with sharp borders and whose time continuity is safeguarded by factors of essentially demographic kind. In this sense, this is a term that substitutes the one of “race”, only because politically correct, although, it keeps intact the same image;

- Use of the term “culture” corresponding to “naturalisation” of the ethnic group, and, thus, reificatory and static itself, being part of a determined group, with no reference to social construction nor to change...If it is used in a way that Institution considers as democratic, we will hear talking, for example, about “promoting the encounter among cultures”.

If, instead, inside an evaluating consideration of social “inclusion” possibilities, it will get one of the main obstacles to be removed;

- Residence issue (to have an address, take up residency procedures, etc.): In the Italian bureaucracy (and the law) provides a close link between the person and territory.

- Categories and rhetoric: marginalisation , extreme poverty ... In this sense, there is a sort of “meeting point” between the technical/administrative categories (e.g. those in “Piani di zona” Sociale Plans) and the mental/social categories ... (a sort of culture of poverty ?!).

- -Roma as “unlawful” and “unuseful” presence and - recovering the author Williams - as illegitimate (2011).

A. Roma from Balkans 90s:

- Roma as nomads: in Institutions’ view, terms like Roma and nomads are interchangeable.

- ASL (Local Health Centre) formal reports are the base to justify, depending on Municipalities, the moving away and evacuations of unauthorised settlements (see the analysis of words “hygiene” and “neglect”).

- In conjunction with them, Municipalities elaborate extraordinary measures, relief housing (shelter)

- Then the extraordinary conditions become ordinary (extension of the end of the period on relief housing/shelter renewed continuously by administrative acts or City Councils): temporary arrangement, neverending relief housing, neverending emergency: a “permanent temporary” of life condition.

By the worsening of environmental conditions⁷¹, in the so-said “authorised” camps or in “unauthorised” settlement areas, often, the alert for institutional intervention – with equal social contractual power – has been the hygienic one. It is not a case that, in many occasions, the municipal Administrations think to certain “solutions”, after site-inspections and communications by the ASL. Often, adopted “solutions” are of the same nature of those leading to the camp realisation: evacuations and shack demolition, without planning in advance an effective accommodation, re-creating, thus, another “emergency”. In this way, a vicious circle is created: there is an evacuation, an emergency is created, and it is responded by temporary solutions (planned for a very short accommodation). These emergencies last during the time, becoming “temporary stable”.

B. Roma from Balkans 2000s :

- Declaration at Regional Government level (in particular through L.R. 2/2000) on the need of *overcoming nomad camps*, by acknowledging the errors of previous policies, at formal level.
- The attention shifts on contexts, where the Roma presence is higher, thus, on the towns of Pisa and Florence. The season of census and close-the-number begins (a sort of "we got them hold"), representing the base of Regional programmes (“Città Sottili”, in Pisa area and “Rom Toscana”, in Florence area).
- In these regional programmes, the idea is ridden of territorial redistribution of Roma families: e.g. "Lighten the concentration of Roma families in Florence area " - analogy with demographic / Ecology (soil load capacity, lighten the pressure)
- Social assisted measures largely spread
- Evaluation: if a family is “sanitizing” or not

By the documents, it emerges the absence of shared criteria and choices with the interventions’ recipients. As a matter of fact, it is not taken into account that Roma are “able” to decide, to have their own “rational” ideas about themselves and their situation. It is like if they should always do a work for getting aware of it (in fact, many public, voluntary and of the third sector social operators, often, talk, implicitly or explicitly, of “raising awareness” among people). This can lead, from one side, to disregard their personal resource, their autonomy, their capacity of positively facing situations – frequently

⁷¹ Of an area, intended as *enviroment*.

providing a collective sign of applied strategies, often interpreted instead as an “unauthorised” action – and, from the other one, to re-education actions of people that are supposed to be previously accepted by them.

The objective is that of re-educate to “de-gypsy”⁷² them. To consider these persons as not able to have an own evaluation of the situation to be taken into account leads to make people “passive”: decisions are taken for them and, if this is done for years, they get used to it. It emerges a symbolic system revealing a largely diffused cognitive “shift”, i.e., the judgement transfer from the environment (nomad camp) to people (gypsies). All that is impacting the camp ends to impact on gypsies, as so; the environmental conditions of the camp are linked to the gypsy way of life. The “problem” of the nomad camps becomes a “gypsy problem”; the “reconditioning” of settlements is the mainly used response by the administrations, where most of the economic resources have been spent over these decennials. The “reconditioning” language enters in families, too. Therefore, despite a situation of residency permits, of working situations etc, a family unit can be defined “sanitized” or not.

C. Roma from Romania (since the second half of years 2000):

- They represent a rupture/breaking point in the immigration and welfare policies
- It is registered, at least until 2011, only actions of Removals / evictions, addressed to them, without a minimum of relief housing measures
- The approach is the one of Control and Security (repression)
- The mechanism, used by institutions, is not particularly the Mayor’s Ordinances, but rather the Municipal Police units, operating in the area (orders and practices). This particularly results from the documents of the Municipality of Florence.

Dal 2009 al 2012 a Firenze e nei comuni dell’area metropolitana fiorentina sono state sgomberate 650 persone (molte hanno subito più sgomberi)⁷³.

⁷² According to Piasere (1991).

⁷³ Although not belonging to these research territories, it is useful to provide some available data on the Municipality of Pisa: from May 2009 until 27 August, 510 persons were evacuated, most part of them, several times (Source: Associazione Africa Insieme).

- First example (early 2000s): The Roma Regional Project.

Memorandum of Understanding (MoU) among Tuscany Region, Municipality of Florence and ANCI.

In the communication to the Deputy Mayor of Florence to the Council are summarised some essential passages: the tool of Social Housing; the village construction; the verification that “a certain percentage of Roma people remains excluded by the several activated solutions; among these, those evacuated from Draghe and from Masini Area”; the meeting of Regional and Municipal Committees’ delegations, of 21 March 2003, in which a commitment was undertaken “to define a path, inside of the broader Regional project for fighting social exclusion, so that to allow to lighten the concentration of Roma families on Florence territory” and “to urgently realise this path”. Key-words are: “gradual overcoming of nomad camps” and “pilot-project”.

In the MoU, the “experimental project in regional area” refers to a “solidarity system at local level” among municipalities; to a “solidarity fund” for involved local bodies. It is foreseen a preparatory phase to the project’s realisation (the insertion itself of families in this project, by a “verification of the feasibility and the taking-on of the economic responsibility”) and two phases, concerning its activation and realisation (the Poderaccio’s closure and the works at Albergo Popolare, needing the displacement of family units, as well as, those at Villa Pieragnoli; and the phase pertinent to families of Masini, who will not access to the realisation of Poderaccio Alto and Basso village).

These project objectives suffered, then, by a strong temporal shift, so that, the first phase of realisation started almost one year after.

The “solidarity system at local level” results to be the tool, through which, it is assumed to face the complexity of the current situation. This should be achieved by an involvement of Tuscan municipalities and by re-distributing the social “load”, concentrated in Florence.

Art.9 of the MoU – “phases of individualised treatment” – defines the project’s timing.

Three phases are foreseen: the first one, of four months, includes the agreement with the family about its *insertion* in the project, the definition of the housing *arrangement* and the beginning of the *insertion activity* (it is also foreseen the verification of the eventual availability, by the family, to the assisted repatriation); the second one, is formulated in two steps, including an in between check: the first four months, including the families’ support towards autonomy, then, an economic support, for a period of nine months, corresponding to the minimum insertion income or a full one, when no-self-sufficiency does not depend on family members’ will. Finally, the third phase’s objective is the complete autonomy

achievement (a one-year phase). It foresees a continuation of a supported path, for about other two years.

and...

The definitive project of the temporary “village” of Poderaccio is approved by the resolution of 25 November 2002; while for the executive project approval there will be to wait until September 2003. The formalisation of the entitled family units and the assignment of “small houses” will only take place, by the resolution of 1 June 2004.

Before focusing our attention on the assignments of the two plot small houses and on the families’ transfer to the village, let’s analyse the defined criteria, by the Municipality, to identify the so-said “entitled” family units. In this sense, a separation is made, between Poderaccio and Masini. For this latter, it is added the requirement of the “history”, proven by their presence, in that area, during a “significant”⁷⁴ time, defined by the administration. This means that the “history” of a family unit can only be certified, by their presence in one of the three lists of these previous facts: authorized presence, after the removal decree of 1996; being present in the census of March 1999; being present on 5 August 1999.

Jointly to the history, the other key-element is the hold of a residency permit, by every family member or by most part of it (so that, the unit is considered “sanitized”).

Last essential criterion is minors of age education, in the age of mandatory school enrolment, whose non-fulfilment is a reason for annulment of assignment.

As an assignment modality, it has been chosen the “use concession”, including a free concession for the first year, the stipulation of service and consumes contracts in charge of each family (every small house has its own electricity meters, etc., later, placed all together, at the edge of the village). In the use concession contract, a large part is addressed to the “agreements” and “conditions” regulating the concession. Among these, besides the prohibition of introducing campers, caravans, tents, etc., in the area, as well as the Municipality’s right to execute inspections and controls, in any moment, we wish to focus our attention, in particular, on two of these conditions:

- The first one, concerning the duration of the concession, fixed in one year and whose renewal is subject to the persistence of requirements, having allowed the identification of the family, as an “entitled” one;

⁷⁴ Resolution nr. 218 of 11/04/2002.

- The second one could be defined as of “moral nature”, in the use of the house: “the user must use the assigned housing unit, with the diligence of the good father of a family”, a juridical formula, deriving from Roman law that can be retrieved in all public building concessions⁷⁵.

- Second example (at the end of the 2000s): The new Memorandum of Understanding between the Tuscany Region and the City of Pisa.

The assignment of the new municipal Administration, in 2008, allow the decision to gradually proceed in closing the “Città Sottili” Programme, in the framework of finalised actions to reduce the Roma people presence on the territory³⁶.

As many families included in the housing insertion path had not yet achieved an acceptable *autonomy*, in managing housing costs, it was necessary to plan an additional phase, by the Institutions. This was object of a new Memorandum of Understanding, between the Tuscany Region and the Health Society of the Pisa area (SdS).

a. The 2009-2011 Regional Memorandum and the SdS Project

The “Città Sottili” closure has been pursued, during the last two years, through a work of progressive reduction with regard to interventions, costs and of Roma families themselves, on the Pisa territory. The Memorandum of Understanding among the Tuscany Region, the Pisa area’s Municipalities and the SdS of Pisa was approved, on 23 November 2009. It was valid for three years and it foresaw the allocation of over 1 million Euros (165,000 in 2009; 600,000 in 2010 and 300,000 in 2011)³⁷. In it, it is foreseen the following (Art.2):

- To support and to facilitate actions to prevent emergency situations, in the area of Pisa, with regard to Roma communities, through the development of social inclusion processes;
- To conclude the special Programme of “Le Città Sottili”;
- To facilitate an appropriate knowledge of the territory, by a constant monitoring [...]
- To collaborate, with the Municipalities of the Pisa area, to the Pisa Health Society, for the promotion of paths to be activated by Governmental and no-Governmental organisations, in the purpose of preparing the conditions for a voluntary return of these families to their origin countries. This can be achieved by assisted paths, characterized by solidarity and auto promotion orientation.

Later, SdS presents, to the Tuscany Region, the “Inclusion and social sustainability for the Roma population of Pisa Area” Project.

⁷⁵ Being the legacy of a strong excessive state aid pattern, this formula is absent in rental contracts of private nature, like if to the “economic decay”, it would be always implicitly linked a certain “moral decay”.

The main objectives of the SdS Project are summarized by SdS, as follows: presence reduction, overcoming of camps and children's education.

The foreseen actions are formulated in three levels:

1. Settlements closure and presence reduction on Pisa territory by voluntary repatriation procedures;
2. Conclusion and evaluation of the "Città Sottili" Project;
3. Monitoring of the presence of Roma family units in Pisa territory.

Concerning "Città Sottili", a part of funds is allocated to the transition phase, towards the programme's conclusion. In particular, to give continuity to:

- Actions addressed to inhabitants, who are placed in apartments, during the project's years;
- The projects of school insertion (Amen bask dza) and of cultural mediation (An glunipè).

b. Camps' dismantling

The first objective of SdS Project, i.e. the settlements closure, constitutes the most complex and articulated process for the Municipal Administration, also due to the situation of progressive accumulated delays and of standstill in choices related to some settlements.

We refer to Coltano village, whose accommodations, completed by a considerable delay, in December 2009, are assigned to families only on 2 September 2010, leaving also 30 people in a state of uncertainty, because they could not access to it. Most of all, we refer to the situation of the Oratoio settlement that, although defined as "unauthorised" by the Administration, is a well-known reality to services and institutions, since many years, and whose inhabitants were included in part of the actions of "Città Sottili".

c. Assisted and "voluntary" repatriations

Voluntary re-entry is the main instrument of the presence reduction strategy, in a territory. By the resolution nr.330, of the Director General of Pisa USL 5, 13 May 2009, "Voluntary repatriations of Romanian Roma people living in unauthorised camps, in the municipal territory of Pisa", this strategy's lines, also methodologically, are outlined.

At point 3, in "closure of settlements" (not only of the unauthorised ones), we can read: "assisted and voluntary repatriations, according to the already experimented methodology of the recent past".

By this resolution, it is approved the agreement with the Italian Red Cross – Provincial Committee of Pisa – to be endorsed by the Director of the Health Society of Pisa Area (see attachment nr.3 of this resolution) and it is decided:

“to foresee –as agreed with the Municipality of Pisa – the following economic contributions of humanitarian and social assistance character – to be given through the Italian Red Cross, Provincial Committee of Pisa – to Romanian family units, who will voluntarily accept to re-enter in their origin country, according to the modalities indicated in the foreword: 500,00 Euros (five hundreds/00) for mono-composed family units; 1,000.00 Euros (one thousand/00) for units made up by two to three persons; 1,500.00 (one thousand and five hundreds/00) for those units composed by more than three persons. [...]”.

The family unit, who accepts the repatriation, must sign a specific request, in which it commits (attachment nr.1 to the Resolution):

- To request no social assistance benefits, of any kind, except those strictly necessary for the repatriation itself;
- to stop, even in the future, any form of camping, encampment, arrangements in shacks or vehicles, campers, caravans, containers, prefabricated buildings, in Pisa Area. The same for tents and similar structures of any kind and in any condition and in any place not specifically allocated for that use, by law or by specific administrative acts, independently by the public or private nature of places;
- to not emigrate again from its origin country to Italy, for at least 1 year and to respect all the foreseen conditions by the individual return plan, which will be agreed, otherwise the penalty applied will be the annulment of all related benefits”.

The family unit accepting the repatriation must also stipulate a “social contract”, in which, again, the family unit members commit themselves in the above-mentioned points, while the USL nr.5 “except eventual logistical difficulties – exclusively evaluated by the USL – rendering impossible the below interventions, commit:

- to provide, by means and staff organised by the Italian Red Cross – Provincial Committee of Pisa, the transportation of the family unit members, lacking of valid documents to return to Romania, to the Romanian Consulate and to the payment of eventual consular taxes for those documents’ issue;
- to provide, by means and staff organised by the Italian Red Cross – Provincial Committee of Pisa, to the transportation of the above-mentioned family unit to Romania, Place....., date....., departure time..... at.....;

- to supply, by means and staff organised by the Italian Red Cross – Provincial Committee of Pisa, the *una tantum* sum, of humanitarian and social assistance character, of Euro..... for this family unit, upon arrival in the above-mentioned Romanian place, against receipt's issue by the recipient.

We are not exactly in presence of real assisted repatriation projects, but, more simply, of economic aids, based on public order and security reasons. It can be read, in fact, among the resolution's forewords:

"Considering the meeting's outcome of the Committee on Order and Security, held by the Prefect of Pisa, on 28 April 2009, who shared the initiative [...] and guaranteed the necessary institutional support, as well as, of the Police [it is approved], to give an immediate execution to the present provision, due the urgent need, and for public order reasons to activate the foreseen actions of the described project [...]"

The oversimplification of critical social situations to mere public order issues, together with a lack of knowledge about Roma population's conditions in origin countries and of the real possibilities for families to re-build, there, a new working and housing life perspective constitute, in our opinion, the limits of this strategy.

Nevertheless, the main administrators' concern is represented by the lack of control tools, as foreseen by the repatriation programme. Although, it is easier to monitor those, who re-enter in Pisa area, before a fixed time, it is almost impossible to know about those, who re-enter, instead, in the Italian or Tuscan territory. At present, according to the in charged people of this programme, the risk of re-entering is limited.

- *Third example (at the end of the 2000s): Roma Romanians and the Municipality of Viareggio*

In August 2007, about a hundred Romanian Roma people occupied a disused building, a property of Telecom, in Viareggio. The evacuation took place on 18 September 2007. During that autumn, the Municipality elaborates a two year hosting project. Nevertheless, considering as "abnormal" (see p.2 of the deliberated project, by the town council) the Roma citizen presence, in its territory, a selection among people is deemed necessary, to identify the family unit recipients of those paths.

Among the selection criteria, only one is explicitly indicated: the presence, or not, of children. People alone, thus, without children "will not reasonably find hospitality in the predefined paths by this document. These people, according to the existing legislation, will be considered by the Municipality, as temporary lacking of the autonomy conditions, which

are indicated by the rule. As such, they will be pointed out to the in charge authorities (ibidem). Urgent accommodation solutions are identified for families and supported paths begin for work searching and for stable housing opportunities (in collaboration with other realities of the Third Sector and of Castelnuovo Garfagnana e Vecchiano Municipalities). Unfortunately, they prematurely get to an end (change of Council and of Mayor, problems of resources), far from the beginning or the third project phase, foreseeing the continuation of the previously started single projects. Since 2010, the situation concentrates almost exclusively on Torre del Lago settlement. After using local camping's bungalows, families are placed in a plot, next to it, in four containers, with neither hot water facilities, nor electricity, except a scant lighting for housing modules. It is created, then, a temporary non-urbanised camp, where families live, since April 2008. It is located in an isolated area, around Massaciuccoli Lake. Later, the Municipality started to urbanize another of its areas, next to the private one. In order to enter in the new camp, a form is foreseen, whose submission, by interested people, largely exceeded the available spaces (about the triple). Among those, the Municipality identified some families, for a total of 30 people, who could enter in the municipal camp, after mid-December 2009. For them, the Administration foresaw a working path project, using regional/ministerial funds. It involved five men. Concerning the remaining ones, the issue will be dealt as a public order issue. It is important to underline that, although policies tend to an overcoming of nomad camps, since several years, the Municipality of Viareggio constituted an ex novo new one, with containers as housing modules, already largely used. Further, it is located in an at-risk area of flooding, due to the proximity to the bank of Massaciuccoli Lake. This has been done, by disregarding the presence of minors of age and by approving a policy document, oriented to a security model. In addition, an agreement with a private profit organism has been also done, in order to manage this settlement and because "finalised to guarantee the safeguard of the territory and to ensure a continuing and coordinated presence for prevention and control of important phenomena for security and public order, as well as, to guarantee appropriate hygienic conditions" (as from the "Agreement for performing a control and monitoring service, at the camp for Romanian Roma nationality citizens, located in Torre del Lago"). Among other considerations, the managing organism is given a complete discretion on whether authorizing or not - as well as, in which modalities and time – eventual parties, celebrations or social aggregation events. A roster of visitors is then established, as well as, a schedule of access to this area, allowing visits, between 07.00 until 22.00. The managing organism is given the duty to also control "the respect by

hosted people of the civic cohabitation rules, as well as, the norms of behaviour and of the obligations of the current set of rules". The container deterioration, in particular of containers, is evident even already after a few months. At present, the settlement shows very critical conditions.

7.2. Cerea e Legnago

(L. Piasere)

Differently from what we decided about other places - being also research objects of the present Report - concerning Cerea and Legnago, we searched and retrieved a documentation, covering a time frame of forty years, in order to explore eventual changes, intervened in the bureaucratic terminology, which is the focus of our research. Cerea and Legnago are two small cities in Western Veneto Region. They constitute the focal point of the so-said Southern province of Verona. These county seats are at 8 km from each other and their municipalities are neighbouring territories (see Figure 1). The Municipality of Cerea's population census passed from 14.878 inhabitants, in 1971, to 16.251 inhabitants, in 2011, while, in Legnago, during the same period, went down from 25.967 to 24.992 inhabitants. Economically similar, they present a strong agriculture development in rural areas (plantations of corn, wheat, soy, beet, grapes, fruits and vegetables, besides cattle breeding) and a marked development of small and medium-sized enterprises, in urban areas. There is a prevalence of specialised business in heating systems and in mechanics, in Legnago, and of furnishings industry (period style furnishings, in particular) in Cerea. These two cities are also politically similar, having faced, since the '80s, an almost regular alternation, between Centre-right and Centre-left administrations (with some prefectural compulsory administration). However, it shows the characteristic of presenting a confused alternation, because, when a municipality is ruled by Centre-right, the other one is ruled by Centre-left. This confusion was somehow reduced, during the last fifteen years, which could see two periods of common politic: between 1999 and 2007, they were both ruled by Centre-left and, between 2009 and 2014; they were ruled by Centre-right.

The Administrations of the two Municipalities developed parallel, although not coinciding, social policies, during the last thirty years, towards Sinti families of Southern Verona area. They represent, in our sample, the situation that we can find in many small cities of the Valpadana, a region with a centuries-old Sinti presence. First, ancient Italian States (see Fassanelli 2011), and, later, the United State (Illuzzi 2007) engaged an also centuries-old fight against "gypsy" nomadism, and Sinti from Valpadana directly suffered from these policies, including transfer and internment policies of Fascist period (Trevisan 2013). Some of them were activists of the partisan movement of 1943-45 (Karpati 1962). Collected documents show how the fight to nomadism, during the last forty years, was

substantially delegated by the central State to peripheral administrations, especially to municipal ones, which, in their turn, often tried to delegate it to charitable associations, particularly from end of '90s onwards. This fight essentially involved families of the so-said from Veneto Sinti, whose family networks spread in all Verona province and to the groups of Lombardy, Emilia, Trentino and Friuli. The situation in the two Municipalities shows different images of such devolution to the *process of enforced settle down, by administrative measures*.

Let's indicate the distinct phases in the two Municipalities.

CEREA

Documents indicate that, in the area of Cerea, it was set up one of the earliest areas for stopping of "nomads". It was in 1969, when, in Italy, the issue about nomadic area was just beginning. That area lasted very few, as, in 1974, a Mayor Order banned "nomads" from the whole municipal territory. Nevertheless, in 1976, there is already another area that is the only space in which "nomads" are allowed to stop. These are the years in which Northern Italy administrations feel pushed, from one side, by the tradition, originating in anti-vagrancy laws, allowing them to chase away "nomads", to their liking, and to spread signs in municipal territory, saying: "Forbidden stop to vagrants". From the other side, there was the Home Office Ministry newsletter of 1973 (expressing new sensitizations against anti-nomads prejudices) banning those signs and inviting Municipalities to set up stopping areas for "nomads". Facing these two kinds of pressure, the Municipality of Cerea's administrations were caught in the "anti-gypsy territories" trap that characterized many Northern Italy administrations of that time. In order to protect themselves from gypsy presence, municipal territories become anti-gypsy ones and they can structure themselves in four modalities (see Figure 2): a) the centre of the county seat, or the whole county seat is forbidden to gypsies (anti-gypsy protection of radial kind); b) the whole municipal territory is forbidden to gypsies (total protection); c) only some places are forbidden to gypsies (here and there scattered protection); d) only the stopping camp is allowed and the rest of municipal territory is forbidden (segregating protection) (Piasere 1991). The Municipality often passes, alternatively, from a (b) to a (d) kind of territory, during those years. The situation gets stable, in 1997 (Centre-left administration). Since then, the stopping camp receives a stable location, a definitive form and a regulation establishing it and managing its presences. Such situation corresponds to the current one, with the difference that, during the last years, another settlement of Sinti people appears, living in

mobile housings, in a tolerated area by municipal authorities. The “Management Regulation of stopping camps for nomads” derives from similar regulations, elaborated since the ‘80s, in different Northern Italy cities (v. Piasere 2012). It specifies that it is a reserved space for no more than 50 people and that no more than 15 mobile homes can stop (“roulette, caravans or similar housing units”). During the last years, further, two families ask for the assignment of a council house, due to the existence of a disable minor of age or for health problems: one of them is allowed in 2008 (administration of Centre-right). At the beginning 2000, the Municipality ask for moderate funds to Veneto Region, on the basis of Regional Law of 1989 (“Interventions to safeguard Roma and Sinti culture”) to provide school sustain to fifteen minors of age (enrolled in nursery, primary or middle school) or for camp restructuring. The fund request for an ethnographic research-action, jointly presented with the Municipality of Legnago, seems having received no feedback. It does not seem that administration delegates any kind of action to charitable association; minors of age with school difficulties benefit from a service centre, established by the Municipality itself. Municipal social services elaborate a yearly report on the state of Sinti families, with regard to children “school attendance”, “economic dependency”, “work and legality”, “older people” “housing”. The location of the Sinti camp is adjacent to the regional railways line and it has to be noted that, during this research time (March 2014), a two-year child temporary escaped from mother’s control and entered in the track, through a hole in the enclosure, dividing the camp from the railway. He was run over by a train and immediately died. Exactly a few days in advance, a Sinti women’s delegation had met the Mayor of Cerea to lament the state of the camp.

LEGNAGO

From analysed documents, it emerges that, during the ‘70s, also the Municipality of Legnago was involved in that previously mentioned “anti-gypsy territories” trap, building territories of (c) or (b) kind, for the whole decade, concerning “nomads tribes” passage. Nevertheless, the prolonged presence of some Sinti families begins to be tolerated, whose situation can be precisely retrieved thanks to the documentation, provided by the Municipality Social Services, who used the Regional Law of 1984, since the beginning. To part of those families (about ten people), it is allowed to occupy the premises of a disused municipal property, in 1981-82; in 1985, the Municipality allows the residence registry to 39 persons, for a total of 6 families, 2 of which living in roulette, 4 in council housing. It is since then that the Municipality of Legnago begins to activate a focused policy towards

those Sinti people, facing the following steps:

- 1988 – moving away of families to an area for mobile housing and, at the same time, deliberation to build an “equipped stopping camp” of 2000 square meters;
- 1992 – Places assignment in the new equipped camp “S. Francesco Village” (Committee of Left). Some places are reserved to “families in transit”. Also this camp, like the one in Cerea, is located next to the railways line. A not-formalised “Nomads Commission” is constituted;
- 1996 – a series of Orders invited the camp’s inhabitants to keep it tidy (Committee of Centre-right);
- 1997 – Idea of a socio-educative project addressed to minors of age and adults, only partially realised, with the establishment of a roulette-school in the camp. The roulette will be burned in a few years;
- 1998 – Abolishment of reserved places for “families in transit”;
- 1999 – Actions start to wash children, attending school. Children’s washing take place at school or in a senior centre.
- 2000 – Now Sinti people, living in the camp, are more than 50 and a planning begins to assign them council housing. Some Sinti people work in gardening cooperative.
- 2001-2002 – First two assignments of council housing (Committee of Centre-left).
- 2003 – A collaboration between the Municipality and voluntary associations starts, to sustain school and extra-school attendance, parenthood, etc.
- 2003-2006 – Another camp of 2-4 families is pointed out, located in a private property.
- 2006 – There are about 130 Sinti people in Legnago (inhabitants of authorized camp, of unauthorised camp, council housing) (Zanella 2006).
- 2004-2007 – The assignment of council accommodations to Sinti families continues. They leave the camp, little by little. At the end of 2007, Sinti families are scattered in the municipal territory (see Figure 3).
- 2007 (4 July) – By the scattering of families, the Municipality considers as “concluded, the first phase of social integration” and it disposes the closure of the equipped camp (proposal of the administration of Centre-left, unanimously voted by the Municipal Council).

- 2007 (12 July) – the Municipality warns 14 Sinti families, living in a house, to respect shared apartment block rules, in particular schedules of quiet, and to avoid an excessive number of “friends and relatives” visits.
- 2004-2009 – Collaborations between the Municipality and voluntary associations continue, to sustain school and extra-school attendance, parenthood, etc, by different origin funds. On the basis of available documentation, between July 2003 and January 2009, the Municipality allows a total of 160.592 Euros to associations, in particular, for socio-educative actions addressing Sinti people (Committee of Centre-left).
- 2009 – ongoing – After the constitution of a Centre-right Committee no fund allocation appears in the documentation.
- 2012 – Order of evacuation for 4 Sinti families, occupying the disused premises along the railways line. No disposition foresees their re-accommodation (Committee of Centre-right)



Figure 1. Municipalities of Cerea and Legnago

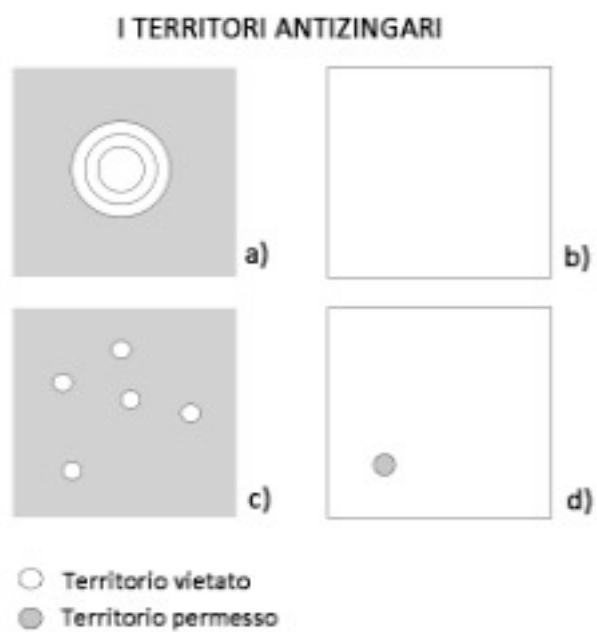


Figure 2. Anti-gypsy territories



Figure 3. Roma Families in Legnago

- Administrative Language

As we can see, in these two near Municipalities, which are similar for many reasons, the adopted social policies are quite different, with regard to culturally and historically similar Sinti families, present in this territory, since decades, and showing strong kinship bonds among them. In the case of Cerea, there is a long-term policy (since 1969), acknowledging the stopping-camp, as a Sinti space. Such acknowledgment does not go together with an intense socio-educative work, by the administration (independently, from the political party) that, throughout the years, preferred to – as written by the in charged officer of Social Services in 2007 report – “limit the relations with resident nomads, in Cerea, within the borders of reciprocal appreciable communication”, i.e., keeping a segregating but not invasive coexistence. In the case of Legnago, instead, it developed, in particular by the Centre-left administrations, an “integration process” that foresaw the steps: 1) acknowledgment of Sinti presence since the ‘80s, 2) set up of a stopping camp, with a somehow relevant socio-educative services assistance, also thanks to the creation of an ad hoc voluntary group, 3) assignment of council accommodation, and consequent scattering of families, with continuation of ad hoc socio-educative actions, 4) interruption of any intervention, by the constitution of the last Centre-right administration.

Now, these parallel and different histories enough reflect in the applied terminology of administrative documents. We could say that the Municipality of Cerea’s documentation gets little by little ethnicised, while the one of Legnago gets more and more de-ethnicized, to become more “social”. Thus, the terminology of Cerea’s documents shows an evident continuity with the one still used in the ‘70s, when it was insisted on nomadism and on its culturally subversive character. Therefore, they spoke about “nomads’ caravans” and of “nomads’ groups”, to be moved away and to be segregated in a camp, although the leanings to “bureaucratise them” allowed creating funny expressions like “travelling nomadic staff” or “nomadic staff, travelling by caravans, roulettes, etc.”. In more recent documents, like the “Management regulation of stopping camp for nomads” of 1997 (Committee of Centre-left), it is now mentioned “contingents” of nomads. Roulottes are mentioned, but the reminder of ancient caravans is expressed by “caravans of similar housing units”. This expression, from one side, renders even more ancient their nomadism, and, from the other one specifies it, in a world in which also many not-nomads use roulottes for tourism. The process of administrative ethnicization is:

- *Terminologically* evident, when from the term “nomads”, in theory defining a condition, we pass to the term “Nomads”, in which the capital letter tries to acknowledge an “ethnic” identity, even to include totally transparent expressions, like: “nomadic ethnic group”, “(Sinti) Nomadic ethnic group”, “of Sinti origin nomads”;
- *Politically* evident, as the provided documentation has shown us that all funds are requested to the Veneto Region, on the basis of the Regional Law “Actions to safeguard Roma and Sinti culture”;
- *Taxonomically* evident, when it is insisted on nomadism, while it is evident that often the trait characterising it is totally lacking, i.e., the mobility on the territory. Thus, in the Camp Regulation, we find mentioned: “resident nomad families”, nomads in “situation of real settling down”, “settle down kind of stop”, “yearly renewable stop”

The tautology becomes, thus, a political-administrative construction with performing capability, even when it is recognized that nomads are citizens: “The main part of citizens that can be classified as “nomads” lives, in this Municipality, in Nomads Camp of Via Firenze, as decided and arranged by the Municipal Administration” (from the report of Social Services Office, 2007).

In Legnago, too, during the ‘70s, it was insisted on “nomads’ tribes” or on “vagrants’ groups” and on “nomads’ caravans” and it is on the characteristic of nomadism that the “nomad camp” is built, precisely, in 1992. It already foresaw, anyway, an appropriate area, inside, for “housing emergency”, constituted by prebuilt elements. The documentation shows that the camp “handling”, by the administration, will never be easy and the inhabitants are often invited to clean it, to keep not too many animals, to respect the assigned spaces, etc., together with some events, often noted elsewhere, of attempts by the stronger family network to “take possession” of the spaces, managing from inside, both the presences and the spaces. It is a fact that the administration and the volunteers identify internal dynamics, as a result of marginalisation, social discomfort and poverty. Social actions, consequently, are proposed by a never strongly ethnic terminology and, apparently, more and more de-ethnicized, in which, disappearing the characteristic of nomadism, only remains the indication of social precariousness. Meaningful is the totally aseptic terminology of assignment acts concerning “housing of public residential building”, issued by the administration and involving the former inhabitants of the camp. Anyway, it is

essentially an operation of bureaucratic rhetoric that can be observed in many other contexts, affected by the “anti-gypsy democracy” (Piasere 2012) that in reality builds the Sinti community, as a target-group, characterized by marginality-deviance-maladjustment-poverty. Interventions are never planned, as community enhancement acts, but always as acts of containments-recovery-prevention. Sometimes, documents’ writers cannot avoid remembering the cultural belonging of target-people, so that, some expressions appear, as: “students of Sinti-Veneto ethnic group”, but always in contexts of foreseen actions of social recovery. It is meaningful, for instance, that some Managerial Determinations pass from talking about “(ex-nomad) Sinti families in situation of discomfort” to “families in situation of discomfort”, in a few months and without any problem of interpretation, as the target is implicitly clear. In administrative documents of Legnago, it strongly results the importance of the unexpressed implicit, with underlying explicit, trying to come out. Thus, the frequent use among Sinti people, to give to their children the mother’s surname (nowadays, a recognised right at EU level, strongly sustained by Sinti people, first!) has been, if not criminalised, at least, stigmatised, for years. This happened even by simply joining a convention of Verona Province, concerning “social interventions for minors of age, only acknowledged by the mother”, addressing “poorest bracket of the population” like: “single mothers, prisoners, women coming out from prostitution, separate women”. The Committee Deliberations, following the above-mentioned Convention, rapidly passed from “social interventions for minors of age, only acknowledged by the mother” (2003) to “Educative sustain and of parenthood for unmarried mothers and Sinti families” (2005, 2006, 2008). Considering that, in Legnago, Sinti families were the only target of the Convention implementation, Sinti mothers were, for many years, taxonomically compared to “single mothers, prisoners, women coming out from prostitution, separate women”...

From this point of view, the case of the three-sequence phases is transparent: free stops in roulotte → camp construction → delocalization in apartments: the apartments’ assignment and the definitive dismantling of the camp are considered as the conclusion of “the first phase of the social integration path”. Here, the term “integration”, often substituted by the one of “insertion” (always foreseeing an “entry” in broader society that nomadism is considered to hamper-impede-forbid), is clearly indicated as “assimilation-integration”, in some documents concerning “sustain to Sinti minors of age”. As resulting by a precise study, during the years of the delocalization to the apartments (Zanella 2006: 100), the whole operation was carried out without considering the family organization of the Sinti community, based on what the anthropologists call the “nuclear family of bi-local

proximity”, i.e., the model foreseeing the autonomy of nuclear family, tending however to live next to other bilaterally related units.

- The “*sintinosis*”

The dose of politically correct rhetoric, emergency inside the ethnic element, transparency in real intentions, is evident in the central idea linking the expulsions of the ‘70s and the integrations of 2000: the hygiene. Experts say that hygiene is the result of interaction between environment and human health, for it, the risk of damages due to an extended exposure to environmental agents, is identified as a hygiene risk. In particular, the exposure to the risk of contracting illness from animals is called zoonosis. In union orders of the ‘70s, it was evident that the moving away was done in the name of hygiene. It has to be recognized that, Legnago authorities in that time were still transparent and they intended “hygiene” in its double meaning of cleaning and police. However, while the expulsion for police issues, about “cohabitations lacking of stable home [that] are of danger for the community, due to their impatience and rebellion manifestations against the provisions of in-force juridical system” (as mentioned in the evacuation orders of 1976 and 1977), was more and more difficult to be legally sustained, the expulsions for cleaning have never had any obstacle, due to the high decisional and discretionary power of the health officers in the Italian system (Piasere 1991). For instance, an evaluation by the Health Officer of Legnago, in 1977, required to move away a camp of nomads, because, as “the hygienic situation of nomads and caravans results precarious”, it was getting “source of danger for public health”. In that time, it was not reflected on having to safeguard “nomads” health, but that of the other citizens, infected by nomads. Similar to the concept of zoonosis, we can say that all those deliberations created what we can call the *nomadnosis* or *gypsynosis* syndrome: the idea of hygienic risk, deriving from exposure to nomads and gypsies. The already mentioned Order of the Mayor of Venice, in 2009, (see paragraph 6.3) which was cleverly analysed by a Roma student (Jovanovic 2012), is totally based on *Gypsynosis*. In particular, concerning Sinti people, in Venice likewise in Legnago, we can more specifically talk of *sintinosis*. The fact that the “hygienic way” is a “pretext” for many administrators, the only way or the less problematic way allowing them to decide for an evacuation, a prohibition, an intervention chance, does not minimize, instead, it reinforces the cultural consolidation of *nomadnosis/sintinosis*.

It is undeniable that, throughout the years, the *sintinosis* seems having been reduced, in Cerea and Legnago documents. In the Cerea’s camp Regulation of 1997, simply appears

that the health vigilance pertains to the ULSS of the territory that must point out “to the Mayor, all situations and needs of intervention, related to the hygienic-health safeguard of the Camp and of people” (art. 12). Ten years later, however, in the report of Social Services Office of 2007, it is pointed out that “problematic issues still remain in the hygienic-health control” and that Municipality keeps on safeguarding the maintenance of the place to guarantee “most decent life conditions”, while it is immediately specified that Municipal Police and Security Force “monitor the situation”. It comes out again that combination of cleaning/police, which is typical of traditional *sintinosis*. Also in Legnago the “hygienic way” has never been totally abandoned. The hygiene issue remains a permanent feature in administration concerns about the life of “S.Francesco Village”, and often, Sinti people are warned to keep the area tidy and empty. In the report of the association, funded by the Municipality by an allocated amount as “various expenses for nomads’ camp”, in 2005, it is stressed among “strategic objectives”, the elaboration of a “Monthly report on hygienic-health conditions of the camp”. On the other hand, as punctually informed by the *Dossier on Sinti community in Legnago, from 1981 to 2004*, in 1999, a case arose about Sinti children “smell” at school. For them, likewise in many Italian schools during the last fifty years, moments of cleaning and shower will be established, by the help of assistants, sometimes in the attended school itself. The idea of *sintinosis* is so transmitted also by/in the education institutions. At the right moment of camp dismantling, in 2007, fearing that some other families could settle down there, the Municipal Committee establishes that, while the camp was still occupied, “there are no longer not even the minimum needed hygienic-health conditions for the residence in the camp of eventual other new family units”. The “hygienic way” is a *passepourtout*: it can build a camp and it can demolish it, it allows moving away “nomads”, gathering them all together or scattering them, depending on the moment. The “hygienic way” can be used as a pretext or real need, but, then, we can no more understand when a pretext or a need do exist. The observer meeting Sinti people the year before the definitive camp dismantling leaves a proof that makes us understand the sense of sterility of deliberating documents, assuming the function of a impeccable doctor, trying to keep the distance between own body and that of patients, surrounding him:

“The state of neglect of S. Francesco Village is determined by the presence of disused *roulottes* and of urban solid garbage widespread everywhere, by the lack of water and electric services. The first ones are substituted by rubber

canes (frozen in winter, hot in summer) and, concerning the second ones, by detachable wires, with serious risks for health and safety of residents. The neglect of this space is also determined by a gravel road with big holes; high grass, growing around the *roulottes*; by dogs, full of ticks, going around the camp; by big mice looking for garbage; by a lot of flies, mosquitos, wasps and insects. During the observation period [2005-06], as testified by residents, too, it was never done any disinfection, never a control by the health authority; only during these days ecological operators arrived, taking some of above mentioned dogs to the kennel" (Zanella, 2006: 99).

The sterility, the de-ethnicization of the terminology are, thus, the new mask, behind which the cronic *sintinosis* seems to hide.

7.3. The city of Genova

(V. M. Carrara Sutour)

Geographically sited in the middle of the Region, the political and economic capital of Liguria represents a rich fieldwork for text examination, attitudes and governmental issues affecting Roma and Sinti.

The first document proving the presence of so called "Zingari" is dating back to the XVII century and we can see a mark of their passing in the local toponymy, particularly the small streets descending to the old trading port ("Calata Zingari", "Mura degli Zingari").

Autonomous in Medieval Age as one of the most ancient mediterranean marine Republics, Genova controlled the seas bolstered by its merchant and financial power, despite the troubled events jeopardising its internal stability. After his fall under the control of Savoy dynasty (1815), its history will follow closer the historical process leading up to the unification of Italy.

In 1926, under the fascist regime, two Royal Decrees (nn. 74 and 662) achieve the city's "territorial harmonization" (started in 1873), by aggregating 19 neighbouring municipalities into the so called "Big Genova". During the second post-war period, and not without reluctances, Genova knowed a massive industrial conversion (although recovering the shipbuilding sector): foundries, steel mills, sugar refineries and basic industries transform the landscape, that will be the living urban space for the first Sinti and Roma groups.

Beetween the ending of '70s and the beginning of '80s, several families of "Gypsies" are living along the banks of the Polcevera river. Identified as "pebbly-shore people", they are Sinti coming from two northern big Regions, Piemonte and Lombardia. A few years later we can see the arrival of Roma from the former Yugoslavia Republic (mainly from Bosnia), and in the second half of '90s, with different ways to settle and live, some Roma families from Romania are coming.

Since the late '80s in Genova were set up three "camps": the Foce (the "river mouth") on the south-eastern side, Molassana and Bolzaneto on two northern areas of the "Big Genova". In addition to these experiences, Roma coming from various corners of Europe (France, Spain, Germany, Balkan countries) have been passing or staying for periods in the city.

In the early '90s the regional government emanates an Act (Legge Regionale n. 21/92) providing "Measures for the protection of gypsy and nomadic populations" (later abrogated

by the “Legge Regionale 12/2006”: “Promotion of the integrated system of social and public health services”). This former act, besides introducing the distinction between “staying” and “transit” areas, defines the criteria to be observed in the preparation of a “camp” (location, surface limits, equipment, health and social services). Significantly, it also establish a heterogeneous composed Committee (with two representants of “nomads”) playing an advisory role, and the obligation of children education as necessary condition for staying (that was posing an issue of constitutional legitimacy - see art. 3 of L.Reg.21/92).

Among the main initiatives taken by the local Public Administration, in 1988 (so before the Regional Act) the City Assembly approved a “Provisional Regulation” for the camp of Bolzaneto, providing a management Committee and a stay timing for a maximum of 12 months renewable for the residents in Genova (10 months for non-residents, coinciding with the school year).

Three years later, the same governmental body adopted the resolution n. 825 / 1991: “Approval of guidelines for the definition of a program of measures in favor of nomadic and gypsy communities”, that indicated: conditions for staying to “overcome their state of marginalization” in the respect of human dignity and gypsy cultural heritage; large urban areas equipped for temporary camps, where could find accommodation at least 7-8 families of each area; definition of performance criteria to ensure a process of “ruled cohabitation” involving the Municipality in its various and specific expertises and operational activities, in liaison with other agencies and institutions.

It is important to note that, since 1988 and during de following two decades, no one “final” regulation has been produced by the local government. The camps, yet, were set up.

Between 2002 and 2003 we assist to reiterated removal and re-placement of roma families in Molassana, until the re-transfer to the new camp (Mayor’s measure n., 375, august 2003), whereas the Foce “historical” camp is evacuated in june 2006 “to protect the Public Healt”. Part of the 122 bosnian Roma residing there were re-placed in public houses (E.R.P., that means “Residential Public Building”) and “temporary” buildings managed by the Municipality of Genova.

In 2006, a new Regional Act (n. 12) validates a new redistributive policy, more according to a neo-liberal policy then to the “classic” welfare-State model promoted by the national Constitution. Roma and Sinti desappear to fall under the category of “vulnerable people”, “in condition of poverty” or “social distress”.

Finally, and still preserving a provisory legal definition, the proposed draft of 2010 would regulate both the existing areas of Molassana and Bolzaneto placing before any stay application the signature of a “Pact of responsibility”. This required and preliminary clause juxtaposes a series of constitutionally (already) granted rights to a series of obligations for users.

Nowadays, the current Roma and Sinti population in Genova is formed by around 550 persons including the Roma coming mostly from Romanian regions. The fact that they are living in “informal” (non authorized) settlements, the repeated evictions together with their consequent mobility, lead us to consider with some flexibility the census data.

List of References

- Aïach P. (1998) "Le voies de la médicalisation", in P. Aïach, D. Delanoë (eds.), *L'ère de la médicalisation. « Ecce homo sanitas »*, Anthropos, Paris, pp.15-36.
- *Id.* (2006), "Médicalisation/santéisation et psychopathologisation du social", in M. Bresson (ed.), *op. cit.*, pp. 65-73.
- Bateson G. (1976), *Verso un'ecologia della mente*, Adelphi, Milano.
- *Id.* (1997), *Una sacra unità. Altri passi verso un'ecologia della mente*, Adelphi, Milano.
- Bouillon F., Fresia M., Tallio V. (eds.) (2006), *Terrain sensibles. Expériences actuelles de l'anthropologie*, Centre for African Studies/EHESS, Paris.
- Bourdieu P. (1984), "Espace social et genèse des 'classes'", *Actes de la recherche en sciences sociales*, 52-53: 3-12.
- Bresson M. (ed.) (2006), *La psychologisation de l'intervention sociale: mythes et réalités*, L'Harmattan, Paris.
- *Id.*, (ed.) (1996), "Introduction", in *Id.* (ed.), *op. cit.*, pp. 11-18.
- Brunello, P. (ed.) (1996), *L'urbanistica del Disprezzo*, Manifestolibri, Roma.
- Caringella F., Giuncato A., Romano F. (eds.) (2007) *L'ordinamento degli Enti Locali. Commentario al Testo Unico*, IPSOA, Milano.
- Castel R. (1981), *La gestion des risques. De l'antipsychiatrie à l'après psychanalyse*, Minuit, Paris.
- *Id.* (1999), *Les métamorphoses de la question sociale*, Gallimard, Paris.
- Centemeri L., Ota de Leonardis O., Monteleone R. (2006), "Amministrazioni pubbliche e Terzo Settore nel welfare locale. La territorializzazione delle politiche sociali tra delega e cogestione", *Studi Organizzativi*, 1.
- A. Cisterna (2010), "Con un'altra serie di micro interventi eterogenei si punta a rendere efficaci le precedenti norme", *Guida al Diritto-Il Sole 24 Ore*, 47: 34 ss.
- A. Clementi (ed.) (2002), *Interpretazioni di paesaggio. Convenzione europea e innovazioni di metodo*, Meltemi, Roma.
- Collière M-F. (1992), "De l'utilisation de l'anthropologie pour aborder les situations de soins", *Soins. Savoir et Pratique infirmière*, 557: 43-58.
- De Gaulejac V. (1996), *Les sources de la honte*, Desclée de Brouwer, Paris.

- Douglas, M. (1966), *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*, Routledge and Keegan Paul, London.
- Ducrot O. (1979), *Dire e non dire*, Officina, Roma.
- *Id.* (1980), "Presupposizione e allusione", *Enciclopedia Einaudi*, 10.
- European Roma Rights Center (2000) "Il paese dei campi. La segregazione razziale dei Rom in Italia", *Carta*, n. 12 [Supplement].
- European Roma Rights Center, Open Society Institute, OsservAzione (2009), *Memorandum to the European Commission: Violations of EC law and the fundamental rights of Roma and Sinti by the Italian Government in the implementation of the census in "nomad camps"*, 4 may 2009, www.errc.org.
- Farmer P. (2004), "An Anthropology of Structural Violence", *Current Anthropology*, 45 (3) : 305-325. [Italian translation: I. Quaranta (ed.) 2006, *op. cit.*, pp. 17-49].
- Faso G. (2010), *Lessico del razzismo democratico*, Derive-Approdi Roma [2nd Edition].
- Fassanelli B. (2011), *Vite al bando. Storie di cingari nella Terraferma veneta alla fine del Cinquecento*, Edizioni di Storia e Letteratura, Roma.
- Fassin D. (1996), "Exclusion, underclass, marginalidad. Figures contemporaines de la pauvreté urbaine en France, aux États-Unis et en Amérique latine", *Revue Française de Sociologie*, 37 (1) : 37-75.
- *Id.* (2006), "Un ethos compassionevole. La sofferenza come linguaggio, l'ascolto come politica", in I. Quaranta (ed.), *op. cit.*, pp. 93-111.
- *Id.* (2011), *La force de l'ordre. Une anthropologie de la police des quartiers*, Seuil, Paris.
- Fondazione Giovanni Michelucci (1999), *I campi nomadi: apartheid nel cuore dell'Europa*, paper, Marzo 1999.
- *Id.* (2009), *L'abitare di Rom e Sinti in Toscana. Rapporto 2009*, a cura di S. Tosi Cambini, coordinamento della ricerca N. Solimano, Fondazione Michelucci, Regione Toscana.
- *Id.* (2010), *L'abitare di Rom e Sinti in Toscana. Rapporto 2010*, a cura di S. Tosi Cambini, coordinamento della ricerca N. Solimano, Fondazione Michelucci, Regione Toscana, www.michelucci.it
- *Id.* (2011), *Osservatorio sull'abitare precario in Toscana e Osservatorio sull'abitare dei Rom e Sinti in Toscana Anno 2011*, a cura di S. Tosi Cambini, Coordinamento N. Solimano, Fondazione Michelucci, Regione Toscana, www.michelucci.it
- Fortis D (2005) "Il linguaggio amministrativo italiano", *Revista de Llengua i Dret*, 45: 47-116.

- Giannichedda M.G. (2006), “Servizi a bassa soglia, quale integrazione nel campo delle politiche sociali e sanitarie?”, Conference Paper, Rome (December 6th).
- Guazzarotti A. (2011), “La Corte costituzionale pone fine alle ordinanze dei Sindaci sulla sicurezza urbana: un rigore foriero di futuri sviluppi?”, *Diritto, immigrazione e cittadinanza*, 2: 91-104.
- Illuzzi J. G. “ «The Bastards of Humanity» : State Authorities' Interactions with Gypsy Populations in Germany and Italy, 1861-1914”, PhD diss., University of Minnesota.
- Jankélévitch V. (1986), *Il paradosso della morale*, Hopefulmonster, Firenze.
- Jovanovic S. (2012), *Come restare zingari nel mondo dei gagè? Comparazione delle strategie zingare di conservazione della propria cultura con le strategie gagè di assimilazione degli zingari*, “Tesi di laurea triennale” on History, University Ca' Foscari, Venezia.
- Karpati M (1962), *Ròmano thèm*, Artigianelli, Trento.
- Kleinman A., Das V., Lock M. (eds.) (1997), *Social Suffering*, University of California Press, Berkeley.
- La Cecla F. (1993), *Mente locale. Per un'antropologia dell'abitare*, Elèuthera, Milano.
- Lascoumes P., Le Galès P. (eds.) (2004), *Gouverner par les instruments*, Presses de Sciences Po, Paris.
- Lausberg H. (1949), *Elemente der literarischen Rhetorik*, Max Hueber Verlag, München.
- Lonardi P. (2005), “Dossier sulla comunità di sinti legnaghese, anni 1981/2004”, Report, Municipal Archives of Legnago, [non-published].
- Lorient M. (2006), "La souffrance: lecture critique de la notion à partir de l'exemple du travail", in M. Bresson (ed.), *op. cit.*, pp. 51-63.
- Lyon-Callo V. (2000), “Medicalizing Homelessness: The Production of Self-Blame and Self-Governing within Homeless Shelters”, *Medical Anthropology Quarterly*, 14 (3): 328-345.
- Maneri M. (1998), “Lo straniero consensuale”, in A. Dal Lago (ed.) *Lo straniero e il nemico*, Costa & Nolan, Genova, pp. 236–272.
- Monteleone R. (2005), “La contrattualizzazione nelle politiche sociali: il caso dei voucher e dei budget di cura” in Bifulco L. (ed.) (2005), *Le politiche sociali*, Carocci, Roma.
- Mortara Garavelli B. (2001) *Le parole e la giustizia*, Einaudi, Torino.
- Piasere L. (1991), *Popoli delle discariche. Saggi di antropologia zingara*, CISU,

Roma [reprinted in 2005].

- *Id.* (ed.) (1995), *Comunità girovaghe, comunità zingare*, Liguori, Napoli.
- *Id.* (2004), *I Rom d'Europa. Una storia moderna*, Laterza, Bari.
- *Id.* (2012), *Scenari dell'antiziganismo*, SEID, Firenze.
- *Id.* (2013), "Un racisme méconnu: l'antiziganisme", *Dada. Rivista di antropologia post globale*, dicembre 2013, www.dadarivista.com.
- Rao A. (1987), "The concept of peripatetics: an introduction", in A. Rao (ed.), *The Other Nomads*, Böhlau Verlag, Köln pp. 1-32.
- Rivera A.M. (2007), "Etnia-etnicità", in Gallissot R., Kilani M., Rivera A. (eds.), *L'imbroglione etnico in quattordici parole-chiave. Nuova edizione ampliata e aggiornata*, Dedalo, Bari, pp. 123-152.
- Rose N. (1996), "Psychiatry as a political science: advanced liberalism and the administration of risk", *History of Human Sciences*, 9 (2): 1-23.
- *Id.* (2000), "Government and control", *The British Journal of Criminology*, 40 (2): 321-339.
- Sabatini F. (1990), "Analisi del linguaggio giuridico. Il testo normativo in una tipologia generale dei testi", in M. D'Antonio (ed.) *ISLE - Corso di studi superiori legislativi 1988-89*, CEDAM, Padova, pp. 675-724.
- *Id.* (1998), "Funzioni del linguaggio e testo normativo giuridico", in I. Domenighetti (ed.), *Con felice esattezza. Economia e diritto tra lingua e letteratura*, Casagrande, Bellinzona, pp. 125-137.
- *Id.* (1999), "Rigidità-Esplicitzza vs. Elasticità -implicitzza: possibili parametri massimi per una tipologia dei testi", in G. Skytte, F. Sabatini (eds.), *Linguistica testuale comparativa. In memoriam Maria Elisabeth Conte*, Nuseum Tusculanum Press, København pp.141-172.
- *Id.* (2001) "I tipi di testo e la rigidità del testo normativo giuridico", in S. Covino (ed.), *La scrittura professionale. Ricerca, prassi, insegnamento*, Firenze, Olschki, Firenze, pp.97-106.
- *Id.* (2011), *L'italiano nel mondo moderno*, Liguori, Napoli.
- Senato della Repubblica XVI Legislatura (2011), *Rapporto conclusivo dell'indagine sulla condizione di Rom e Sinti e Caminanti in Italia*, Commissione straordinaria per la tutela e la promozione dei diritti umani, maggio 2011.
- Sicot F. (2006), "La santé mentale comme mode de gestion politique de l'exclusion?", in M. Bresson (ed.), *op. cit.*, pp. 75-84.
- Silvestri G. (1989), "Linguaggio della Costituzione e linguaggio giuridico: un rapporto complesso", *Quaderni costituzionali*, 9 (2): 229-255.

- Simoni A. (2005), *Stato di diritto e identità rom*, Torino, L'Harmattan-Italia, Torino.
- *Id.* (2008), "I decreti 'emergenza nomadi': il nuovo volto di un vecchio problema", *Diritto immigrazione e cittadinanza*, 10 (3-4): 44-56.
- Staiano S. (2006) "Brevi note su un ossimoro: l'emergenza stabilizzata", in S. Staiano (ed.), *Giurisprudenza costituzionale e principi fondamentali: alla ricerca del nucleo duro delle costituzioni*, Giappichelli, Torino, pp.659ss.
- Tosi Cambini S. (2004), *Gente di sentimento. Per un'antropologia delle persone che vivono in strada*, CISU, Roma.
- *Id.* (2007), "Un possibile percorso formativo per gli operatori sociali" [Possibilities for a Social Operators Training Project], *Il seme e l'albero*, 15.
- *Id.* (2008), "Riconoscersi soggetti culturali. Per una rivisitazione antropologica del bagaglio formativo di chi opera nel sociale", *Animazione Sociale*, 38 (220): 74-82.
- *Id.* (2008) *La zingara rapitrice. Racconti, denunce, sentenze (1986-2007)*, CISU, Roma.
- *Id.* (2009), "Gli stereotipi della 'sicurezza', ovvero come la Giustizia 'tratta i nomadi' invece che incontrare i Rom", in *Jura Gentium. Rivista di filosofia del diritto internazionale e della politica globale*, "La minoranza insicura I rom e i sinti in Europa", on line: <http://www.juragentium.unifi.it/it/>
- *Id.* (2011), "The social dangerousness of the defendant is 'at one with her own condition of being nomadic': Roma and Sinti Italian Courts of Law", in *Journal of Modern Italian Studies*, vol. 16.
- Tosi Cambini S., Beluschi Fabeni G., J. López López , M. Ballester Torrents (2013), "Words which exclude: Political intentions, stereotypes and institutionalised antiziganism in European policies towards Roma", paper presented at the *Uppsala international conference on the discrimination, marginalization and persecution of Roma the "Antiziganism – what's in a word?"*, Uppsala (Sweden), October 23-25, 2013.
- Tosi Cambini S., Sidoti S. (2006), "Esperienze innovative per l'abitare di Rom e Sinti. Case casette baracche e roulotte", in AA.VV., *Atlante dell'alloggio sociale e dell'Accoglienza*, Fondazione Michelucci / ARCI Toscana, Fiesole.
- Trevisan P. (2010), "Un campo di concentramento per «zingari» italiani a Prignano sulla Secchia", *L'Almanacco*, 55-56: 7-30.
- Vrancken D. (2006), "Psychologisation ou transformation des modes de traitement social de la 'question sociale' ", in M. Bresson (ed.), *op. cit*, pp. 25-34.
- P. Williams, M. Stewart (eds), (2011), *Des Tsiganes en Europe*, Maison des Sciences de l'Homme, coll. « Ethnologie de la France », Paris.
- Zanella V. (2006), "Sinti a Legnago. Percorso di ricerca-azione per un intervento socio-educativo e ambientale", *Report*, Municipal Archives of Legnago.

