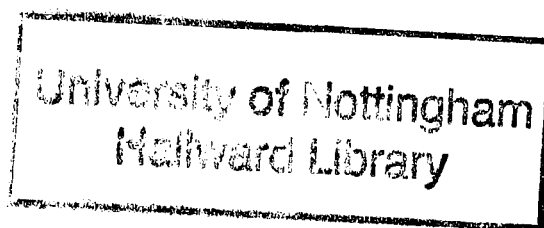


**FROM METAPHOR OF SLAVERY TO METAPHOR OF FREEDOM:
ARTICLE 18 AND THE INCORPORATION OF MIGRANT
PROSTITUTES INTO ITALIAN SOCIETY**

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Abstract

This thesis is concerned with the debate on ‘trafficking in persons’ as a new form of slavery. It will explore the concept of slavery both historically and in its links with contemporary migration and connected issues of gender, sexuality, and labour exploitation. Within the contemporary debate on ‘trafficking’, attention has focused in fact predominantly on migrant women and girls involved in sex work and described as ‘victims of trafficking for the purpose of sexual exploitation’.

This thesis will explore the meaning of slavery in such debate. For this purpose, a research study will be carried out in three Italian cities, focusing on the ways in which such terms as ‘slavery’, ‘trafficking in persons’, and ‘sexual slavery’ are understood and applied within social protection programmes for victims of trafficking which, under Article 18 of the immigration law, grant a special residence permit and opportunities for such victims to work and stay permanently in Italy. The study is based on interviews with key actors working in social protection programmes such as judges, NGO workers, social workers, psychologists, lawyers, and police officers, on interviews with migrant women working in the sex industry and women using protection programmes, and on the analysis of parliamentary speeches and press articles. It will seek to critically assess the validity of ‘new slavery’ - as ‘trafficking’ is usually understood - as an expression to understand problems related to contemporary exploitative labour practices within the context of global poverty, dislocation of capital and labour, and restrictive immigration regimes. It will focus on the gender, ‘racial’, and sexuality aspects of anti-trafficking policies in Italy and how they get linked to citizenship within the socio-legal process enacted by Article 18 of the Italian immigration law. It will finally ask what kind of citizenship is granted to subjects

who have been Otherised as ‘slaves’ on the basis of their gender and sexuality and who, through a postcolonial process of discipline and social control, are incorporated into the Italian society via their ‘domestication’ within ‘proper’ sexual, gender, and labour roles (i.e. as domestic workers in Italian families or as wives).

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Glossary of Abbreviations

BSA	British Sociological Association
✓ CATW	Coalition Against Trafficking in Women
CDA	Contagious Diseases Acts
CPTA	Centri di Permanenza Temporanea ed Assistita (Temporary Stay
and	Assistance Centres)
✓ CER	Campaign to End Rape
DS	Democratici di Sinistra (Democrats of the Left)
ECP	English Collective of Prostitutes
EU	European Union
✓ GAATW	Global Alliance Against Trafficking in Women
✓ ILO	International Labour Organisation
✓ IOM	International Organisation for Migrations
LILA	Lega Italiana Lotta contro L'AIDS (Italian League Fighting
Against	AIDS)
LNA	Ladies' National Association
MEP	Member of the European Parliament
MIT	Movimento Identità Transessuali (Movement for the Identity of
	Transsexual People)
MP	Member of Parliament
NGO	Non Governmental Organisation
PPI	Partito Popolare Italiano (Italian People's Party)
RCF	Rape Crisis Federation
STD	Sexually Transmitted Disease
SW	Sex Worker
✓ TVPA	Trafficking Victim Protection Act
✓ VoT	Victim of Trafficking
WHO	World Health Organisation

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Chapter 1

Introduction

In academia, among governments, in the media, and in non-governmental organisations (NGO) activities, nationally and internationally, recent decades have witnessed a revival of interest in the problem of slavery. New challenges have emerged from the opening of previously separated national borders, and from the concomitant search for work opportunities and a better life by those people who had for many years endured oppressive political systems, and who had experienced economic distress after the collapse of totalitarian regimes. Migrations from South to North created a perceived requirement in Europe for effective and rigid border control, both within itself and in relation to the external world which pressed from outside (Massey et al, 1993; Castles and Miller, 1998; Anderson and Bort, 1998). The opening up of trade and financial markets during the 1990s was premised upon a strong commitment to defend the European space from the assault of other populations who aspired to share in the wealth, freedom and peace that Western Europe had managed to grant to its own peoples (Castles, 2006). These threats to the traditional European space came, on the one hand, from the neighbouring states of eastern Europe which sought entry to the European Union (EU) as new members; and on the other hand, and more dramatically, from the mass of men, women and children arriving from those states and also from regions in Asia, Africa and South America which had experienced dire poverty, civil war, and/or ecological disasters (Castles, 2006; Castles and Davidson, 2000; also Sharma, 2003). The retrenchment of Europe within its borders, which afforded it the unhappy epithet of 'Fortress Europe' after the signing of the Schengen Agreements (Hayes, 2004), and the consequent closing down of national borders to non-EU migrants, created new opportunities for the emerging criminal markets of post-communist countries (see Goodey, 2003). Together with traffic in arms and drugs, racketeers could now smuggle large numbers of people unable to

access legal migratory channels (Sassen, 1999). Some of these migrants would enter the local sex market of the destination country, some being forced into it. Others would fill the informal sectors of European labour markets and would become among the most vulnerable and exploited labour force of European economies (Castles, 2006; Morokvasic, 2004). The citizens of civilized Europe, together with those of other countries in the rich and developed world, would suddenly see themselves as though cast back to a pre-modern world of economic relations, marked by instances of force and overexploitation reminiscent of the pre-trade unions factory system described by Engels in *The Condition of The Working Class in England*¹. The word to describe this new system of overexploitation was by no means new. It had been there for centuries and it only needed to be clothed with new meanings and adjectives, which could be captured by the well educated and sensitive public of 21st century Europe and beyond: ‘new slavery’ was the expression which promised to explain poverty and inequality from the standpoint of dramatic, sensationalised and spectacularised narratives about human suffering and despair. It would explain global migratory flows, and female migration within those flows, from the standpoint of a ‘trafficking’ discourse (Kempadoo, 2005; Sanghera, 2005).

The debate on new slavery that has taken shape since the mid-1990s in most parts of the developed world, and in Europe in particular, is a debate overwhelmingly centred on women, who are deemed to be victims of ‘trafficking for the purpose of sexual exploitation’. This thesis, which is concerned with the metaphor of slavery in such debate, will explore contemporary debates on migration and associated concepts such as ‘illegal’ migration, ‘smuggling’, ‘trafficking’. Slavery, as the common defining element of both ‘trafficking’ and ‘trafficked’ prostitution, will be the connecting thread of the thesis, which will therefore have a double purpose. On the one hand it will, through the available relevant literature, deal with the age-old problem of defining slavery both philosophically and from a perspective of social

¹ Friedrich Engels, 1987: *The Condition of the Working Class in England*. London: Penguin Books.

history; on the other, it will explore the concept of 'new slavery' through an analysis of the types of policies which have been targeted towards migrant women engaged in sex work, who are defined as 'new slaves' (e.g. Bales, 2005). An investigation into the category of slavery as applied in social policy will afford a vantage point from which to evaluate the usefulness of this category to describe a particular social problem.

Italy is the context chosen for the study, which consists of (1) qualitative research in three Italian cities based on interview data with key actors working in social protection programmes for victims of trafficking for the purpose of sexual exploitation, (2) interviews with migrant women who are defined as 'victims of trafficking' within the same programmes, and (3) an analysis of parliamentary debates on the issue of immigration and trafficking. There are a number of reasons for choosing Italy as the location for a case study in an analysis of the concept of slavery as it is applied within social protection programmes for victims of trafficking. First of all, as a country only recently experiencing large-scale immigration, Italy has come under particular pressure to comply with European standards of border control, massive illegal (i.e. undocumented) migration from developing countries being viewed as a threat to national (and European) security. At the same time, as a democratic republic with a traditional rhetoric centred around the image of a tolerant, open, compassionate and altruistic nation, it has also had to keep within the parameters established by this tradition. In consequence, if immigration laws have to reflect European standards of efficiency in terms of controlling external borders (all the more so if we consider that Italy represents a transit point for migrant people who want to reach other European countries), such laws have to protect the myth that Italians, especially those from the socialist-communist and the Christian-democratic tradition, have built for themselves, namely as 'good-hearted' people who, remembering their recent past of emigration, would not resort to unsympathetic attitudes towards those in need of help. The first comprehensive immigration law produced in 1998 (Law Decree 286/98) tried exactly to do these two things, and so, as we will see, it introduced both the first efficient

measures to keep illegal migrants out and measures to protect the human rights of migrant people living within the Italian territory. One of these latter measures was Article 18, which allowed victims of trafficking to obtain a special residence permit if they wanted to escape from the control of their traffickers. Italy appeared to be, in this field, the most attentive and generous among those European countries which had provided for social protection measures for victims of trafficking. It was in fact only in Italy that victims of trafficking could, under protection measures, at least in theory, transform their temporary residence permit into a permanent one and get job opportunities. If anything, the success of Article 18 as an *avant-garde* security-cum-human rights provision was demonstrated by the highest number of residence permits for social protection produced in Europe.

Studying the use of anti-slavery rhetoric in the particular Italian context, and especially within the social protection programmes established by Article 18 of the immigration law, will allow me not only to test the usefulness of the term slavery in anti-trafficking policy in general; it will also allow me to unveil other aspects of the problem of defining certain groups of migrant prostitutes as 'enslaved'. Particularly, it will give a sense of the interconnections between the use of the term slavery and specific representations of certain groups of people according to their gender, their sexuality and their positioning in the world: that is, their history as colonised, racialised or otherwise *Otherised* national or ethnic groups (Dal Lago and Quadrelli, 2003; Dal Lago, 2002; King and Mai, 2002). Again, Italy offers a good vantage point to see this use of the term 'slavery' metaphorically: that is, to ascribe certain characteristics associated with backwardness, lawlessness, irrationality, weakness, to some people whose identity, defined in this way, functions to create a divide between them and the civilised world, of which Italy would be considered an integral part. For example, it is Albanian and African women to whom the slavery metaphor is most often applied and who have been therefore the target of social protection programmes, and this gives us specific insights into the ways in which their construction as slaves is linked to the particular

relationships that have tied Italians (Italian construction of its own identity as a European power) with Albania and Africa as sites of cultural and colonial domination.

One of the main goals of this thesis is to deconstruct the expression ‘new slavery’ and expose its implication in a conservative vision of the world which is ambiguously if not actually Eurocentric, and which provides an inadequate explanation of, and policy response to, contemporary inequalities and geographic mobility. Moreover, this vision of the world, through the dyadic series of free/democratic/western-unfree/barbarian/non western reflects a wide range of other dyadic understandings of social reality which are offered by much past and current production of (scientific) knowledge, in such fields as free-forced migration, prostitution and labour (O’Connell Davidson, 2005). The object of the study, focused as it is on the construction of migrant prostitutes as ‘slaves’, obviously gives a particular slant to the whole thesis, in the sense that it will look at specific gender as well as sexual aspects of migration. Gender is in fact a determining factor of social positioning and identity, which cuts across all the above mentioned series of dyadic constructions (Anthias, 2000). This means, in other words, that in studying social relations linked to migration, prostitution, slavery, and labour, it is necessary to investigate the specific role played by women and gender. This will require me to look at the issue of resistance and agency - particularly women’s own resistance and agency – in the social history related to slavery, migration and prostitution. The study will therefore consider both the recent literature on resistance in slave societies and the role that gender had in establishing the dynamic of master-slave relations. At the same time, it will look at the feminist literature on prostitution and its critique of liberal theoretical accounts of slavery, civil society and the role of women within it. Again, while most literature on slavery and prostitution comes from the British and American tradition, Italy, with its particular history of feminism, nationalism, and with the special role of the Catholic church in shaping its political and social history and the way women have coped, or not coped, with social pressure from this institution, will be the empirical context of choice to assess that literature.

The anti-trafficking policy is one which, in Italy as everywhere, was promoted, among others, by the last wave of radical feminists who, since the 1980s, starting with American activism against child pornography, have campaigned against prostitution as a form of slavery *per se* and as 'sexual exploitation' (Davies, 2004; Weitzer, 2005, 2006; Segal, 1994, McBride Stetson, 2004). The revival of this assertive abolitionism, understood here as 'abolition of prostitution', will be analysed historically and connected with the history of anti-slavery, known also as 'abolitionism'. But abolitionism, like feminism itself, is, among other things, a discursive formation about freedom, emancipation, liberation, and is intimately connected with the discourse about, and experience of slavery in modern times.

The metaphor of slavery and the metaphor of freedom, then, as the title of the thesis would suggest, are two aspects of the same discourse, and their deconstruction as explanatory tools of modernity and of post-industrial capitalism can give us insights into some of the contradictions and anomies entailed by the latter, usually associated with processes of marginalisation and exclusion (Blackburn, 1997). Within that discourse we can find the threads which trace clear boundaries as to who belongs and who is excluded from late capitalist, globalised society. This can in turn put us in the position to ask ourselves in what sense then are the partial and insecure citizenship² rights granted to migrant prostitutes useful or appropriate to establish their sense of belonging in the Italian social context? This is ultimately how we can evaluate Article 18 as social policy. Any answer to that question must

² In this thesis I will use the term 'citizenship' in the broadest sense, rather than in a strictly legal sense (e.g. residence, or other formal rights, such as the right to vote or to free speech). In a broad, Marshallian sense, formal rights (that is civic and political rights), and therefore even the right to contract, must be substantiated by social rights (e.g. education, health, subsistence income). For migrant people, the link between formal (e.g. residence) and social rights (and I include among these the sense of belonging to the host society) is particularly strong, since, to be treated as a member of a given society is important for the exercise of *de jure* rights, among which the right to contract. Questions of 'race', then, become important, as citizenship, in this broad sense, depends also on the degree of society's acceptance of diversity, rather than simply on having a residence permit (a foreigner gains a work contract also because he/she is considered as 'racially'/ethnically suitable for the job). For a discussion on citizenship theories and issues see Castles and Davidson, *Citizenship and Migration. Globalization and the Politics of Belonging*. (London: MacMillan Press, 2000). See also R. Beiner, *Theorizing citizenship*. (New York: State University of New York Press, 1995); Anthias and Yuval-Davis, *Racialized Boundaries. Race, nation, gender, colour and class and the anti-racist struggle*. (London and New York: Routledge, 1996).

be formulated through reference to the meaning of emancipation from an abolitionist as well as ex-slaves' point of view, or even to the meaning of manumission for ex-slaves. For are migrant prostitutes, given the type of social policies of which they are objects, to be considered as a type of 'freed' persons, whose incorporation into society is predicated upon a rigid ordering in the racial and gender hierarchy which constitutes contemporary Italian society? Is their incorporation into Italian society achieved, if at all, on the premises of subordination to a dominant culture which wants to relegate them, as Floya Anthias (2000) would put it, into the private sphere - be it via marriage with an Italian citizen or via domestic work in Italian families? And by this treatment are they denied full citizenship?

In answering these questions the thesis will unfold according to the following structure. Chapter 2 will give an account of the methodological approach and problems encountered. After a discussion of the choice of research design it will follow a detailed description of the process involved in collecting data. Chapter 3 is largely theoretical and will introduce the subject of slavery and 'new slavery'. After a review of the philosophical problems surrounding the definition of slavery and of the efforts made by historians and philosophers to distinguish it as a specific and peculiar form of domination, it will follow a feminist analysis of the concept of slavery in relation to patriarchy and female subjection and a historical analysis of trafficking from 'white slavery' to the United Nations (UN) Trafficking Protocol. I will conclude with a critique of 'new slavery' as elaborated by anti-slavery activist Kevin Bales. In chapter 4 I will present the Italian context. The chapter will open with a brief historical account of Italian past encounters with, and construction of, the Other and the ways in which these encounters contributed to shape a specific form of nationalism, concentrating particularly on the construction of the Italian brand of imperialism as 'benign' and the way it continues to shape Italian self-perception in the new international context. Immigration policy, and rhetoric will be exposed through an analysis of parliamentary debates and newspaper articles which will highlight Italy's present efforts to renew its identity in Europe through the

construction of migrants as ‘dangerous’ and immigration as an ‘emergency’ problem. ‘Trafficking’, as part of this ‘emergency’ discourse, will be analysed, together with prostitution and slavery, in legal terms, that is through a review of the laws which define and punish trafficking and slavery and regulate prostitution. Article 18 will be presented within its specific, cultural context concerning social construction and social practice in the field of immigration, trafficking, and prostitution. Chapter 5 is concerned with the subject of ‘victim protection’ enacted by Article 18 of the immigration law and will provide government data on the regional distribution of social protection programmes, the number of residence permits issued, the national groups who accessed protection programmes, the modality of contacts adopted, etc. I will then narrow the discussion down to my field-work data and look at the approaches adopted in each research site and the local data on the national groups accessing social protection programmes and types of organisation involved, with particular attention to the moral aspects of social protection and to the ways in which ‘trafficking’ and ‘slavery’ are conflated with prostitution. Field-work data will be compared with national data so that each research site will be ‘mirrored’ against the national context in terms of the prostitution market, groups involved, types of projects and their organisation (i.e. prevalence of religious or non religious projects, independent or run by a single authority), number of residence permits and proceedings linked to slavery or trafficking offences. Chapters 6 and 7 analyse empirical data of the field-work carried out in the three research sites. Chapter 6 will focus in particular on definitional aspects concerning ‘slavery’ and ‘trafficking’ emerging from the interview data. It will concentrate on ‘violence’ and ‘coercion’ as the two defining elements of trafficking cases and on key actors’ gendered and sexual representations of trafficking as a phenomenon concerning primarily women who work in the sex business. The tension between slavery as a labour practice and as a social construction linked to the social exclusion and marginality of specific subjects will be highlighted. Interview data from both key actors and from migrant women prostitutes and women in social protection programmes will be analysed also in

relation to debt as a central aspect of trafficking and slavery. Debt will also be analysed from a historical and sociological point of view so that its deconstruction will help us to understand indebtedness in the context of post-industrial globalised economies and societies and in its links with the question of stigma attached to specific credit systems in marginal contexts and its acceptance as a normal aspect of capitalist economies and societies. The agency of migrant women in the global economy as sex workers and as bread-winners of transnational families will be contrasted with their representation in key actors' accounts as passive victims lacking 'choice' and questions of citizenship will be analysed in connection with migrant women's racialised subjectivity in the host society as it came out from interview data. Chapter 7 deals with questions of gender and sexuality from a feminist and abolitionist point of view. For this purpose I make a historical overview of abolitionist philosophy and practice both as anti-slavery discourse and activism and as a prostitution policy elaborated by European feminist movements from nineteenth century onwards. Here, data analysis will focus predominantly on interview extracts from female actors working in social protection programmes and on elaborations of female emancipation according to a western conception of the category of 'woman', 'family' and 'prostitute'. Attention will be paid to various aspects of Italian feminism as it evolved from the nineteenth century and from the post-war period, particularly the Church influence and the difficulty Italian women had in opposing the Church-imposed role of mother and wife inside the family. The chapter will look at the implications of Italian women's access to the job market and their newly found interest in pursuing a career outside the family for 'Other', non Italian women, who have to replace them in the family as domestic and care workers. This weakness in Italian feminism, namely the absence of an 'ethnic' and 'race' dimension, will be explored in relation to social protection programmes and their inadequateness in offering real job opportunities for migrant women outside the domestic sphere. The other weakness in Italian feminism I analyse is linked to female professionals' difficulty in accepting prostitution as a type of work which migrant women, like Italian

women, might choose for a certain time as a strategy to accumulate capital for investment in business back home. This weakness is expressed by Italian female actors' narratives through a dualism between what they see as 'free-choice' Italian prostitution and migrant 'forced' prostitution, considered as a form of slavery. Chapter 8 draws some conclusions in the light of the literature and data analysed.

Chapter 2

Methodology

The study on which this thesis is based consisted of qualitative research carried out in three Italian cities where social protection programmes have been applied to ‘rescue’ ‘trafficked’ prostitutes. Data was collected through semi-structured interviews with key actors working in social protection programmes, such as lawyers, magistrates, psychologists, police and NGO workers, and through means of less formally structured interviews with migrant women who had experienced social protection programmes and migrant women who still worked as prostitutes. In addition, the thesis makes use of both national and local statistical data provided by NGOs, the government and local councils, and of parliamentary speeches on trafficking during the process of passing successive immigration laws.

The interview samples chosen among both key actors working in social protection programmes and among migrant women in social protection programmes, here called ‘victims of trafficking’ (VoT), and migrant women who were still working in prostitution, are not representative of the entire population of professionals working in social protection programmes in Italy, or of VoTs and sex workers. With these samples I do not intend to produce generalisations about the social universes these people occupy, especially with respect to the two groups of migrant women interviewed, since they are too small-scale and ‘opportunistically’ selected to be representative. Far from producing ‘truth’ or ‘hard’ data about, say, groups of migrant women who are defined as ‘slaves’ or as ‘prostitutes’, or about ‘slavery’ or ‘trafficking’ in Italy, the study explores trends in socio-legal processes related to ‘slavery’, both as a legal and as a social category, and in terms of its use as a metaphor within social protection programmes for VoTs for the purpose of prostitution. Thus, the research was qualitative and focused on the way narratives about ‘slavery’, ‘debt-bondage’, ‘trafficking’ are

constructed in these socio-legal processes and how they differ or contrast with the narratives provided by the people who are the objects of these processes.

In fact, as will be seen in chapter 3, both the concept of ‘slavery’ and the concept of ‘trafficking’ pose immense philosophical and definitional problems, and yet for many migrant women, being formally identified as a slave and a VoT is a prerequisite for accessing rights and protection under Article 18. But how do the various social and institutional actors charged with identifying and assisting ‘victims’ understand the terms ‘slavery’ and ‘trafficking’? How do they distinguish, conceptually and in practice, between slaves and non-slaves, between VoTs and ordinary migrant sex workers, between the deserving and the undeserving cases? What discourse do they draw upon in order to make sense of migration, prostitution, and ‘trafficking in contemporary Italy? How do the women who are categorised as such understand the same terms? How do they consider their migratory experience and their involvement in sex work? Does the discourse about ‘slavery’ employed by key actors speak to their experience?

The research set out to address such questions through qualitative interviews with a sample of 25 key actors working in social protection programmes chosen among the police, prosecutors, judges, lawyers, NGO workers, psychologists, project leaders, and coordinators of refuge houses on the one hand, and a sample of migrant women chosen among those who had accessed social protection programmes (e.g. VoTs) and those who were still working as street prostitutes (i.e. sex workers) on the other. Although the original research design aimed to interview a total of 10 migrant women, 5 among VoTs and 5 among sex workers, in the end I gained access to 4 VoTs and 5 sex workers.

Catania (Sicily), Lecce (Puglia), and Rome (Lazio) were chosen as the three cities where field work would be carried out and where interview data with both key actors and migrant women would be collected (see below). However, difficulties in accessing VoTs in the chosen research sites led me to search for other cities where I could gain access to this

group. Palermo turned out to be the most practical place for reasons which I explain in the next section, where I will give an account of the interview process.

2.1 Choice of research sites

The research involved fieldwork in three sites: Catania (Sicily), Lecce (Puglia) and Rome (Lazio). These cities were selected as fieldwork sites for several reasons. First, there is significant variation between these cities in terms of the national and ethnic groups involved in prostitution in each of them: in Catania, there are large numbers of Nigerian prostitutes working in the highroads away from the city centre; in Lecce, prostitution predominantly involves women coming from East Europe (in particular Albania) and ex-USSR States, like Moldavia; whilst in Rome a great variety of national groups, including the South-American, are present in prostitution and they reflect the national distribution of migrants more generally. Catania and Lecce, as smaller cities, provide an opportunity to analyse in microcosm the social representation of trafficking as applied to two different groups (the Nigerian/African and the East-European/Albanian) that are most commonly stereotyped as ‘traffickers’ and VoTs. Rome, on the other hand, as the capital city, can offer a wider perspective, where the interplay of the different groups operating in protection programmes and the different groups of migrant women involved in prostitution make the application of Article 18 more varied and its analysis more complex. Finally, in terms of the high or low presence of social protection projects for VoTs in the regions where the research sites are located, they are all characterised by a high percentage of projects, with Puglia being the third region nationwide with the highest number of projects carried out from 2000 to 2006 (48), Sicily as the fifth region (36), and Lazio as the sixth region (32) (see Figure 2 in chapter 5). In terms of the incidence of ‘human trafficking’ calculated by the number of prosecutions recorded in prosecutors’ offices, Lecce seems to have the highest incidence with 342 proceedings brought for human trafficking between June 1996 – June 2001, followed by Rome (79 proceedings for the same

period) (Curtol et al, 2004, p. 115). Catania, on the other hand, shows a low prosecutorial activity (4 proceedings brought for the same period), with Palermo, as the regional capital city, being more affected by human trafficking according to the prosecutor's office (77 proceedings) (see Curtol et al, 2004, p. 115).

There were also practical reasons for selecting these cities as fieldwork sites. I had, through my work for the Italian League Fighting against AIDS (LILA) in the field of HIV prevention among prostitutes in Catania, acquired extensive knowledge about the local context, in particular the anti-trafficking network operating in Catania and to a lesser extent in Rome. Furthermore, LILA in Rome in particular offered me assistance in finding the relevant key actors working in anti-trafficking and protection programmes using Article 18 funds, as they themselves were involved in such programmes. As I mentioned in the introduction, within Sicily I ended up by using Palermo as another place for collecting data concerning especially VoTs, and so this city is included within the Sicilian regional area where field research was carried out (see Table 1 at the end of this section).

Lecce was chosen on the basis of my reading of a study on the application of Article 18 in selected cities published by the Italian NGO 'On the Road' as part of a research programme funded by the Equal Opportunity Department and the European Commission.³ Lecce was also recommended as a research site by a member of a voluntary group I interviewed in Catania, who referred to Lecce as one of the few examples where Article 18 is applied through an entirely social approach, meaning that a VoT can get a residence permit without being required to denounce her 'traffickers'. This was possible thanks to the work of a Church organisation operating there and its commitment to fight trafficking. The peculiarity of Lecce consists also in the fact that it is a transit point for many undocumented migrant people who want to move to other parts of Italy and Europe, situated as it is along a coastline which receives many boats during the year leaving thousands of undocumented migrants, many of

³ On the Road, *Articolo 18: tutela delle vittime del traffico di esseri umani e lotta alla criminalità (l'Italia e gli scenari europei)*. Rapporto di ricerca, (Martinsicuro, TE: On The Road Edizioni, 2002).

whom lost their lives on those shores in the peak years from the mid-1990s to 1999. This situation has prompted a great deal of voluntary work, in particular from Church organisations. The premises of the Regina Pacis Foundation, a Church agency directly linked to the local Diocese, functions as a detention centre for those who need assistance, and also for those awaiting to be repatriated. As part of the Temporary Detention and Assistance Centres (CPTA) instituted through the law on immigration passed in 1998 (Law Decree 25/7/1998 n. 286), it is funded by the Home Department, but it has been run by the Regina Pacis Foundation. The interesting aspect of the Centre is that there is a section of the building (in itself resembling a prison) separated by barbed wire, which is totally reserved for migrant women VoTs, and therefore functions as a refuge house, but with the difference that, as part of a detention centre, it is normally surrounded by armed police guards. Just recently the detention centre has been closed leaving only the section for women VoT operational.

2.1.1 Fieldwork in Catania

In Catania fieldwork began in October 2004 and was finished in January 2005. The way I proceeded was to start to contact the groups which were part of the anti-trafficking network in Catania. Some of these groups, like the Italian Catholic group ‘Comunità Giovanni XXIII’ and the non religious group ‘Associazione Penelope’, were also part of the network with which I had collaborated as a member of LILA in Catania. Whenever any of the women who came in contact with the LILA mobile unit expressed the wish to be helped to find another job or to get documents, the outreach workers would put them in contact with those groups which worked in those specific projects. I once took part with a member of the Associazione Penelope in a preliminary counselling with a Nigerian woman who had asked to obtain documents. We met her in the LILA mobile unit and the woman from the association explained to her about Article 18 of the immigration law and other legal instruments which could be used to get her residence rights. This was actually an opportunity for me to see how a

local NGO operates and the kinds of approach they used. In particular I noticed how on that occasion the member of the NGO made it clear from the start that what the police and the NGO expected from the woman was a very partial story, with names of people who helped her with travel and a visa, and of the people who controlled her. The woman in the end was not happy with this, as she said that she did not have anybody to denounce. She said that the 'madam' who had helped her to travel was in fact very nice to her during the week she moved into this madam's house in Nigeria while her passport, visa and travel ticket were being obtained. In the end, the woman decided not to pursue the Article 18 route, and the last time I heard from her she had actually stopped working as a prostitute (having managed to pay all the money owed to the 'traffickers'); and she was going to Italian language lessons in a voluntary organisation. On another occasion I was, as part of LILA, involved with members of the Comunità Giovanni XXIII trying to help another Nigerian young woman who wanted to stop working as a prostitute. On this occasion the woman had an Italian boyfriend who helped her financially to pay her debt to 'traffickers', and he actually was the one who came first to the LILA drop-in centre and asked for help to get the woman off the streets. The Comunità Giovanni XXIII took up the case and, through a social protection programme, found her refuge in a private family in Rome. After a few months LILA found out that the woman had absconded because she could not stand the rigid rules and discipline in the family. The above two cases on which I had sat as an observer were the starting point from which I moved to get access to key actors. It gave me a preliminary knowledge of the kind of problems around social programmes under Article 18, of the tension between the victims' side of the story and the requirements of the law, and how these problems influenced the NGO's approach and practice. From then I began to conduct my own interviews.

Between October 2004 and February 2005 I managed to contact and secure interviews with one member of the Comunità Giovanni XXIII, one member of the Penelope group, two members of the Catania police Immigration Office, one judge presiding over

trafficking and smuggling cases in the Catania Court, one lawyer who represented trafficked women, and one psychologist who worked in the transcultural psychiatry service of the local health authority, providing psychological support and therapy to trafficked women. In the end, I completed seven interviews in Catania. All of them were tape recorded, and none of the interviewees had problems with me using the tape recorder, including the police officers. In summer 2005, however, I went to Palermo to visit a refuge house hosting migrant ex-prostitutes within a project of social protection called 'Magdalen' and run by a religious community centre ('Comunità terapeutica') called 'Casa dei Giovani'. This gave me the opportunity to interview a female psychologist and VoTs (see below). The sample of key actors working in social protection programmes in Sicily thus increased to 8 (see Table 1 at the end of this section).

(1) The member of the Comunità Giovanni XXIII was a man whose house functioned as a refuge for VoT. He obtained the lease of a large house from the Catania Council, and when I went there, while waiting to interview the man, I noticed young women arguing about whose turn it was to fetch the water from the fountain outside, and after a while one of them came back with a case of bottles filled with water. When the man arrived, he was very happy to speak at length about the work of their Chair representative, Don Oreste Benzi, an outspoken and popular priest in the Italian media for his work to 'save sexual slaves'.

(2) The woman of the Penelope group was also very collaborative. I had arranged the interview on a previous occasion when the group held a conference on their voluntary work with VoT and minors. The woman preferred to be interviewed in my house, as this fitted best with her arrangements on that date. The interview proceeded in a friendly and informal way, and she tried to give me a clearly non-moral/non-religious image of the work they do with migrant prostitutes, knowing I did a similar work with a harm-reduction approach within LILA.

(3) In December 2004 I went to the police immigration office in Catania, gave my credentials and asked to see the chief officer for an interview. The chief immigration officer in Catania was a woman who, after a moment of scepticism about her usefulness for my research purpose, became very collaborative and actually answered every question I asked. All in all I did not have much difficulty in getting access to key actors, even senior police, with whom I thought I would have most difficulty, given that I had experienced problems in the past with getting access to members of the local police. In particular, rapport with the female police officer was good, and this I believe was due to the fact that the woman had been involved for many years in the police immigration field and therefore had accumulated substantial experience and knowledge of the topics surrounding immigration. She had a degree in law and this gave her a technical interest in the matter, which she was keen to display in the conversation. In general she was very pleased to talk about something she knew a lot about and with someone who also had intellectual interest in the subject. This gave me confidence in asking questions and exploring specific issues in detail. Another aspect that featured in the conversation was the fact that she was a woman and that within the police immigration office there were many women and female social workers who were of great value to the work in the trafficking area. She emphasised the qualities that were necessary for this type of work, in particular the sensitivity of the matter, implying the kind of approach that only a woman could guarantee. She was keen to explain that the police had gained a lot in quality terms since more women had been employed in it, and that every time a VoT was interviewed she made sure that only female police officers and social workers would be present.

(4) With the male police officer rapport was more difficult. He was a man who had been transferred to the immigration office only recently (in October 2004) and therefore had less knowledge and experience, which made him, I felt, more unsure and defensive towards me. At our first appointment in his office, we could not complete the interview as he was busy with some other work, so we had to continue another day in the same week. Then, he began to

talk at length about his career in the police, the area he was in before being moved to the immigration office, and the function and methods of the immigration office, which he presented as an administrative, and therefore bureaucratic, rather than a policing/repressive institution. When we moved on to the trafficking questions, he tended to be technical and repetitive, sometimes using media-like language. On one occasion, as I was pressing the issue of who were the trafficked people, he made it clear that he suspected I was sceptical about calling some people ‘victims of trafficking’. Yet, I managed to carry on with the interview explaining that all I was trying to do was to get an understanding of the legal and practical meaning and usefulness of the term ‘trafficking’.

(5) As to the lawyer and the judge, here I used the state police headquarters (*questura*) as a source of access and information. The time spent at the entrance of the immigration office waiting for an appointment with the chief officer, meant that I saw the day-to-day queuing-up of migrant people and their lawyers trying to get documents regularised. I took the opportunity to ask a young lawyer there if he would agree to be interviewed, and explained the reasons for my research. He confirmed that he had been involved in trafficking cases with Nigerian women and agreed to fix an appointment at his office for the following day to be interviewed. Again, there was no opposition to me using the tape-recorder and he was very helpful and collaborative, offering also to help me have interviews with some of the Nigerian women/ex-victims who had used Article 18 and with whom he was still in touch. He also gave me the name of the judge involved in trafficking cases in Catania and suggested that the best way to contact him was to go straight to the Catania Court of Justice. I was lucky enough to find the judge in his office and obtain an appointment to see him the following week. He agreed to have the interview tape-recorded and answered all my questions. At the end of the interview he told me that he would have liked to have a copy of the published, or finished, study and so we agreed to exchange e-mails to stay in touch.

From the first interviews conducted in Catania, I got the impression that NGO workers had a crucial power, as they were usually those who decided whether a case could be taken up or not. They were the first, and therefore most important, step before a protection programme could be started. The future success of the entire process depended on how the NGO managed to tailor a workable story for the woman, and on the reputation the NGO gained over time with the police. I had clear comments from the police officers as to the type of NGO/groups they reputed best experienced, efficient and suitable in doing work with trafficked people. These comments had particular regard to the NGO's ability to distinguish between 'real' and 'fake' cases. In Catania the police had a clear preference for the religious group, the Comunità Giovanni XXIII, which was viewed by the female police officer as a 'serious' organisation, whereas the Penelope group was considered by the same officer as having 'not enough experience on this area'. The reason why this is so might have to do with the fact that the Comunità Giovanni XXIII is an organisation known nation-wide, whose president, the above mentioned Don Oreste Benzi, has become very popular over the last ten years, hosted in every TV talk show focusing on 'slave prostitution', whereas the Penelope group is more locally based, and only recently, they started to work in protection programmes (when funds were made available from the Equal Opportunities Department through Article 18).

The police have a bureaucratic, but decisive, role in issuing the residence permit, which they may refuse if they deem the case is not related to trafficking. For example, the female police officer told me that once a Colombian woman went to the police denouncing her partner, saying he forced her to prostitute but the police did not treat the case as one related to 'trafficking', but as a 'row' among partners. The police's decision to treat a case as 'trafficking' or not is subordinate anyway to the formal authorisation of the prosecutor, who gives his final opinion as to the conditions necessary for the granting of a stay permit.

2.1.2 Fieldwork in Lecce

Interviews in Lecce were conducted in April 2005. During February and March 2005 I obtained the reference telephone numbers and names of the main people involved in protection programmes in Lecce (Puglia region in Southern Italy). The Penelope group in Catania gave me the switchboard number and I also found other references for the police and for all other groups involved there in *On The Road* (2002a). In this research Lecce figures as one of the case studies for the application of Article 18, together with other Italian cities. The study highlighted the peculiarity of Lecce as a transit territory, that is as a point of arrival for many boat-people and also as a transit point for many migrant women who intended to move to other cities or countries in Europe. Another important element in Lecce was the fact that the local Diocese had for many years operated within the Regina Pacis detention centre. The Centre has now been closed, and only the separated section used as a refuge for trafficked prostitutes is still operational. As it turned out from interviews, Lecce is an area which saw from the beginning a very high number of residence permits granted for protection programmes under Article 18. The whole region is among the Italian regions (20 regions totally) with the highest number of residence permits granted to foreign prostitutes through Article 18 (according to the prosecutor's office 15 % of the total number (1,895, see Table 7) of residence permits issued in Italy under Article 18 from March-April 2000 to March-April 2002), and this is in spite of the relatively small territorial area involved and the low rate of street prostitution in the area (see *On The Road*, 2002a; see also Curtol et al, 2004). Situated in a village along the Salento coastline called San Foca di Melendugno, The Regina Pacis Centre detention centre has had a prominent role in police investigations over trafficking of people and has worked in close cooperation with the questura and the judicial authorities in the Lecce province.

From 2002 the Regina Pacis Centre has been the focus of a controversy concerning in general the nature of detention centres in Italy. These have been regarded as internment camps, lacking basic hygienic conditions and characterised by frequent violations of basic

human rights. The Regina Pacis Centre was particularly targeted by both human rights activists and public authorities since its coordinator, a priest called Don Cesare Lodeserto, was alleged to be guilty of various abuses in his rehabilitation methods with foreign women and of taking part, with the police, in physical violence against migrants who were trying to escape. As mentioned in the first section of this chapter, Lecce was reported as an area where Article 18 was often applied according to an entirely social approach which did not require a full report on the part of the victim. However, as will be seen from the interviews, in practice this is not the case. In all three sites of fieldwork, the immigration office of the questura always expects, by rule, that the victim reports the names of her exploiters, so that the immigration office has some circumstantial evidence to work on. As we will see, in Lecce, the very fact that the detention centre is the starting point from which the whole system enacted by Article 18 takes place, means that often the first people with whom foreign women come into contact are the police and the social workers in the Centre, who try to convince them to denounce their exploiters.

Access to interviewees in Lecce was built from Catania through telephone calls to relevant offices, such as the questura, the Regina Pacis Centre and the Provincia local government. It was the time when the Regina Pacis Centre was at the centre of media reports and its coordinator, Lodeserto, was arrested. This was enough to make me initially doubt whether Lecce was a viable research site, since the Regina Pacis Centre was the most prominent actor working in protection programmes with Article 18, and it appeared obvious from my first phone call there that it would be no easy task to find people there ready and willing to be interviewed. Nevertheless I continued with phone calls to other relevant actors, such as the judge and the lawyer, chosen on the basis of my reading of the Lecce case study in *On The Road*, 2002a. The choice of the lawyer was prompted by the fact that he was the legal representative of the Regina Pacis Foundation and was taking part in the legal proceedings in

defence of Don Cesare Lodeserto. To my surprise, both the lawyer and the judge agreed to be interviewed in Lecce.

Access to the questura was obtained through a formal request consisting of a letter explaining the objective of my interviews (see Appendix 1) integrated with another letter from the University of Nottingham. I never received a formal reply from the chief immigration officer, so access was won in Lecce through the cooperation of a few officers working in the area of residence permits and in the Investigations Unit (*Squadra Mobile*) of the police dealing with anti-trafficking operations. The two policemen I interviewed were both quite willing to discuss their work and their personal involvement in it. As for the non-religious project, in Lecce there was no NGO or locally based grass-roots group working with Article 18. The 'Progetto Libera' was run by a group of women within the Provincia local government, and therefore was an entirely publicly funded project based on a 'women's rights' philosophy. I got the telephone number of the Progetto Libera from the Penelope group in Catania. The woman psychologist I talked with on the phone gave me her consent to be interviewed and, once in her office, I also met another lawyer who was involved in the legal proceedings against the people who used violence against migrant people in the Regina Pacis Centre.

Finally, with the mediation of the lawyer, I managed to get access to the Regina Pacis Centre and I interviewed a voluntary worker there. This was not the kind of person I had originally intended to interview, as he had a merely administrative role, but in view of the criminal proceedings against the coordinator the whole organisation of the Centre was disrupted and I had a limited time schedule, which did not allow me to get access to other, possibly more relevant actors involved directly in protection programmes, such as the psychologist and the educators. Nonetheless, the interview was interesting in the end, and I was pleased to have had the opportunity to see with my own eyes the prison/refuge house and to be introduced to some of the women detained there and their children. Particularly striking

was the graffiti around the walls surrounding the building, pleading for the return of the ‘good priest’ and showing an image of the latter as someone popular amongst ‘the poorest people’.

In the end I interviewed more people at Lecce than expected: two police officers, one judge, two lawyers, one psychologist, and one volunteer in the Regina Pacis Centre (see Table 1 below). Apart from the psychologist, all the interviewees were male. The events in the Regina Pacis Centre made some of the interviewees, understandingly, more defensive during the interview, in particular the lawyer who represented the Regina Pacis Centre. Also, the psychologist in the Progetto Libera told me clearly that it was not really a good time for all of them. As people working with Article 18, they felt hit by the bad publicity and, as women, they were genuinely outraged by what happened in the Regina Pacis Centre. As one interviewee said:

What happened in Lecce is terrible, because if you are a foreigner, in particular if you are a foreign woman, they can do everything to you: they can decide for you, they will tell you how to live, they can lock you up in protection houses, they can tell you when to eat, how to dress, where to go ... they can make you promise to abandon the child you will give birth to so that they can give him for adoption to their friends, they can beat you up and force you to eat pork meat if you are a Muslim ... This is what happened. It's a terrible, dark shadow that is falling upon us. (Female psychologist1, Lecce).

I could not get access to women in protection programmes due partly to the limited time I had in Lecce, and partly to the practical difficulty in gaining access to this type of population, always controlled by other institutional and non-institutional actors, namely in the case of Lecce the ‘Provincia’ and the Regina Pacis detention centre.

One last note concerns my missed encounter with Don Cesare Lodeserto. His lawyer had on an earlier occasion told me that, if the priest was released during my stay in Lecce, he would have arranged for me to meet him for an interview. In the end this was not possible as he was kept under house arrest; nevertheless, the lawyer informed me about the court hearing on the following day, where the priest would be interrogated regarding the allegations against

him. I thought that would be a good opportunity to gather some information about his work in the Regina Pacis Centre through his statements during the hearing. Unfortunately the judge decided to hear other testimonies on that day and postponed the hearing of Don Cesare for another date.

2.1.3 Fieldwork in Rome

The process of getting access to key actors in Rome began in March at the same time as I was developing access to key actors in Lecce. The phone number of the Rome Council's protection project ('Progetto Roxanne') was given to me by LILA in Rome, which is also part of the anti-trafficking network. LILA told me that the International Organisation for Migrations (IOM) in Rome was also involved in programmes with Article 18, particularly those dealing with repatriation programmes, when the women explicitly ask for that option. Another group I contacted by telephone was the local based 'Parsec Cooperative', a group involved in immigration and migrants' rights issues. The people I got in touch with in the two groups were two women psychologists, of whom one (from the IOM) was Albanian. The role of the IOM in protection programmes under Article 18 is limited to repatriation and social integration projects of victims in countries of origin. This role gave them, as it emerged in the interview, a more detached and critical attitude towards the Rome Council and its approach, but on the whole their opinion of the application of Article 18 in Italy and on the groups working around Article 18 was positive. During the break, however, I had a more relaxed conversation with the psychologist in the IOM and took the opportunity to tell her about the other groups' representatives I was going to interview in the Rome local council. She had already exposed some of the problems they had with the Council, for example the fact that sometimes the Council had refused protected accommodations to some women awaiting to be repatriated. She also lamented some of the methods she found in one of the Catholic refuge houses, in particular she told me about one Sister she met, who showed her a room which was

used as a chapel where the ex-prostitutes were left for a few hours a day to speak with Jesus, so that they could then write down on paper what Jesus had told them. This 'exercise' was, according to the Sister, generally carried out by the women (some of whom were not Catholic) without complaint. The psychologist told me that the employees of the Rome Council obviously picked the 'good' Sister with whom I could have an interview. Rapport with the two women psychologists from the IOM and from the Parsec group respectively was particularly easy, there were no intermediaries as in the case of the interviews in the Rome Council office (see below). That the two women did not assume an institutional/formal attitude, was probably positively affected by my own involvement in LILA in Catania.

In order to get access to Catholic groups I had to go through the Rome Council, as all Catholic groups working with Article 18 in Rome, particularly those offering protected shelters for victims of trafficking, were in formal partnership with the Rome Council and this meant that any contact with them was to be mediated by the latter. I used the same method as with the questura in order to obtain a formal authorisation: that is, I used the same letters, one from me and one from the University of Nottingham. The project leader in the Council did not like the fact that I was seeking interviews only with members of religious groups. Instead he wanted me to also interview a member of a non-religious group, with the clear intent of demonstrating the secular image of the Council's policy. This non-religious group, the local based 'Magnana 80', like the Catholic group, also provided protected shelters for VoTs. I decided to ask the employees of the Council to arrange an interview with one of the lawyers dealing with trafficking cases within the Roxanne project, as this channel appeared to be the easiest way to get access to the key actors. So the employees arranged on a single day interviews with the following people:

- a Sister responsible for a Catholic refuge house and her assistant female psychologist,
- an operational representative of the non religious group Magnana 80,
- two lawyers working for the city council's project.

All these interviews were conducted in the council's office and each of them was attended and controlled by a female employee of the Council, who often intervened to a large extent in the interview, answering some of the questions that I put to interviewees. Although I was not happy with this intrusion and I had the feeling that the interviews (already difficult enough since in two of them two people were being interviewed at once) were being filtered through the Council's employee. However, I could not ask to be left alone with my interviewees, since I was at the Council's office and the employees in the Council had arranged everything for me. In spite of all this, the interviews turned out to be generally interesting. The two lawyers were more influenced by the presence of the Council employee, as they had little experience in working in trafficking and protection programmes, and did not have a deep knowledge of the matter. They were sometimes uneasy with some of the questions asked, such as those around the issue of prostitution as one of the causes for the revocation of the residence permit for VoTs. In these instances, whenever there was any hesitation on the part of the lawyers the Council employee came to their rescue. All in all, rapport with the interviewees in the Council was good enough but very formal and institutional, with the employees in charge of the Roxanne project having the last word on the way things had to be done. When I asked them for permission to see one of the refuge houses⁴ they said it was not possible because they had to protect the women from visitors coming from outside, adding that this was why they had arranged for the interviews with the persons responsible for the refuge houses to be held in the Council office.

In Rome I could not get access to the questura, though I had tried by the same method used in Lecce and Catania: i.e. by making a formal written request. The Chief Officer in the Immigration Office in Rome phoned me, however, to tell me that no interview was possible without formally asking the Minister of Home Affairs. This discouraged me from going ahead, particularly as I was informed by LILA in Rome that the military Corps of the

⁴ I actually mentioned vaguely the one suggested by the psychologist in the IOM.

‘carabinieri’ had a section (a group of seven people as I found out subsequently) entirely dedicated to anti-trafficking operations and actively involved in the Roxanne project, informing the girls in the streets about the Article 18 option, and also directing some girls to the relevant social services and groups. In other words, the carabinieri, while not involved with the actual issuing of residence permits under Article 18, itself the prerogative of the state police and the local questura, seemed to have a more active role in dealing with the women who entered protection programmes and in maintaining relationships with them even during the intermediary stage of the protection programme, that is life within the community of the refuge house. The Colonel I spoke to was positive about allowing members of the anti-trafficking unit to be interviewed, so, with this option open I did not want to waste more time struggling with the questura. As a matter of fact, during an interview with the psychologist from the Parsec group, it came out that the present Immigration Office in Rome had changed since the beginning of the Roxanne project in 1999-2000, and this meant that it is generally more difficult today to obtain residence permits and the whole process of issuing them has become longer. This, I believe, partly accounts for the attitude of the questura in refusing to allow interviews in the Immigration Office.

Access to the carabinieri was, as it turned out, not quite so straightforward and easy, but in the end I was received by two officials who worked in the anti-trafficking unit. They preferred to be interviewed together in the same interview, saying that they work together and have the same ideas about the matter. They had an informal/friendly kind of attitude, and disclosed many of their points of view as well as explaining their professional activities. It was particularly striking to hear how the carabinieri went about building relationships with the women when they went out on the streets, aware as they were that trust was an essential element if they were to succeed in their objective to take women out of the prostitution milieu and introduce them into protection programmes. They went a good deal further to tell me about the difficulty some of the women had in keeping up with the discipline and rules in the

refuge houses, explaining that some of these refuges have extremely rigid rules which are difficult to follow for very young women who 'are used to doing what they want' (e.g. the refuge houses refused to let the young women in their care go out to discos, whereas their 'slavers' would have allowed them to do so). So, curiously enough, sometimes the carabinieri tried to mediate between the women and the refuge houses. The rigidity of discipline in the protected houses apparently was not linked to their religious or non religious nature; as the carabinieri officials told me, sometimes the non religious houses have more rigid rules than Catholic houses.

By the end of May 2005 I had completed a total of 19 interviews with 24 key actors working in protection programmes in all three research sites. All interviews with key actors lasted from 1 hour to 1½ hours and they were tape-recorded with the consent of interviewees. During the process of data analysis I divided this sample into 'institutional actors' (police, judges and prosecutors), 'social actors' (members of NGOs and religious and non-religious groups, psychologists), and 'lawyers', as in Table 1. As to the types of organisations contacted, Table 2 gives the names and types of groups/institutions, the people interviewed, the city where they were interviewed and the name of the projects within which they operated.

Table 1. Key actors interviewed and research sites.

	Catania & Palermo (Sicily)	Lecce (Puglia)	Rome (Lazio)	Total	Total by actor typology and sex
Police/carabinieri	2 (1 male 1 female)	2 male	2 male	6	Institutional actors 9 (8 male 1 female)
Judges	1 male	1 male	1 male	3	
Members of non-religious groups	1 female	*	1 female	2	Social actors 11 (8 female 3 male)
Members of religious groups	1 male	1 male	1 female	3	
Psychologists	2 (1 male 1 female)	1 female	3** female	6	
Lawyers	1 male	2 male	2 male	5	Lawyers 5 male
Total	8	7	10	25	Total male 16
					Total female 9

* In Lecce the only non religious programme, Progetto Libera, was run by the provincial local government. It was managed by a group of women and the representative I interviewed falls within the psychologist category.

** In Rome one psychologist worked within the religious group and was interviewed together with the nun who represented the group and the employee of the Rome council. Of the other two psychologists who were interviewed one was a representative of the non religious Parsec group and one worked in the IOM in Rome.

Table 2. Name and type of organisation/institution, people interviewed, city, and name of projects

Organisation/ Institution	Type/profile	Interviewees code	City	Name of project
1. Comunità Giovanni XXIII	Religious community operates nationwide for disadvantaged groups	Male volunteer1	Catania	Own project. 'Progetto prostituz ione'
2. Associazione Penelope	Lay association operates in the voluntary social field local	Female project coordinator1	Catania	Own project: 'Progetto Nuvole'
3. Associazione Parsec	Lay association research oriented operates locally in the social field	Female psychologist 1	Rome	City council project: 'Progetto Roxanne ,
4. Cooperativa Magliana 80	Lay cooperative operates locally in the social field	Female flight house coordinator1	Rome	City council: 'Progetto Roxanne ,
5. Casa di preservazione della donna	Religious institute flight house	Nun1, female psychologist 2	Rome	City council: 'Progetto Roxanne ,
6. International Organisation for Migration (IOM)	International NGO research and action on migration &migrant rights	Female psychologist 3	Rome	City council: 'Progetto Roxanne ,
7. Fondazione Regina Pacis	Religious foundation, runs a detention centre & flight house	Male volunteer1	Lecce	Own project: 'Progetto prevenzi one tratta'
8. Provincia di Lecce	local government	Female psychologist 1	Lecce	Own project: 'Progetto Libera'
9. Casa dei giovani	Religious community Operates locally in the social field, provides flight house for VoTs	Female psychologist 1	Palermo	Own project: 'Progetto Maddale na'

As we can see, the interviewees contained in this Table are almost all of the female sex and their narratives and responses will be treated in more detail in chapter 7, which deals with abolitionism and women's rights aspects of victim protection.

2.1.4 The interview schedule

The interview schedule for key actors was designed in such a way as to gain information on both technical and more social aspects of the process of social protection for VoTs. For this purpose, in the beginning I attempted to elaborate two different interview schedules for the different typologies of actors, one, for institutional actors and lawyers, focusing on more technical questions about the law, another, for social actors, focusing on more general questions related to the social process involved in social protection. However, from the first interviews conducted I realised that all actors involved in victim protection were more or less familiar with both technical (i.e. legal) and less technical aspects, as there was an intense cooperation and knowledge communication between them. For example, I found that police officers in cities like Lecce and Rome tended to act sometimes like ‘helpers’ rather than simply as executors of the law. I therefore decided to use a single schedule for all actors which focused on open-ended questions going from a general description of their work as members/representatives of specific organisations/institutions or as specific professionals, followed by questions on the process of identification of VoTs (e.g. the importance of denouncement on the part of VoTs, the kind of exchange involved between the state and VoTs), on aspects of the law against ‘trafficking’ and ‘slavery’ (e.g. what is the meaning of ‘slavery’ and ‘servitude’?), on links between prostitution and ‘trafficking’, links between prostitution and ‘slavery’, and on the effectiveness of Article 18 as an anti-trafficking instrument. I used some prompts for each of the 9 questions (see appendix 1). Before starting with the interview process I showed each interviewee a short explanation of the research aims (see appendix 1).

In addition to the open-ended questions, I asked interviewees to fill out a short questionnaire, asking them which of a pre-set series of definitions of key terms they agreed with. The questionnaire consisted of 8 questions and they focused on definitions of

‘trafficking in human beings’, of ‘trafficked’ people, of people entitled to social protection programmes under Article 18, definitions of ‘modern slavery’, of ‘slave’ persons, of ‘sexual slavery’, of people most likely to be subject to slavery-like practices, and definitions of those who should be prosecuted as ‘traffickers’ (see appendix 2). As a result of using a questionnaire, I was able to gain not just qualitative data from open-ended questions, but also some more structured data from the questionnaire.

I used two slightly different interview schedules for migrant women who were still working in prostitution and for migrant women who entered Article 18 protection programmes. Apart from asking about their nationality, age, civil status, and whether they had children or not, I asked all migrant women to tell me about their migratory and work stories, and whether they chose prostitution as an option. Then I asked VoTs why they decided to stop working as prostitutes and enter Article 18 programmes, how they view these programmes, what kind of work they found after protection programmes, whether they viewed Article 18 as an instrument that moved them from slavery to freedom. Sex workers, on the other hand, were asked if they thought to stop sex work, if they would use Article 18, and if they thought they might be entitled to Article 18 programmes (see appendix 3).

In the next section I will give an account of the interview process with migrant women VoTs and sex workers.

2.2 Interviews with sex workers and women in protection programmes

Interviews with migrant women, both sex workers and VoT under protection programmes, were carried out in Catania and Palermo. Although I had tried to get access to women in social protection programmes while doing fieldwork in the other cities, I was unable to do so. The various NGOs and local authorities in charge of the programmes acted as gatekeepers to the women and refused to allow access. In Rome, flight houses where ‘victims’ are lodged are run by local groups and NGOs but under the supervision and scrutiny of the

Rome Council which funds them, and, as I already mentioned, the Council employees did not agree to me interviewing women, explaining that this would potentially upset their process of recovery from psychological and physical stress. In Lecce, the problem was more linked to the climate of tension created by the scandal around the way in which the Regina Pacis detention centre was run. This left me with Catania and Palermo as the only places where I could spend more time on negotiating access to such women, given my limited time and resources. In the end, I managed to contact a flight house in a small locality of the Palermo province, where I was able to interview 2 young women in social protection programmes, one Albanian and one Nigerian. Another 2 women were accessed for interview in Catania, one through the Penelope group, one through LILA. It is also important to say that, although interviews with women under social protection programmes were all done in Sicily, two of the interviewees had experienced prostitution in other parts of Italy, and even started protection programmes in other cities in the North. Of the 5 VoTs under protection programmes I had planned to interview, I could get access to only 4 in the end. The people from the flight house in Palermo and the coordinator of the flight houses in the Catania area helped me as they could, but they both said that they did not have many women and that those already in social protection programmes had always difficulties in adjusting to their new situation and they preferred not to upset them. Also, they said that women who had completed programmes and had moved out from the flight house were very busy working and often were no longer in contact with the voluntary group. This I found was in contrast with what professionals working in flight houses and in protection programmes tended to say during interviews, which is that the women always stay in touch with them. The 4 interviews I managed to carry out with women under protection programmes were in-depth, except one with a Nigerian young woman interviewed in the flight house in Palermo.

I also wanted to interview migrant sex workers who were not in protection programmes, and I initially thought that, as a voluntary worker involved in the prevention of

sexually transmitted diseases (STD) among migrant sex workers, I would easily get the sex workers I already knew to agree to be interviewed on issues concerning their migration and prostitution stories. However, even the sex workers I knew were reluctant to speak in detail about their migration story. In particular Nigerian women, who are the main migrant group in sex work in the Catania area where LILA operates, were extremely suspicious and sometimes even aggressive about being asked certain questions even though they had consented to the interview in general. The most frequent answer to stop me from going any further was 'I came alone, nobody brought me here', which in itself says a great deal about these women's perception of Italian stereotypes about them. The interviews I could carry out were often done in their work place, that is in the streets while they were having a break, and this, for obvious reasons, made it difficult to get all the information I wanted to get from them, and made the process of interviewing itself technically difficult (disturbed tape recording). In the end I interviewed 5 sex workers, of whom only 2 gave me in-depth information about their migration and prostitution history. Of the 5 interviews, 2 were with adult South American sex workers and were carried out in closed spaces such as the sex worker's flat or my car. The other interviewees comprised 2 Nigerian women and 1 woman from Cameroon, and they were all carried out on the street, with the above-said consequences. Interviews with migrant women lasted from half an hour to two hours. Out of 9 interviews 5 were tape-recorded with the consent of the interviewees, 4 were not tape-recorded either because of the interviewee's refusal or because the interview would have been too disturbed as it was taking place in the open space. In those cases where I could not use the tape-recorder, which concerned 2 sex workers and 2 VoTs, interview data were recorded through written notes.

Tables 3 and 4 show the characteristics respectively of migrant women still in prostitution (sex workers/SW) and of migrant women who had access to protection programmes under Article 18 (VoT).

Table 3. Characteristics of sex workers (SW)

	A ge	National ity	Education	Migrant status	Sex work experien ce in country of origin	Type of prostitution in Italy when interviewed	Conside r Article 18 as an option	Marria ge and child conditi on	Type of migration experienced
1	38	Colombi an	Above GCE	irregular	Yes	In flat Independent	No	Single no child	Individual help
2	39	Colombi an	Above GCE	irregular	No	Street Independent	No	Separate d With children	Individual help
3	22	Albanian	Above GCE	regular	No	Street Independent	No	Single no child	Individual help
4	25	Nigerian	Below GCE	irregular	No	Street Post-debt independent	No	Single no child	Networked help
5	25	Cameroo n	Below GCE	irregular	No	Street Independent*	No	Single No child	Not clear

* SW 5 is not very clear about her condition. She mentions that she got indebted with a bank

Table 4. Characteristics of women who accessed protection programmes (VoT)

	A ge	National ity	Educa tion	Experience of Article 18	Type of group	Work situation when interviewe d	Self- perception when interviewe d	Marriage and child situation	Type of migration experience d
1	29	Nigerian	GCE	Still in protection at time of interview	Non religious	Work in Hotel	Better thanks to Art. 18	Single no child	Networked help
2	20	Albanian	Below GCE	Still in protection at time of interview	Non religious	Training in p. programme	Better thanks to Art. 18	Single No child	'Boyfriend' help
3	28	Nigerian	GCE	Interrupted protection p.	religious	Work in Hotel	Better but not thanks to Art. 18	Co-habiting No child	Networked help
4	25	Nigerian	GCE	Completed protection p. successfully	Non religious	Work in a pub	Better thanks to Art. 18	Single No child	Networked help

I would now like to give a more detailed account on how I went about making sense of my data.

2.3 Analysing fieldwork data

In explaining the process through which I interpreted and gave meaning to data collected in the course of my fieldwork, it is worth reiterating the nature and types of these data. While the bulk of my fieldwork consisted of in-depth interviews, it is important here to stress that, as well as relying on my interview material, I could draw on all the background information I had gathered during my previous work for LILA, particularly as far as qualitative data on migrant prostitution is concerned. This background data consists of a variety of materials such as participant observation in red-light district area, focus group in the ‘drop-in centre’ located in that area, and written reports and diaries of outreach work. The

reason why I want to highlight these other data is that it certainly came into my fieldwork notes, adding meaning to some of the narratives gained from key actors and migrant women alike.

Having said that, in dealing with my qualitative data, the first step was to make sense of the mass of words collected. Since my fieldwork data consisted of narratives, be them in the form of interviews or as pre-set answers to a questionnaire, I had to proceed to what is usually referred to as 'content analysis' (Weber, 1990). I followed two different approaches to analysing interview data and questionnaire data. In the first case I began by putting all interview transcripts in one Word file, ordering interviews by type of key actor (e.g. police, psychologists). Once I created one file containing all interview data, I began to generate specific themes which were relevant to my research project, such as 'prostitution, gender, sexuality', 'immigration, trafficking', 'slavery, prostitution', 'violence'. This phase involved reading and rereading the text many times, in an 'iterative' process (Dey, 1993) which allowed me to find new meaning in the different narratives. I looked for specific words and concepts in the electronic text which were related to each of the my pre-set categories, and I did this by using the 'search' function and by moving chunks of text from one file into another through 'cut-and-paste'. Some categories which emerged during the text analysis often would come together with other categories, for example I found that the concept of violence was linked by most key actors to the sub-category of 'migrant prostitution', rather than to 'prostitution' in general. Meaning was also added to the text by contextualising the narrative (e.g. religious, non religious groups, women interviewees, city council office, etc.), so that, especially in the first phase of my analytical process I tried to apply what Geertz (1973) and Denzin (1978) have called a 'thick' description of the text at hand.

As for the analysis of the questionnaire, I proceeded by putting all definitions in the questionnaire into an Excel file. I used different Excel spreadsheets for each of the 8 questions and, by filling the top cells with all definitions linked to each question and the cells of the left

column with interviewee types (police, lawyer, etc.), I gained a general picture of how many times was each definition ticked by each type of interviewee. Subsequently, I simplified the picture by clustering together types of interviewees into single categories ('social', 'institutional', as in Table 1). Of course, there are limitations in applying this approach. For one hand, I was not working with an equal number of interviewees for each category. For example, under the 'institutional actors' category there were less interviewees than, say, in the 'social actors' category. Moreover, each category was biased by the different gender of interviewees composing it (e.g. more female interviewees within the 'social actors' category as opposed to the predominantly male composition of the 'institutional actors' category). Another limitation linked to the choice of a questionnaire with pre-set definitions of key concepts is that I could not foresee the importance of some categories which emerged later on in the research process. For example, the category of 'violence' came out as an important element in key actors' narratives about 'slavery' and 'migrant prostitution', and, although it was quite an obvious category to relate to the concept of slavery, I had not asked a specific question on violence in the questionnaire when I first elaborated it. Another limitation in working with such a model is that some of the questions asked did not turn out to be relevant to my research questions as they were being formulated during the research process. For example, question 3 on the characteristics of people who should access Article 18 programmes, or question 8 on who should be prosecuted as traffickers, did not turn out to be important in my final analysis.

Having discussed the technical aspects of data analysis, I will now proceed to make a more reflexive discussion on the method used, focusing in particular on the sample choice, the ethical issues linked to qualitative research methods, and a note on translation.

2.4 Reflections on methodology

Since terms such as ‘trafficking’, ‘slavery’, ‘debt-bondage’, are deployed by social and legal experts who in this way construct social identities, the analysis of the discursive procedures involved in this construction, and of the alternative interpretations, or re-interpretations, given by those who are the object of this discourse, has inevitably had to take into account the insights offered by ‘reflexive’ ethno-methodology. The chief of such insights is that the knowledge produced by any discourse, including the sociological one, is subject to continuous re-interpretation by all social actors involved, who therefore contribute to co-create that knowledge:

In interpreting the behaviour of the members of the community he/she is researching (as well as the explanations they provide), [the ethnographer] must necessarily employ abstract concepts – for example notions such as ‘cultural models’, ‘value systems’, ‘rules’, etc. But every action of the members of the community specifies and elaborates further the meaning of these concepts, and this in turn allows a better understanding, even retrospectively, of the observed behaviour. (Giglioli and Dal Lago, 1983, p. 18, my translation, my square brackets)

Much of the data provided in this thesis was created through encounters with other people who agreed to give accounts of social experiences and/or individual life-stories. It is therefore important that I make some reflections on the methodology I used in the course of field research.

2.4.1 The sample

As I mentioned in the beginning of this chapter, neither the sample of key actors, nor the sample of migrant sex workers and VoTs are representative of the respective social contexts they occupy, as they are too small and opportunistically chosen. However, given the sensitivity of the research topic and that, so far as migrant sex workers and VoTs are concerned, they are a hidden population, it would be impossible for any researcher to secure a truly random and representative sample. As Stephanie Wahab and Lacey Sloan (2004) observe

on this issue, “one of the challenges associated with researching sex workers is that it is nearly impossible to obtain a random sample. The illegality and stigma, among other forces, of sex work, has forced researchers to rely on non-random sampling methods such as convenience and snowball sampling” (p. 3). Within the constraints operating on me, I can nevertheless say that, as far as the sample of key actors is concerned, it was adequate for the purpose of the research. It provided a mix both regionally and between religious and non religious groups; it included men as well as women; and it covered the full spectrum of actors involved in identifying and assisting VoTs in Italy.

As far as the sample of VoTs and sex workers are concerned, there are more serious limitations. Problems of access to VoTs mean that I cannot be sure that those I accessed were not ‘special’ in some sense, for example they perhaps had a different experience to those women in social protection programmes run by groups more keen to ‘protect’ them from researchers. Likewise, the sex workers who were willing to be interviewed may have had particular histories different from those who were not willing to be interviewed. Moreover, the sample of sex workers consisted of women involved in street prostitution, and this means that it is not representative of sex work occurring in all other settings (‘indoor’ prostitution, escort, massage, dance clubs, etc). While, again, the reason for choosing such sample was linked to the fact that it is relatively easier to access street sex workers than those working in ‘closed’ contexts, there are ethical issues associated with this choice, since street sex work is the most stigmatised type of prostitution and street sex workers are often those who get stereotyped as “very poor, sexually abused, unresourceful, and dishonest ‘with a heart of gold’” (Wahab and Sloan, 2004, p. 3). As pointed out by Wahab and Sloan (2004), there is a risk that researchers, by focusing excessively on street sex workers, contribute to perpetuate stereotypes, while, on the other hand, it makes other forms of sex work invisible. Taking account of all this, I feel nevertheless reassured by the fact that the aims and design of my study was such that, to have focused on street sex workers has allowed me, to some extent, to

unveil the complexity and heterogeneity of street sex work and that street sex workers are not all 'victims', 'unresourceful', and 'poor', as we shall see in the course of this thesis.

Overall, I can say that the sample, consisting of a selection - albeit a small selection - of migrant women either working in the sex industry or who have been identified as VoTs, provides valuable narratives about their migratory experience and their involvement in prostitution against the discourse of 'new slavery' that dominates public debate and inform policy making in Italy.

2.4.2 Research ethics

The British Sociological Association (BSA) guideline on research ethics states that:

As far as possible participation in sociological research should be based on the freely given informed consent of those studied. This implies a responsibility on the sociologist to explain in appropriate detail, and in terms meaningful to participants, what the research is about, who is undertaking and financing it, why it is being undertaken, and how it is to be disseminated and used.⁵

As I have already mentioned previously, interviews were all conducted with the consent of those people who were the object of research. I also explained to each interviewee the aims and content of the interview and the fact that the research was funded by the University of Nottingham and would be for academic use. I also showed all interviewees a letter from the University certifying my identity as a PhD student and my research topic and interests. With all interviewees I was careful to abide to the BSA ethical guidelines on anonymity and confidentiality. However, I did not guarantee anonymity to NGOs and other institutions which were the object of my study. The study did not aim to discredit specific organisations, but, rather, to assess specific policy choices and the discourses underpinning these choices. Where negative observations about certain organisations appear in the thesis, I either merely report what was already in the media, or, since the kind of policy I was

⁵ British Sociological Association – Statement of Ethical Practice, 2002, p. 3.
http://www.britisoc.co.uk/user_doc/Statement%20of%20Ethical%20Practice.pdf

investigating about was supposed to benefit VoTs and not NGOs, I report what within this policy affects negatively VoTs, even though to do this may also affect the reputation of some groups.

There are, however, some serious ethical concerns which are related to the power relation between researchers and researched and which I would like to discuss in more detail. In the course of field research I was in a different power position towards the various key actors working in social protection for VoTs and with the women sex workers and VoTs themselves. Thus, during the research process I faced the dilemma usually faced both by researchers who study the relatively powerless, in my case women who are stigmatised as ‘victims’ and ‘prostitutes’, and researchers who study the powerful, in my case police officers, prosecutors, judges, and, to some extent, ‘expert’ professionals such as psychologists. During my encounters with these different actors I entered into social interactions that were shaped by the different gender, age, professional role, and, as far as migrant sex workers and VoTs are concerned, different ethnic background, occupied by interviewer and interviewees.

To be aware, as ‘reflexive’ ethno-methodology suggests, that ‘all social interaction is *situated* interaction’ and that ‘the routinised character of most social activity is something that has to be “worked at” continually by those who sustain it in their day-to-day conduct’ (Giddens, 1984, p. 86) means to admit that in my various interactions with judges, psychologists, lawyers, police and social workers on the one hand, and with migrant women defined as VoTs and as prostitutes on the other, I engaged in what Goffman has called ‘defensive’ and ‘protective’ practices.⁶ With all my interviewees I had to use strategies to ‘defend’ my position as ‘researcher’ in order to justify their co-operation in disclosing information. Problems related with ‘researching up’ and ‘researching down’, which have long been debated in the social sciences, arose during the interview process. With regard to ‘researching up’, Nirmal Puwar (1997) notes that ‘elite studies’ have highlighted the difficulty

⁶ Ervin Goffman, 1956, *The Representation of Self in Everyday Life*, New York: Doubleday & Co.

of researchers to access samples and, once accessed, to gain 'research space' during the interview process, so that researchers have "to spend a lot of energy on trying to maintain some control over the interview as the management of the whole interview can become quite slippery and problematic" (see Puwar, 1997, para. 1.1). The process of accessing and interviewing specific actors such as judges, the police, and prosecutors reflected, to some extent, these problems and, although interviewing these actors was not quite the same as interviewing politicians or Members of Parliament (MPs), I nevertheless had to use some strategies to access them, and in some cases some actors I intended to interview (e.g. the police headquarters in Rome) simply refused the interview. It is also the case that police officers and prosecutors, as well as local council employees and project coordinators, are used to speak about the research topic in ways which rehearse the usual rhetoric about 'slavery' as taken for granted. This means that when I asked certain questions which would 'break' with this rhetoric and which problematised slavery and trafficking, they reacted in a defensive way, sometimes being critical or even suspicious about the research and my asking those questions. On the other hand, with female representatives of NGOs and other women working in projects for social protection of VoTs it was relatively easier to establish more relaxed interviews, as, being myself a female, forty year old researcher, and having also done voluntary work in the field of STDs among sex workers, I could find a more sympathetic attitude towards my work as a researcher. On these occasions, then, I found myself in the position described by Puwar (1997), who, drawing on feminist research and feminists interviewing women, observes that

interview rapport and minimal social distance was more likely to develop when both the researched and the researcher shared the same gender, ethnicity or some other aspect of their identity, as this allowed for identification and empathy between the interviewer and interviewee. (para 9.2)

If this was the case as far as rapport with women representatives of NGOs and social protection projects was concerned, more complicated and complex ethical issues arise in

relation to my relation with migrant women interviewees, with whom I did not share the same ethnic or cultural background and the experience of social stigma associated with being a prostitute, or the experience of being an ‘illegal’ migrant. In fact, while women on the whole are usually considered as the ‘powerless’ in social research, sex workers, and particularly ‘trafficked’ sex workers, are normally considered within the social sciences as *eminently* powerless. Indeed, there is an ongoing debate on the special ethical considerations which researchers should take on board when embarking on field research on sex workers and VoTs. Thus, the World Health Organisation (WHO) has published in 2003 guidelines on the specific ethical problems encountered when interviewing ‘trafficked’ women. Apart from the usual recommendations on ensuring anonymity and confidentiality and getting informed consent, there are other recommendations specific to ‘trafficked’ women as a specially vulnerable group, for whom some extra precautions are needed before any interviews take place. For example, the statement ‘do no harm’ is taken to mean not only that a researcher should consider how the woman’s safety and mental health can be jeopardised by the interview, but also that, while “a woman’s assessment of her safety is paramount [...] there are situations where she herself may not be aware of problems that can result from agreeing to an interview. Ethical standards demand that even if a woman agrees to an interview, the interview should not take place if the interviewer foresees likely negative outcomes” (WHO, 2003, pp. 5-6).

Although there is no doubt that to interview undocumented migrant women, and sex workers in particular, poses particular ethical questions such as the safety of researchers and researched and the excessive/unrealistic expectations of help that might arise, which cannot be satisfied by the researcher, I feel that many of these recommendations at times take for granted the ‘victimhood’ of the women concerned and so reflect many stereotypes about VoTs as unable to understand their situation. The assumption that it is the researcher who has to assess the woman’s situation further constructs the researcher as the one in control. These guidelines also refer to professional organisations and community workers as those who can

best help researchers to access these women and whom the ‘trafficked’ woman should be referred to if she asks for help. This I find particularly problematic, since, while, as I have already mentioned, most organisations acted as gatekeepers to those who were in their care and made access to VoTs impossible, I also found in the course of fieldwork that some organisations who are supposed (according to WHO recommendations) to behave in a non-judgemental way with ‘trafficked’ sex workers, assume a moral attitude towards them, asking questions such as “what would your mother and father say if they knew what you do in Italy?” (see interview extract with volunteer1, religious group, Catania, chapter 5, section 5.2).

In the light of this, I argue that, while it is important to ‘protect’ the situation created by migrant sex workers and VoTs during the interview process, and not to ‘force’ or impose the disclosure of sensitive information, since this might involve going back to painful events, it is also important that I explain fully what it means to be aware of ‘rules’ and ‘tactics’, in Goffman’s sense, when the interviewee is thought to be extremely powerless.

Ethical guidelines often assume that a VoT is not in control, but there are some alternative accounts of ethics which object to this and to researchers’ assumption that sex workers feel obliged to tell the truth. Thus, in a provocative essay on ethics and research on sex workers, Maria Laura Agustin (2004, p.6) shifts the focus of ethical considerations from the researcher to those researched. Observing that the latter “are not usually given any choice about participating and they have also not been required to an ethical standard of behaviour”, she points out that “since no universal ethics exists, research subjects simply may not tell (all) the truth to researchers”. The fact that specific groups of sex workers are considered as VoTs means that, when they are approached by professionals of various types, including researchers, they may decide to tell them ‘what they believe they want to hear’, which in most cases means sad stories over which they had no control (Agustin, 2004, p. 6). I report what a Dominican woman told her in this regard:

“All those social worker types feel sorry for me. They don’t want to hear that I prefer to do this work, so I tell them I have no choice. They want to hear that I was forced to do this, so that’s what I tell them. Anyway, I was, because my family was poor”. (quoted in Agustin, 2004, p. 6)

During the interview process with migrant sex workers and VoTs I had to be aware when interviewees were playing their role as ‘victims’. In other words, during the interaction with sex workers and VoTs I had to be aware of the ‘managing’ and ‘controlling’ of information on the part of all interlocutors, as pointed out by Goffman (2003). In these circumstances, ‘tact’, in Goffman’s sense of the term, demanded that VoTs in flight houses said that they did not know about their future work as prostitutes when they left their country, as this is what the whole socio-legal process of social protection programmes expects from them.

To conclude this section, the fact that I was conducting interviews with migrant sex workers and VoTs meant that I had to be aware, during the process of writing up this thesis, of the responsibility I had not to reproduce the representation of these women as silent victims, as the ethics of representation would suggest, since this would further enforce the social marginalisation they are subject to. This also explains my choice of using terms such as ‘slavery’ and ‘trafficking’, as well as ‘victim’ often in inverted commas. On the other hand, I use the word ‘prostitute’ along the expression ‘sex worker’ because, although it is a socially charged category designating a specific ‘class’ of women, it nevertheless refers to a specific social reality, which is, unfortunately, more marginalised than the often idealised, and de-gendered in my Italian language, ‘sex worker’ figure. And, having just mentioned my language, I would like to close this chapter with one last note on translation.

2.4.3 Translation

The kind of knowledge I produce through encounters with those studied is the result of an engagement in communication and, in my case in particular, in translation, since throughout the thesis, written in a language which is not mine, I translate myself and those I am writing about. I am aware, however, as Derrida and others have suggested, that translating languages is also translating cultures, but since no culture (and no language) is ever fixed or authentic, translating is 'impossible' and at the same time 'necessary' (see Derrida, 2004; also Nergaard, 2006). It is impossible because, as Derrida (2004) argues, our language is always 'the other's language' as opposed to something that we own originally; and it is necessary because it is the 'experience of language' that makes our personal, bodily, existence (even the drama of 'stigma') translatable into words (see Derrida, 2004) and gives way to that level of consciousness that Giddens calls 'discursive consciousness' (Giddens, 1984). If anything, this makes my own narrative an overlapping of different stratifications of meanings and truths, each of them influenced by what Giddens (1984) calls 'contextuality'.

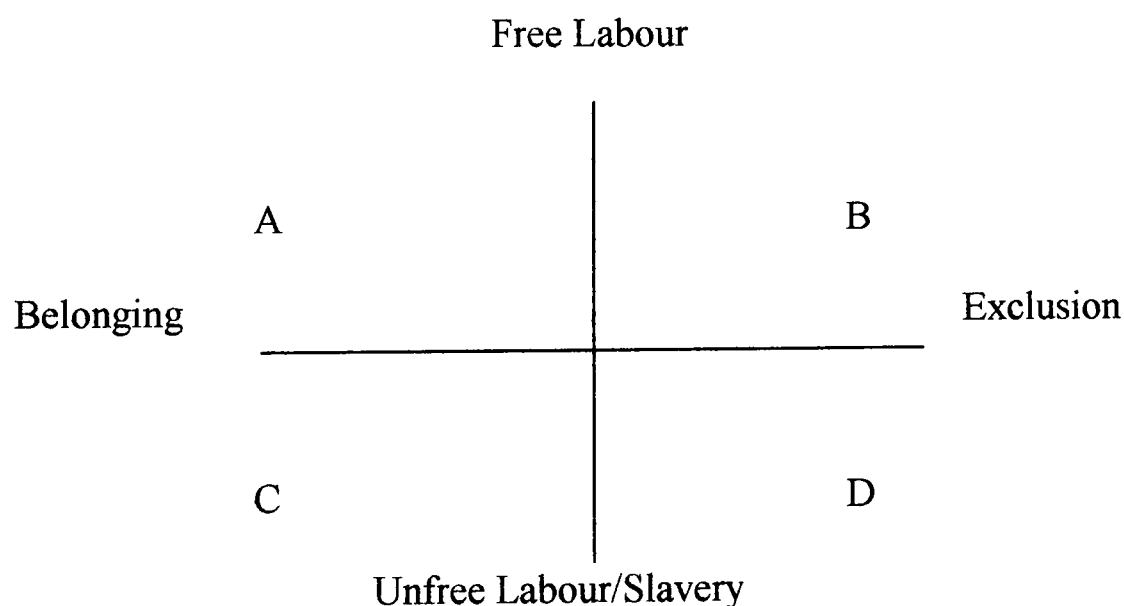
All interview extracts are translations of original interviews conducted in Italian, sometimes (with some Nigerian women) in a mixture of English and Italian. I also indicate at the end of citations when authors were translated from Italian into English.. I have in all this translation work tried to report the original meaning and, if there are some inaccuracies or distortions, they were made in good faith.

Chapter 3

Slavery: the academic debate

In her book *The Politics of Property: Freedom and Belonging*, Laura Brace (2004) explores the links between the concepts of property, slavery, freedom and belonging, outlining the theoretical paradigm which sustains these concepts in liberal traditional thought. Drawing from her analysis, we can graphically illustrate the theoretical paradigm which has traditionally explained slavery through two intersecting systems of bipolar opposition: one concerning free and unfree labour and revolving around concepts of self-ownership and property; the other concerning belonging and exclusion and revolving around concepts of community, identity and citizenship, as in Figure 1 below (see Brace, 2004).

Figure 1. Diagram of continuums slavery/free labour, belonging/exclusion



It is my aim to explore in this chapter the philosophical basis which has produced such a paradigm, in particular the modern liberal theories concerning contract, on which much contemporary understanding of free and unfree labour still depends. I shall also explore links

with the less economic, more social aspect of the debate surrounding slavery, namely the question of people's positioning within the political community. This itself is linked to issues of status and of legal rights, and to the ways in which these issues depend on specific social constructions of certain subjects as inferior on grounds of their gender, racial identity, and sexuality. In terms of the research questions with which this thesis is concerned, namely to assess the meaning of 'slavery' as a metaphor to describe and explain the particular conditions of migrant sex workers and its practical usefulness in social protection programmes viewed here as anti-trafficking policy, I will contrast the rigid paradigm with a more open, flexible one. Thus, instead of describing migrant prostitutes' conditions in terms of 'social death' and 'total subjection', I will propose an approach which takes on board issues of agency and resistance. Within this approach gender and sexuality, and race and ethnicity, become important elements of the construction of some individuals as 'slaves'. But these elements also determine different experiences and degrees of, and resistance to, exploitation, marginalisation and abuse. Thus, the experiences of migrant prostitute women can be read through a more flexible model, whereby A, B, C, D, (in figure 1) consist of transition areas within which people move according to economic, socio-cultural, and geo-political circumstances. The connections with gender and sexuality are particularly pertinent to debates about 'new slavery' and 'trafficking', since they have been presented as phenomena which affect women and their sexuality in particular, and because, traditionally, women who are not attached to a male family member, have been considered as a 'disorder' within migration flows and theories, with their sexuality becoming the object of particular social attention and discipline.

I will start with an outline of the principal conceptualisation of slavery as a modern category, and then look at the development of new definitions of slavery throughout the twentieth century in international law. I will then move on to consider 'new slavery' as a contemporary development of traditional slavery and analyse the main points which

distinguish the debate about ‘new slavery’ and associated phenomena such as ‘trafficking’. I will then conclude by discussing the relevance of the literature review and analysis in relation to my research agenda and questions.

3.1 Defining slavery

Philosophers have in different times in history tried to explain slavery either to justify it as a social system or to condemn it as an evil. As a consequence we have a wealth of literature on the subject of slavery from ancient times to the present which has produced theories and myths about slavery. From Aristotle’s conception of slavery as a natural condition justified on the ground that some people were able to do only menial work to Hobbes’ and Locke’s definition of slavery as against natural law which treats all men as equal, many slave societies had come and gone in Europe, with serfdom substituting ancient slavery and wage labour substituting serfdom (Meltzer, 1993; Genovese, 1974). The opening of a world economy from the seventeenth century onwards, however, created a unique environment, whereby Enlightenment philosophers began to construct slavery as a condition contrary to natural rights and to civil society, while at the same time European governments had created an international labour system based on the most atrocious – to put it in Genovese’s terms - domination of a few white Europeans over entire populations of black Africans.

The Atlantic slave trade and the creation of New World slavery marked a new era during which western Enlightenment thought constructed slavery as a concept in opposition to the idea of freedom, and yet simultaneously allowed for the establishment of a legal system of slavery outside Europe, in the American colonies. It has been noted how this new idea of freedom was for the first time applied to the category of labour, which for many centuries had conceptually belonged to a separate sphere of human existence, that is the provision of life-sustaining needs (Drescher, 1999; Bascetta, 1994). Drescher notes, for example, how the

extension of citizenship rights in European nations to include all the natives of a society did not need to do away with a concept of labour as inherently servile and of labourers as ‘onlie to be ruled’ (Drescher, 1999, p. 401). In exposing the western mythical construction of the concept of free labour as a constituting element of a civil society made of autonomous individuals, Drescher writes:

Even when the distinction between voluntary and involuntary, or time-bound and indefinite, labour obligation began to become significant in legal and popular culture, labour itself remained understood as service – an alienation or limitation of one’s property in ones own working capacity for the duration of a contract. (Drescher, 1999, p. 401)

Even when labour was constructed as ‘wage’ labour, he continues, and therefore consistent with an individual’s ability to autonomy and rights, it was done on the premises that slavery in the plantation economy of the colonies was the most profitable way of organising labour and that, if it was not applied in the industrial economy of Europe, it was not because it was inferior to wage labour, but because it was not allowed by the political ‘spirit of the times’ (p.403; see also Klein, 1994). Racism, however, as well as economic argumentation, was an important element of the way in which the European ‘spirit of the times’ rationalised and legally justified a system of labour extraction which made black Africans the slave labour of choice in the plantation economy of the West Indies (Genovese, 1974; Engerman and Genovese, 1975; Blackburn, 1997; Drescher, 1999; Brace, 2004). Indeed, while, as we will see below, slavery has always implied the appropriation of labour power, we also have to take into account Robert Miles’ consideration that this appropriation can be accompanied by a process of racialisation (Miles, 1987; see also Brace, 2004). As a matter of fact, after the Atlantic slave trade this process of racialisation of labour appropriation reached the highest point in history, so much so that the concept of slavery could no longer be disentangled from ideas about ‘race’ and ‘colour’, as black slaves became the very iconography of slavery up to the present time, so much so that expressions like ‘white slavery’ were subsequently used to

mark a peculiar, out-of-the-order, phenomenon which turned white people – be they indentured white men working in the sugar plantations of the seventeenth-century Caribbean (Brace, 2004) or European white women of the poor classes working as prostitutes in overseas brothels (Doezema, 2000) - into slaves. As we will see in more detail later, mythical stories about slavery, and ‘white slavery’ in particular, have illustrated that slavery as a western discursive construction has historically been highly racialized, gendered and sexualized. For example, Blackburn (1988) considers how a general theory of inherited slavery was linked to the idea of the slave as a sexually unclean person, and cites the Old Testament myth about Canaan’s issue to servitude, caused by his father’s (Ham) sexual offence in having failed to avoid looking at his drunken father’s nakedness. He also notes how a ‘legitivist’ myth was created out of this, which made legitimate wives and mothers of the patriarch’s family less liable to be enslaved, even if they ‘could still be subject to a harsh regime of labour and punishment’ (p. 266).

In accounting for definitions of slavery, scholars have found it important to distinguish between theory and practice, social construction and social reality. Thus, theoretically, as Genovese (1974) points out, both modern and ancient slavery rests on the idea of the slave as a ‘thing’ or *instrumentum vocale* (p.4). Chattel slavery was linked to the idea of ownership rights over persons, as it was made clear by the League of Nations, which in its 1926 Slavery Convention defined slavery as ‘the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised’⁷. Laura Brace (2004) argues that slavery is defined both in terms of legal ownership and rights and in terms of labour and social relations. She observes that a slave was always a person with a certain place in society, “a status defined by rights and liabilities, by the privileges and powers that others could exercise over her” but that “slavery is also a relation to a master” (Brace, 2004, p. 160).

⁷ Cited in L. Brace, *The Politics of Property. Labour, Freedom and Belonging*. Edinburgh University Press, 2004. See also G. E. M. Ste Croix, ‘Slavery and Other Forms of Unfree Labour’, in Archer, 1989.

In terms of legal status, definitions of slavery are to be traced in the contract theories formulated by early liberal philosophers. Both Hobbes and Locke constructed 'slavery' in relation to their different conceptions of 'consent' and 'coercion'. As noted by Tommy Lott (1998), their definitions of slavery as lying outside the 'covenant' made by free individuals in civil society governed by law (be this within an absolute monarchy as in Hobbes' account or within a constitutional monarchy as in Locke's account), did not allow for overlaps between 'involuntary' slavery and 'voluntary' servitude, which indeed occurred in real life where some house servants were legally owned by their master and some slaves could own slaves themselves (Lott, 1998; see also Brace, 2004)⁸. Another important problem, intimately related to this, which contract theories have encountered in defining slavery is that concerning the notion of 'coercion'. This problem is illustrated clearly by Lott, who finds in Hobbes a more coherent, less moralised, conception of coercion as 'physical restriction on the slave's freedom of bodily movement' (Lott, 1998, p. 101), whereas Locke's notion is less narrow, considering 'coercive', and therefore 'involuntary', all those contracts extorted by force, even if they left the people involved physically free to move, as in the case of slaves who worked as house servants. There is in Locke's definition of 'the perfect condition of slavery' as 'the state of war continued between a lawful conqueror and a captive' (*TT*, IV,24, p. 92), a moralising content consisting in the fact that on his account slavery was evil only when it was the outcome of the war between an unjust aggressor (a tyrant) and a member of a civil society (just conqueror), who once enslaved preserved a right to resist (Lott, 1998). However, when slavery was about a just aggressor who prevailed in the war against his enemy, the latter was viewed by Locke as not being 'under the ties of the common law of reason' and as having 'no other rule but that of force and violence, and so may be treated as a beast of prey' (*TT*, III,16,p.82). As pointed out by Lott, in this version of the state of war and slavery, the slave / 'beast of prey' has no right to resist (Lott, 1998; see also Brace, 2004).

⁸ On the subject of elite slaves in the pre-modern world see Orlando Patterson, 1982, *Slavery and Social Death*, chapter 11.

The question of a moral ground in defining slavery is raised by Brace in discussing the connections between slavery and property. She states that slavery and property are both confronted by the same problem of relying on ‘appearances and illusions’ (i.e. on legal fictions and on the illusion that a person can be a thing) to sustain themselves and that slavery, both as a legal status and as hard labour, relies on the politics of property, that is on establishing limits on what or who can count as property (Brace, 2004). As ‘beast of prey’, the Lockean slave has forfeited her life as well as her liberty and property, and this meant that she fell into a degraded state. This state of degradation amounts to a condition of dishonour for the slave with a corresponding sense of honour accruing to the master, and this honour-dishonour dichotomy is a distinguishing feature of slavery as a social relation, that is as a relation between a master and a slave. The dishonour of the slave originated from the violence implied in a relation which was created as an act of conquest.

Orlando Patterson, in his comparative study of slave systems in pre-modern and modern societies, defines slavery as ‘*the permanent, violent domination of natally alienated and dishonoured persons*’ (Patterson, 1982, p.13). The three constituting elements of violence, natal alienation, and dishonour characterise slavery as a relation of domination, distinct from any other for the fact that only in it the three features occur at the same time (see Lott, 1998). This conception of slavery has centred on symbolic representation and questions of socio-legal constructions of the slave as an outsider from the imagined community as well as on questions of ritualised degradation, which include body exposure, consisting in the treatment of the naked human body as animal-like (e.g. when inspecting teeth and other body parts), and change of identity, exemplified by a change of the slave’s name. The representation of slavery as ‘social death’ rests upon concepts of community, belonging, and honour. Patterson draws from a Hegelian model of power relation and on the dialectic between Self and Other, and ‘recognition’ as a crucial moment of subject formation. The master-slave relation, in this perspective, is a social and political process which goes from the personal to the institutional

and state dimension, so that it invests the whole culture and polity of a slave society. A 'slave' ideology is based, according to Patterson, on the two opposing categories of honour and degradation as two distinguishing factors which determine who belongs and who does not belong to society, who is marginal and who is fully member of a community. Slavery, says Patterson, is more than any other aspect of human existence highly symbolised, because the inherent violence which it implies and on which it always rests must be justified by some kind of ideology, translated into a right in legal codes, and neutralised through cultural means, particularly religion, so that the world could be understood in terms of those who belonged to a shared community of values, and those who did not belong and for this reason deserved to be treated as sub-humans (Patterson, 1982). The slave society of the ante-bellum South is a typical example of slave ideology based on the concept of honour and degradation compounded by a strong paternalistic element (Patterson, 1982; Genovese, 1972, 1974).

This account of slavery as a social and power relation based on honour and degradation has focused on the concept of difference, social exclusion, and citizenship rights, which are, as we will see, so relevant in narratives about migrant prostitutes constructed as 'trafficked'. It also poses questions of race and class as discriminating factors, since slaves as outsiders and as people who are incorporated in the community as enemies are usually associated with ethnically or racially different people or with those placed in the lower classes (Blackburn, 1988). With this respect, Patterson formulates intrusive and extrusive representations of social death, whereby in the former the slave is the 'permanent enemy' from outside the community, and in the latter the slave is expelled from the inside as a 'transgressor' of community values (Patterson, 1982).

In defining slavery as a power relation, Patterson is purposely avoiding the use of the concept of ownership as a defining element of slavery like the one enshrined in the above mentioned 1926 Slavery Convention. Slavery, Patterson argues, cannot be defined exclusively in terms of ownership or property rights over people, simply because ownership as such is a

legal fiction behind which there is a power relation between people who want to establish rights over specific things, persons or actions and so pose limits on other people's rights over those things, persons and actions. Moreover, ownership rights are exercised over persons who are not conventionally defined as slaves, like wives, husbands, children, employees, professional athletes and football stars (Patterson, 1982; Brace, 2004; Blackburn, 1988). There is therefore something else, other than ownership, that makes slaves a category apart, and this is the fact that there is no reciprocity of rights and duties in the master-slave relationship, for the very fact that those who have no power cannot claim to have their rights and dignity recognised, and their powerlessness and rightlessness rests on the original violence which turned them into slaves. This is explained by Blackburn with the statement that it is "the comprehensive extent of the property rights claimed by the slave owner which distinguish slavery" (Blackburn, 1988, p.274).

Like ownership, labour is another element which does not figure in Patterson's definition of slavery. With this respect, he departs from Hegel's master-slave model and the crucial importance it gives to the slave's labour as a liberating factor which, in Hegel's *Phenomenology of the Spirit*, determines the slave's consciousness about his/her value as a producer (Patterson, 1982, Burgio, 1994). If labour, however, in no way defines slave status, then there is no way out from slavery. Manumission and the acquisition of freed status, in Patterson's view, do not terminate the slave's dependency and degradation, since "slavery [...] was an institutional process moving through three phases: enslavement, institutional liminality, and disenslavement" (Patterson, 1982, p. 340). The permanence of slavery means that slaves' incorporation into society as freedmen and freedwomen might have changed their legal status but not their condition as shadow members of society, a condition which rested on a moral, and not exclusively economic, ground.

This interpretation of slavery as 'social death' and as a permanent status gives rise to some problems related to the question of labour as a constant feature of slavery in both ancient

and modern times. Indeed, there is a whole generation of Marxist-oriented scholars who have linked slavery to the mode of production on which a given society is based. For Blackburn, for example, “slaves have always been, in some relevant sense, *the property of slave holders*, whether individuals or a corporation [...] this has exposed them to the risk of being bought and sold, and [...] a very large number of slaves have ended up as forced labourers” (Blackburn, 1989, pp.273-74, emphasis original). Ste Croix also sees slavery as a system of labour extraction, and he actually mentions the developed societies of ancient Greece and Rome as societies where the dominant classes “derived the surplus on which their leisured existence was based from unfree labour, especially that of chattel slaves” (Ste Croix, 1989, p.21). In arguing that “the most significant distinguishing feature of a given mode of production is not so much *how the bulk of the labour of production is done*, as *how the dominant propertied classes*, controlling the conditions of production, *ensure the extraction of the surplus*” (Ste Croix, 1989, p.20, emphasis original), he exposes the connecting thread between chattel slavery, debt bondage, serfdom, as well as wage labour. This point is clearly expressed by Mary Turner (1995), in proposing that “all categories of worker – slave, serf, contract and wage – faced fundamentally the same problem: all were forced to spend their lives expending labour over and above what was required for their own subsistence” (Turner, 1995, p.1). The fundamental difference between slave and wage labour is expressed by Turner in terms of a passage from a legal status to another, a passage which is historically traced in the upheavals and revolutions which marked the history of the Americas during the nineteenth century, and which finally led to the destruction of property rights in persons. The replacement of workers purchased as parcels of hereditary labour with workers who owned their person and sold their labour power is considered by Turner as “a change in legal status *emotively* designated freedom” (Turner, 1995, p.1, my emphasis).

Lovejoy speaks about major transformations in Africa which determined a passage from slavery as a minor feature in society to slavery as a mode of production, with “an

integrated system of enslavement, slave trade, and the domestic use of slaves” (Lovejoy, 2000, p. 10). This process was one where indigenous forms of dependency which allowed for the transfer of people from one social group to another were used outside the African context, in the Americas and in the more developed economies of the Muslim Middle East. African opening towards the Islamic states and the European market as well as other economic and political factors allowed for an integrated slave system which moved slaves from the periphery to the more developed economic and political systems both within and outside Africa (Lovejoy, 2000; Lovejoy et al, 2003). This resulted in a radical change whereby slaves, even in those contexts like Africa, where they were normally absorbed within the lineage group for domestic use, were increasingly employed for productive purposes (Lovejoy, 2000; Lovejoy et al, 2003).

On the master-slave relation there is a vast historiography which has exposed the concept of slavery as ‘social death’ and has focused on aspects such as slave resistance and accommodation through reference to slaves’ own actions, culture and testimony. This literature has indicated in general that both slavery and wage labour “were negotiated relations in which labour’s ultimate sources of power were similar: the power to withdraw labour and the power to work less hard or well than was possible” (Steinfeld, 2001, p.8; see also Archer, 1988; Turner, 1995). Genovese’s (1974) work on slavery in the Old South has exposed the myth that the slave was just an extension of her master’s will, and although the context he studied was one where accommodation on the slave’s part prevailed over rebellion due to the paternalistic nature of slave-master relations in the ante-bellum US South, the study nevertheless gives a brilliant account of the ways in which black slaves in the US managed to build their own sense of nationhood and indeed created a black nation within the US through their own solidarity and collective resistance (Genovese, 1974)⁹. It highlights the role of the

⁹ On the issue of negotiation and conflict in master-slave relations in Brazil see João José Reis and Eduardo Silva, *Negociação e Conflito. A resistência negra no Brasil escravista*. São Paulo: Companhia Das Letras. 1989. See also Eugene Genovese, *From Rebellion to Revolution. Afro-American Slave Revolts in the Making of the*

black family as an important motive for runaway slaves, invalidating ‘the myth of the absent family’ in much conventional literature on slavery in the US (Genovese, 1974, p.450). This in a sense gives credit to Joshua Cohen’s argument that slaves’ interpretations of white religious and social values helped to create an alternative moral community on the part of black slaves in the Americas (Cohen, 1998; see also Stamp, 1970). Focusing on Brazil and the Caribbean, other historians have also discredited the idea of slavery as a relation based on the rigid master-slave model. They have exposed the limitations of the free/slave labour dichotomy by highlighting the fact that on many plantations slaves worked alongside freed men and were also able to use some free time to work in small plots of land, which allowed them to accumulate some capital and autonomy (Geary, 2004a; see also Sheridan, 1995). In terms of the relations between slaves and masters, scholars also have arrived at the same conclusion reached by Genovese for the ante-bellum South, that plantation owners could not run their business exclusively through force, but had to negotiate either implicitly or explicitly their control over their slaves’ labour, whereas slaves themselves often engaged in various forms of individual and collective resistance to maintain rights over property and free time (Geary, 2004a; see also Paiva, 2003; Tomich, 1995; Mullin, 1995).

An analysis of slavery in historical Marxist terms allows us to return to the question of the connections between the creation of an international capitalist economy and the transfer of the harshest form of labour to the periphery of the European economic influence, in the colonies. It draws our attention back to the apparent paradoxes of a liberal doctrine which invents ‘labour’ as just one of the many commodities to be sold and bought on the marketplace, and therefore transforms serfs and slaves into rational and free individuals, while at the same time assumes ‘slave’ labour as the prerogative of a ‘Herd of inferior Creatures’, as black slaves in the Caribbean were described by Locke (see Brace, 2004, p. 168). It has been widely acknowledged, however, that the fact that wage workers were legally constructed as

Modern World. Baton Rouge: Louisiana State University Press. 1979. On slave revolts in the ancient world see: Diodoro Siculo. *La rivolta degli schiavi in Sicilia*. Palermo: Sellerio editore.

free individuals who contracted to serve a master for a definite time period did not protect them from being criminally punished for breaking their labour agreements under the Master and Servant Act used in Britain up to 1875 (Steinfeld, 2001; O'Connell Davidson, 2005), and it has been argued by historians that penal sanctions against workers, far from being a feudal relic, appeared to be central to the practice of wage labour in nineteenth century Britain (Steinfeld, 2001). Moreover, it is in the liberal Britain inhabited by John Locke that the 'workhouse' system existed and was praised by the most liberal minds of the time as an excellent instrument to discipline the vagrants, the poor and the idle (Losurdo, 1994; see also Brace, 2004). Hidden behind the great, self-celebrative, narrative of free labour was a conception of labour as hard discipline which rendered distinctions between slavery and servitude or drudgery, either in a Lockean or Hobbesian sense or even in Patterson's sense, meaningless, since in the workhouses the 'paupers' would carry a uniform, were subjected to the arbitrary power of the director, and parents were 'morally degraded' by being separated from their children (Losurdo, 1994, p. 46). Considering that, as Losurdo (1994) so acrimoniously observes, John Locke himself, the father of western liberalism, was among those who advocated for harsher punishments within the workhouses, proposing mutilation for those who tried to escape (which mutilation in this case would not set them free as in the case of the ancient Jews of the Old Testament whom, as he explains in his *Second Treatise*, would be set free by 'the loss of an eye or tooth' at the hands of their masters (TT, IV,24,92)), we can advance that the line separating slavery from servitude in traditional liberal thought was an imaginary line which served to separate the barbarians, 'the herd of inferior creatures', from the civilised world. It helped in this sense to create the myth of a free western world, which is enduring and effective until today, when one western nation can wage a war against any non western nation on the ground that it is undemocratic, therefore barbarian.

What surfaces from this overview is that the question of defining slavery as a social and economic system cannot be set within a theoretical framework centred on a rigid

separation between slave labour and free labour, but it should be considered within a more flexible paradigm where slavery is part of a continuum of different forms of labour exploitation, each of which are linked to the different ways in which subjects are constructed within a given community on the basis of some characteristics which are offered in different times and contexts as natural, fixed markers of inferiority. Next I will focus on the application of the slavery category in feminist theory, particularly as applied to women as specific subjects in the constellation of 'autonomous' individuals created by liberal thought.

3.2 Feminist theory and slavery: wives and prostitutes as slave subjects

We have seen how definitions of slavery in the liberal tradition are tied up with ideas about personal autonomy, property, and labour, as well as to ideas about rights, honour and belonging. As Brace points out, a central theme of Locke's conception of property and slavery is self-ownership and the fact that only people who own themselves, their person and their labour, are able to act as 'disengaged' subjects whose 'disembodiment' and 'transcendent rationality' allows them to control both themselves and the world (Brace, 2004, p. 188). She argues that the moral base of self-ownership as 'productive action' and control of the external world makes the boundaries between those who are fully self-owned and those who are not marked by gender, race and class (Brace, 2004). Thus, from the standpoint of feminist critique, contract theories have created a modern version of patriarchy based on the modern nuclear family, marriage, and the laws that regulate civil society in general (Pateman, 1988, 1991; Butler, 1991; MacKinnon, 1994). This literature has exposed how the original pact between free men who consent to constitute the political public sphere presupposes another pact, which Carole Pateman (1988) calls the 'sexual contract'. If with the former pact men created the public sphere where all men are supposed to be free and equal, with the latter men created the private sphere, established by the marriage contract. In marriage men become

masters of their wives, who must labour and give sexual services within the family and whose subordination is similar to that of slaves. Writes Pateman:

the marriage contract and a wife subordination as a (kind of) labourer, cannot be understood in the absence of the sexual contract and the patriarchal construction of 'men' and 'women' and the 'private' and 'public' spheres. (Pateman, 1988, p.128)

Through the marriage contract men establish both the sexual division of labour and their orderly access to women, including sexual access, and Pateman cites Hobbes' version of the state of nature, where male individuals become the sexual masters of the conquered female individual (Pateman, 1988, 1994). However, if the marriage contract is a type of domestic slavery and wives are compared to slaves, there is also a difference between the condition of wives and that of slaves, because the marriage contract presupposes also women's incorporation into civil society, that is into the community established by men. They are not incorporated as equal members but as dependants in the private sphere, so that they, like slaves, receive protection in exchange for their services and their value and dignity are recognised only on account of their status as 'wives' and 'housewives', not as equal citizens. Pateman states that even if women now gained citizenship rights they still receive protection, rather than pay, so, she concludes, "wives now are not civilly dead as they once were [...]. Perhaps a wife is like a civil slave" (Pateman, 1988, p.124). The continuity between slavery and marriage in the patriarchal ordering of nature implies that women are also degraded like slaves, and so they also forfeit their freedoms (they are subject to personal powers), but they are protected because husbands, like masters, want to be 'good' masters. The comparison between wives and slaves and between husband's conjugal rights and master's rights has been a constant feature of feminist theory, and, considering the position of women within marriage, for example the absorption of their legal identity by their husbands through the law of *coverture* and the fact that until 1990 rape within marriage was not recognised in Britain as a crime (Brace, 2004) and in Italy it was only in 1996 that rape in general was considered as an

offence against the person rather than against 'public morality'(Picciolini, 2000), the comparison is not out of place. However, as with liberal conceptions of slavery in terms of total domination, there have also been problems with reading women's condition exclusively as subjection to male patriarchal sex rights, a reading which makes them different from 'workers' as another subjugated category (Pateman, 1988) and renders inequality on the basis of sex as women's 'collective condition' (MacKinnon, 1994).

The problem of separating 'wife' from 'worker', 'slave' from 'wife', and 'worker' from 'slave' is part of a wider theoretical problem concerning the political and ideological explanation of subordinate relationships and the fact that they are constructed as though they were placed in different realms, such as the private and the public sphere, inside and outside the social contract, regulated by natural or by civil law. A more nuanced analysis of the interconnections between property, self-ownership and gender is offered by Brace, who observes that women who were constructed as a refuge from the competition of the market and as guardians of the boundaries of morality in the private sphere were specific, middle-class women, whose honourable character was defined both by sexual chastity and by their "distance from the reality of household labour" (Brace, 2004, 199). With the institution of service, domesticity and womanhood were codified through specific ideas about class, race and ethnicity, as well as gender (Brace, 2004). Sexuality was an important determinant of individuals' incorporation into civil society and women's sense of honour, as a sense of shame, was a reflection of men's sense of honour, not only in nineteenth century European societies but also in medieval patriarchal societies (Wyatt, 2003). But sexuality has not been constructed in the same way for working class women, for black women, and for middle-class women. After all, as we will see later, the prostitution and 'white slavery' debate during and after the Contagious Diseases Acts in Victorian England reflected the preoccupation of the bourgeois classes with the sexual behaviour of the poor classes which, as D'Cunha points out, were viewed as "degraded and powerless, yet potentially threatening and disloyal" (D'Cunha,

1997, p. 233; see also, Doezeema, 2000). In Brace's terms, white, middle-class, female bodies were constructed as 'pure' and civilised' and this construction served to contrast them to black and lower class female bodies, which were eroticised as sexually impure and unrestrained (Brace, 2004). The different degrees of incorporation of different subjects into society reflected their differing lack of self-ownership and disengagement from their bodily nature, since:

Honour and degradation, belonging and exclusion, labour and drudgery are all inflected by class and by power relations between women. They involve different degrees of self-government, and women's statuses are implicated in each other and defined in contrast to each other, not just in contrast to men's trustworthiness and despotic dominion as men. (Brace, 2004, p. 203)

The feminist critique of liberal theory through theories of patriarchy and male sexual dominion of the type offered by Carole Pateman is particularly problematic when we look at the ways in which the critique theorises prostitution and constructs prostitutes as victims of male dominion. For example, Pateman (1988) considers prostitution as but another example of the original sexual contract, through which men exercise their orderly sexual access to women. For her, to defend prostitution as akin to any other employment contract where the worker, in this case the sex worker, "is an owner of property in her person who contracts out part of the property in the market" is to accept a liberal fiction about equality between two contracting parties (Pateman, 1988, p.191). In replying to those who observe that prostitutes can exercise powers and have control of their bodies in the prostitution contract, Pateman writes:

[...] just as arguments about marriage that appeal to the example of benevolent husbands fail to distinguish between the relation of one particular husband and wife and the structure of the institution of marriage, so particular instances of the prostitution contract, in which a prostitute exploits a male customer, should be distinguished from prostitution as a social institution. Within the structure of the institution of prostitution, 'prostitutes' are subjects to 'clients', just as 'wives' are subordinate to 'husbands' within the structure of marriage (Pateman, 1988, p.194)

Following a similar logic, radical feminists have applied the metaphor of slavery to prostitution, arguing it is an institution in which female bodies – not their labour – are traded (Jeffreys, 1997; Barry, 1995; Millett, 1975). Other scholars have critiqued this approach to prostitution as problematic because it is premised upon a rigid conception of power relations implying domination and subordination. Julia O’Connell Davidson (1998) argues that the model of master/subject relationship, used by Pateman and other feminists such as Kathleen Barry, cannot describe the diverse and complex situations in which the prostitute-client, and also prostitute-third party, relationship takes place. She holds that the powers exercised by clients in the prostitution contract are infinitely more complex than the master-slave model would imply, because ‘rather than taking bodies by force’ the prostitution contract ‘allows men to *contract* for sexual use of bodies’ (p.124, emphasis original), and continues:

social relations which are imagined and organised as (either implicit or explicit) contractual *exchanges* are sustained by and reproduce more complex forms of power than are implied by the term ‘domination’ (O’Connell Davidson, 1998, p.124, emphasis original)

What she and other scholars have considered more useful in theoretical analysis of prostitution is the political dimension of sexuality and how states and social actors can draw boundaries around who belongs and who does not belong to the ‘imagined’ political community according to the specific sexual practices which are over time and in different contexts established as appropriate. In addressing the specificity of prostitutes’ political subordination and of prostitution as a power relation, O’Connell Davidson finds that the interconnections between gender, sexuality, political community and prostitute use are more useful than a general theory of patriarchy, since:

Both male and female prostitutes are typically considered to be dishonoured by their transgression of codes and conventions pertaining to money-making as well as sexuality (and the concept of dishonour is relevant to modern as well as traditional societies, for modern societies remain honorific in many senses). (p.128)

All this suggests that sexuality is a relevant site of state and social interest and government and that, as Bernstein and Schaffner (2005) argue, liberal states are able to constitute *sexual citizenships* according to specific sexual, as well as gender, criteria and to construct supposedly self-evident “heteronormative configurations of intimate life” (Bernstein and Schaffner, 2005, pp.xiii-xv; see also Stychin, 2003). Prostitution, then, should certainly be understood in terms of the sexual boundaries which go beyond traditional separations of private/public spheres, and beyond master-subject models of power (Bernstein and Schaffner, 2005; O’Connell Davidson, 1998). For the purpose of this thesis, it is also useful to consider prostitution not just in terms of sexual, but also geo-political boundaries. With this respect Carl Stychin’s arguments about the ‘genealogical linkages’ between sexuality, immigration/travel, and transnational European citizenship is pertinent here. Although Stychin is concerned with homosexuality and European constructions of citizenship, his analysis of anti-immigration and anti-gay discourses in Europe is particularly relevant to migrant prostitutes constructed as slaves, since prostitution, like homosexuality, is viewed by the state as a threat to the “heterosexual family” (Stychin, 2003, p.99-100). Moreover, as immigrants and racial others, prostitutes are also a threat to the “cultural heritage of the nation state” (Stychin, 2003, p. 100), and for this reason their presence demands sexual governing and border control. I will elaborate more on the connections between migration, prostitution and citizenship in chapter 6, when I analyse my interview material.

In the remaining sections of this chapter I will shift attention to the debate that has re-emerged over the last decade about ‘trafficking’ and ‘new slavery’ and the ways in which they have been theorized and defined.

3.3 Slavery and ‘white slavery’

The re-emergence over the last decades of expressions such as ‘new slavery’, ‘modern-day slavery’ and the like is underpinned by certain assumptions about what constitutes ‘old’ slavery and how it would differ, if at all, from the new version. As I indicated at the beginning of this chapter, the historical form of slavery linked to the Atlantic slave trade and the enslavement of black Africans in the Americas during the eighteenth and nineteenth centuries has come to be treated as a *par excellence* form of slavery, popularly represented with images of black people in chains. This means that after the abolition of the slave trade in the British colonies in 1807 and of slavery in 1833, all other forms of unfree labour which continued to be practiced in different parts of the world were condemned as ‘other forms’ of slavery and as such suppressed by the international community through specific conventions and agreements, among which I have mentioned the League of Nations Slavery Convention of 1926. These laws began to distinguish between classic or traditional slavery, associated with chattel slavery as the complete ownership of human beings on the one hand, and contemporary forms of slavery (see Rijken, 2003).

From the late 1980s onwards, and particularly during the 1990s, the concept has gained a new impetus and meaning, particularly through its being linked to the trafficking and smuggling of undocumented migrant people who end up in extremely exploitative and abusive labour contexts.

Although there is no common definition of slavery and most international and national law refers to the League of Nations definition, anti-slavery international law has acquired the status of *jus cogens*. In other words the prohibition of slavery is recognised as an international customary law, a kind of constitutional law, binding all states (Rijken, 2003; Bales, 2005; Saulle, 2002). In concomitance with the importance and weight given to slavery in international law, there has been a process of broadening its definition, which has produced within the UN machinery the expression ‘contemporary forms of slavery’ (Miers, 1996; Berardelli, 2002). Thus, the second important UN legal document, the Supplementary

Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, introduced the expression 'slavery-like practices' and identified four such practices: 1) debt bondage, when an individual's labour is treated as collateral for a debt but the debt can never be repaid due to the excessive undervaluation of the services and labour; 2) Serfdom, when an individual is bonded to the land where he or she lives and works without being able to leave; 3) forced marriage, when a woman is sold by her family into a marriage that she has no right to refuse; 4) child labour, when a child is sold by his or her parents or guardian for the purpose of exploitation (see Rijken, 2003; Bales, 2005).

The prohibition of slavery was also sanctioned in the 1948 UN Declaration of Human Rights, which states in Article 4: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms" (see Bales, 2005, p. 46, 51; see also Berardelli, 2002; Obokata, 2004). While the Declaration accepts the definition of slavery provided by the 1926 Convention, the Supplementary Convention tried to fill the gap, as it were, between that definition and the realities of labour exploitation in its various forms. The international community produced also a definition of forced labour with the International Labour Organisation (ILO)'s Forced Labour Convention signed in 1930 and the ILO Convention for the Abolition of Forced Labour of 1957, both of which defined forced labour as "all work or services, which is exacted from a person under the menace of any penalty and for which the said person has not offered himself voluntarily"¹⁰. Forced labour was also treated by the 1926 Convention as a labour practice which may develop into a condition analogous to slavery and, therefore, was not viewed as a practice which in itself fell within the remit of the Slavery Convention (Rijken, 2003). This suggests that within the UN slavery was separated from issues of labour exploitation and therefore was defined according to criteria pertaining the rights of ownership exercised over human beings or according to some subjective characteristic of the person concerned (e.g. her being a woman, a child, a

¹⁰ Conny Rijken, 2003, *Trafficking in Persons. Prosecution from a European Perspective*. p. 76. See also Berardelli, 2002.

prostitute). This approach has been criticised by some authors for its inadequacy in that, while, as we saw, the use of property rights over people is not unique to the slavery relationship, the definition of slaves as chattel, things to be sold and bought, only serves to reinforce a legal construction which creates a marginal Other rather than a person whose labour is exploited (O'Connell Davidson, 2005). All this is particularly relevant when we turn to another form of contemporary slavery which has attracted great attention and which is of particular interest for this thesis: trafficking in persons. → *Slavery*

The history of human trafficking began in late nineteenth century, when European empires were in their twilight. In those years of late imperialism 'trafficking' was indicated as 'white slavery, understood as 'trade in white women'. Like today, then also women took part in massive migrations from the country-side to the cities and abroad, and their presence as unaccompanied individuals was viewed as a threat to the health of the bourgeois classes (Agustin, 2005). Women from the poorer classes became the target of social anxiety about racial and sexual promiscuity, and consequently they became the object of special social control and restrictive migration laws (Doezema, 1999, 2000). Much of the stories about the 'white slave trade' proved dictated more by a generalised hysteria and press propaganda, less by facts, as many authors have documented (Walkowitz, 1980; Billington-Grieg, 1913). In reality, women came to the cities from the impoverished villages to seek better economic and life conditions through a variety of means, including occasional prostitution (Walkowitz, 1980), or even to find a more open, less oppressive, social environment which allowed them to pursue a more independent sexual life through more available and anonymous abortion interventions (Gerodetti and Bieri, 2006). *41*

Effective propaganda and campaigning against the 'white slave trade', however, led to some major international laws under the auspices of the League of Nations, which in 1910 signed the first Convention Against White Slavery, followed in 1921 by the Convention to Suppress the Traffic in Women and Children, and in 1933 by the Convention for the

Suppression of the Traffic in Women of Full Age. After World War II, the 1949, at the adoption of the Convention for the Suppression of the Traffic in the Exploitation of the Prostitution of Others, which remained the main document until the adoption of the Palermo Protocol in 2000 (Darley, 2006). Most of these documents have defined 'trafficking' as the recruitment and transport of people (especially women and children) for the purpose of prostitution, sometimes with the requirement of the element of coercion (as in the 1910 Convention and to some extent in the 2000 Anti-Trafficking Protocol) and sometimes without the need of the coercion element (especially in the 1921 and 1933 Conventions and in the 1949 Convention). Human trafficking law, since its inception, has constantly been entangled with the question of prostitution as a form of slavery, and, from the 1980s onwards it has been mainly feminist groups and organisations which have, on a national and international level, picked up the metaphor of slavery once again to describe the situation of migrant women working in prostitution and to urge the international community to produce new legal instruments to deal with the issue. It is with these developments that I will try to deal with in the next section.

3.4 The Trafficking Protocol

Mathilde Darley has noted that the subject of trafficking has historically engaged a variety of private actors, such as NGOs and women's rights groups, both in defining the semantic aspects (passage from 'white slavery' to 'traffic in women', through to 'traffic in persons' and finally 'trafficking in human beings') and in organising national and international 'platforms' completely devoted to the cause (Darley, 2006, p. 105). In this section I would like to highlight the role of feminist networks in defining 'trafficking', in particular within the last anti-trafficking document signed by the UN in 2000, in conjuncture with its mother Convention Against Transnational Organized Crime: the Trafficking Protocol.

This document is the first one of this type to mark a new effort on the part of UN member states and officials to include exploitation in sectors other than prostitution as one of the crimes involved in trafficking, which in Article 3 is defined as:

- a) The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.
- c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered 'trafficking in persons' even if this does not involve any of the means set forth in subparagraph (a) of this article;
- d) 'Child' shall mean any person under eighteen years of age.¹¹

As noted by Barbara Sullivan, the signing of the UN Convention and its two Protocols on Trafficking and on Migrant Smuggling "represents an important step, one likely to have an impact on the future direction of both international law and the domestic law of many countries" (Sullivan, 2003, p. 68). Giving that, as Sullivan points out, "Law [...] is an important actor in the construction of meaning and possibility", the Trafficking Protocol is of particular importance as it "works to conceptualize a 'new' international problem [...] It genders the victims of trafficking and posits a (gendered) relationship between trafficking, prostitution and 'sexual exploitation'" (p. 68). And concludes that:

The Trafficking Protocol establishes a set of existing and new rights for victims of trafficking and specifies the obligations of state parties to support and defend these rights. The Protocol is, then, a document actively involved in the construction of meaning and possibility in the global domain and may have an important impact on the global status

¹¹ 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, supplementing the United Nations Convention against Transnational Organised Crime'. United Nations, 2000. Secretary-General. Web Site: www.uncjin.org

of women. As such, it is also an important document for feminist analysis. (Sullivan, 2003, p. 68)

It is in the light of these observations that we can approach an analysis of the definition of trafficking reported above. To begin with, this definition is the outcome of a ‘compromise’ between two feminist ‘camps’ expressing different and opposing views on prostitution (Doezema, 2002). In fact, while the Coalition Against Trafficking in Women (CATW) and the linked International Human Rights Network, pressed for a definition which focused on the connections between trafficking and prostitution and for an inclusive interpretation of ‘victim protection’ which does not take into account the consent of the victim, the Global Alliance Against Trafficking in Women (GAATW) and linked Human Rights Law Group, lobbied for a de-linking of trafficking and prostitution, maintaining that trafficking occurs in other labour contexts, and for a limitation of trafficking to cases where force and coercion were used, arguing that prostitution can be “legitimate labour” (Doezema, 2002, p. 20; Raymond, 2002, p. 494). Central in the debates leading to the final definition of ‘trafficking’ is the role of ‘consent’ as “the international standard for determining ‘trafficking in women’” (Doezema, 2002, p. 20). CATW adopted a radical approach to prostitution and trafficking, based on the theories advanced by its first director, Kathleen Barry, according to whom there is no difference between traffic in women and street prostitution, apart from the fact that “the former involves crossing international borders” (Barry, 1984, p. 7). For her, both prostitution and trafficking amount to ‘female sexual slavery’, in which she finds conditions of subordination and violence affecting all women (Barry, 1984, p. 9). Her analysis of prostitution and trafficking as sexual slavery follows a tradition of feminist thought that postulates all female subordination as based on male sexual power over women, since, although “economic exploitation is an important factor in the oppression of women [...] we must be concerned with whether or not economic analysis reveals the more fundamental sexual domination of women” (Barry, 1984, p. 10). According to Barry, under conditions of

male dominion women's 'consent' to prostitution is not possible, and, in a feminist critique of liberal thought similar to that elaborated by Carol Pateman, prostitution is viewed by Barry as the common 'class condition' of all women (cited in Sullivan, 2003, p. 69). The approach adopted by CATW during the 1980s and early 1990s was one which considered the 1949 trafficking Convention inadequate to combat the problem of sexual slavery and trafficking and which called for a new international Convention Against Sexual Exploitation which would introduce criminal penalties against the perpetrators but which would not subject prostitutes, as the victims of sexual exploitation, to any legal penalties, provided they gave up prostitution (Sullivan, 2003, p. 70). From the second half of the 1990s on, CATW, confronted with an alliance of non-radical feminists and sex worker advocates which opposed its approach and viewed prostitution as work, has changed its strategies and began to consider the 1949 Convention "as a benchmark for good international law around trafficking" (Sullivan, 2003, p. 72). It was under the auspices of this new approach that CATW began to work to ensure that the final draft of a new international agreement "contained no distinction between trafficking and prostitution" (Sullivan, 2003, p. 72), between 'free' and 'forced' prostitution.

In the light of what has been said above, we can understand why, according to Janice Raymond, Co-Executive Director of CATW and participant in the drafting process leading to the Trafficking Protocol, the definition of trafficking provided by the latter, especially Article 3b concerning the issue of 'consent', has been distorted by groups such as GAATW and by the UN Special Rapporteur on Violence Against Women, Radhika Commaraswamy, since they do not include "abuse of the victim's vulnerability" (contained in Article 3a of the Protocol) in "a comprehensive definition of trafficking that protects all victims of trafficking, not just those who can prove force" (Raymond, 2002, p. 496). For CATW, and for Raymond for the matter, a correct interpretation of the Trafficking Protocol is one which retains the 'abolitionist' impulse of the UN 1949 Trafficking Convention, at least in the sense that prostitution in this document is regarded as "incompatible with the dignity and worth of the

human person” and so “its primary intent was to punish trafficking, procurement, and exploitation, regardless of the victim’s age and consent” (Reanda, 1991, p. 209; see also Sullivan, 2003; Raymond, 2002). According to Jo Doezema, on the other hand, the Trafficking Protocol, while it has distanced itself from the 1949 UN Convention by making “an implicit distinction between ‘coerced and ‘non-coerced’ migration for prostitution, it offers very little in terms of human rights protections for trafficking victims and nothing at all for (migrant) sex workers who were not coerced” (Doezema, 2000, p. 24). I will return to these issues in chapter 7, when I deal with abolitionism. It might be correct for now, however, to conclude that, whether or not the Protocol achieved the goal to separate trafficking from prostitution, or to de-gender the issue of trafficking, depends on single governments’ interpretation of paragraph b, stating the idea that ‘consent’ is meaningless under some circumstances.

As for the trafficking-migration nexus, it has been noted by many commentators that it restates the old binaries of ‘legal’ and ‘illegal’, and ‘voluntary’ and ‘forced’ migration, and fails to grasp the reality of much contemporary migration, which often generates “a continuum of experience, rather than a simple either/or dichotomy” (O’Connell Davidson, 2005, p.72, Anderson and O’Connell Davidson, 2003). Similarly, the differentiation made by the UN Transnational Crime Convention between trafficking and smuggling through the provision of another Protocol where the latter is defined as the procuring of illegal entry to migrant people who are actively consenting and pay for the service provided, has been questioned on the ground that there are several overlapping features between them. For example, Joanna Apap (2002) points out that most trafficked people wish to be moved, though they do not anticipate the exploitation which will accompany their migration; on the other hand, “those who agree directly to be smuggled, will frequently have little idea of the degree and nature of exploitation which could await them” (Apap, 2002, p. 17). For her, smuggling and trafficking are part of a continuum, and the same argument can be made about the distinction between

‘refugees’ and ‘economic migrants’ (Apap, 2002; see also King and Mai, 2002). For other authors, trafficking, like smuggling, is part of a process of commodification of migration, which involves the operations of a range of actors, both medium-size organisations and single individuals, who may use both legal and illegal channels to carry out their migration business (Salt and Stein, 1997; see also Twomey, 2000). With regard to the distinction between ‘legitimate’ and ‘illegitimate’ migration, Salt and Stein observe, for example, that “a legitimate enterprise, such as an airline, may unknowingly transport someone with false documentation. The services of legal firms and immigration consultancies may be used by legal and illegal migrants alike” (Salt and Stein, 1997, p. 469).

The Palermo Protocol introduced the concept of ‘victim protection’, which therefore became an integral element of the Convention against Transnational Organised Crime.¹² Some authors have noted that this concept, like the ‘trafficking’ definition itself, reflects the tendency to imagine it is possible to draw a bright line between those (women and men) who must be criminalised and deported as undocumented prostitutes and as traffickers, and those (women primarily) who must be protected as victims (see Chapkis, 2005; Harrington, 2005). In actual fact, while the ‘politics of victim protection’ have become central in national and international anti-trafficking campaigns, and NGOs like the IOM have been particularly active in promoting an anti-trafficking policy which separates the subject of victim from the object of crime (Pearson, 2002; Darley, 2006), ‘victim protection’ has always been confused with the more pragmatic, less human rights oriented, concept of ‘witness protection’, understood within the UN Convention Against Transnational Organized Crime as a mechanism “to provide valuable information to prosecuting agencies and evidence at trial” (Arlacchi, 2001, p. 11). We will see in chapter 5 how in practice the principle of ‘victim protection’ can be easily substituted with the principle of ‘witness protection’, as it happened in Italy. From a ‘human

¹² Annex I, United Nations Convention Against Transnational Crime, Article 25, ‘Assistance to and protection of victims’.

rights' and 'victim' perspective, however, Claudia Arandau (2004) notices that the politics of fear, focused on hordes of criminal immigrants who invade Europe, has been increasingly integrated with what she calls a 'politics of pity', focused on a subjective construction of suffering, which seemed to be considered by feminists worldwide as a universal, mobilising human rights issues based on the 'ethics of care' (Arandau, 2004). I shall speak in more detail about victim protection policy when we turn to the Italian case. For now it will suffice to say that it is focused on the old concept of the victim as passive and innocent and deprived of agency, as many authors interested in women's migration in general and in 'trafficking' in particular have noted (Barber, 2000; Agustin, 2004, 2005; Doezema, 2000, 2002; O'Connell Davidson, 2005; Sharma 2003, 2005). It is also a kind of politics that is put into practice through an institutional apparatus which has all the professionalism and expertise to 'subvert' the politics of pity into a 'politics of risk', to put it again in Arandau's terms. This happens through a 'prevention' policy which centres around the 'risk' factors pertaining to the victim's likelihood of repeating what is viewed as 'dangerous behaviour', namely to migrate again (Arandau, 2004). Moreover, with respect to the link that this policy makes between trafficking and prostitution and the distinction it makes between 'forced' and 'free-choice' prostitution, Ratna Kapur points out that this divide is also displaced into a third world/ first world divide which constructs women, in this case sex workers, in the third world as incapable of choice and in constant risk of becoming 'victims of trafficking' (Kapur, 2005, see also Kempadoo, 1998). As many authors have argued, anti-trafficking campaigns have historically led to State responses in the area of migration and prostitution regimes and criminal law which, as we will see in the case of Italy, while restricting freedom of movement, penalise (migrant) prostitutes and perpetuate gender and cultural stereotypes by locating migrant women within a post-colonial discourse around culture and oppression (Doezema, 2000; Kapur, 2005; see also Kempadoo, 1998; Murray, 1998; Sullivan, 2003).

The tension between the need to separate the subject of ‘victim’ from the object of ‘crime’ was made apparent by the fact that the Convention to which the Protocol is attached deals with transnational crime, and therefore, according to this document ‘trafficking’ involves (illegal) movement from one state to another, followed by other criminal behaviours in transit and destination countries. This means that the UN have made an implicit link between trafficking/crime and international migration and considered the crime of trafficking as ‘transnational’, turning, in consequence, international migration into a national security and border control issue and diverging attention from aspects of human rights abuses occurring also in migration within one country (Wijers and Chew, 1996; Obokata, 2004). With this regard, the IOM (2000) considers that the most clear difference between ‘smuggling’ and ‘trafficking’ consists only in this, that smuggling of persons “indisputably involves cross-border movement”, whereas trafficking “may not” (IOM, 2000, p. 22). However, the European Commission arrived in 2002 at a Council Framework Decision which, unlike the Trafficking Protocol, establishes that not only legal persons but also natural persons can be held liable for the offence of trafficking (Article 4, paragraph 3) and that a member state “should take the necessary measures to establish its jurisdiction over an offence [...] committed in whole or in part within its territory” (Article 6, paragraph 1 (a))¹³. In other words, it is not necessary that the crime of trafficking is transnational and is committed by an organised criminal group (Rijken, 2003). What distinguishes the Framework Decision on a European level, however, is that, notwithstanding its intention to keep within the definition proposed by the Palermo Protocol, it stresses the importance of the situation of the victim and not just the criminal behaviour of traffickers (Darley, 2006, p. 107).

Finally, I would like to conclude by going back to the links with the crime of ‘slavery’. With this respect, the Protocol definition accomplishes the goal of making

¹³ Council Framework Decision on combating trafficking in human beings. 19 July 2002 (2002/629/JHA). See Conny Rijken, pp. 68-69.

trafficking a criminal process which contains in itself the crime of slavery in all its variegated forms (see paragraph (a) of Trafficking Protocol above). This, together with the efforts made in general by the UN Working Group on Contemporary Forms of Slavery to comprise as many practices as possible, including prostitution, pornography and sexual slavery, under the term slavery, has opened more and more room to apply the concept of slavery to 'trafficking in persons' in such a way that the expressions 'trafficking' and 'slavery' have become almost interchangeable. With respect to the treatment of prostitution as a form of slavery in particular, Wijers and Lap-Chew (1996) have pointed out that this has created even more confusion around the concept of slavery, since for the first time an activity (prostitution), rather than a specific power relation within the activity, is considered a form of slavery (Wijers and Lap-Chew, 1996; see also Bindman, 1997).

While on an international level there has been a move towards a broad and flexible definition of slavery, on a national level (with the possible exception of Italy, as we will see in chapter 4) the concept of slavery has remained narrow, referring to the classic 'ownership rights' as defined in the 1926 Convention (Rijken, 2003). In other words, within national laws, slavery is still thought of as 'chattel slavery', that is as the buying and selling of people treated like commodities. The move towards an ever expanded concept of slavery, however, under the headings 'contemporary forms of slavery' and 'slavery-like practices' seems overall to have been driven more by a preoccupation with trafficking, prostitution and sex slavery than by a preoccupation with the other forms of bonded labour described in successive Conventions. The intense work of the UN around trafficking illustrates this point, with five international conventions against the 'traffic in women' signed in contrast with two international anti-slavery conventions during the same period.

Notwithstanding the larger attention towards trafficking as a contemporary form of slavery, for the purpose of this thesis it is important to consider how 'contemporary forms of slavery' have tended to comprise a wide range of institutions and practices which differed

from chattel slavery and yet were still likened to it because they supposedly contained the same principles of coercion and control implied in the slave-master relationship. In other words, while different agencies have tended to call slavery different institutions according to their main interests and concerns, there is nevertheless a wide consensus today that contemporary forms of slavery differ from traditional, chattel slavery, only in terms of how control, coercion and violence is exercised in the new global context. This leads us into the next section, which I would like to devote to a particular conceptualisation of ‘trafficking’ as ‘new slavery’.

3.5 Kevin Bales and ‘new slavery’: a critique

The most prominent work done around the issue of ‘new slavery’ has come from the British NGO Anti-Slavery International and from Kevin Bales, director of the US based NGO ‘Free the Slaves’. Author of *Disposable People: New Slavery in the Global Economy* (1999), and more recently of *Understanding Global Slavery* (2005), Bales is the most articulate supporter of the view that slavery has never disappeared, that it has acquired a new character in the globalised economy and for this reason must be studied, researched and understood if we want to rid the world of slavery. For this purpose, he asserts some clear distinctions between old and new slavery, listing a number of characteristics for each of them, as shown below:

<i>Old Slavery</i>	<i>New Slavery</i>
Legal ownership asserted	Legal ownership avoided
High purchase cost	Very low purchase cost
Low profits	Very high profits
Shortage of potential slaves	Surplus of potential slaves
Long-term relationship	Short-term relationship
Slaves maintained	Slaves disposable
Ethnic differences important	Ethnic differences not important

Source: Adapted from Bales, 1999, p.15

After outlining the main features of old and new slavery in this way, he goes on to list three basic forms of slavery in the contemporary world: chattel slavery, debt bondage, and contract slavery. While both debt bondage and contract slavery are the two most widespread forms of slavery to be found respectively in the Indian subcontinent and in Southeast Asia, Brazil and Thailand, chattel slavery represents only a small proportion of slaves in the world, to be found mainly in western Africa and in Mauritania (Bales, 1999). What old and new slavery have in common, says Bales, is the complete control of the person enslaved and the violence through which control is exercised. The rationale of this control, he continues, is profit-making, and the primary cause of people's enslavement today is poverty, which has replaced race as the main justification of slavery. Both old and new slavery are defined by Bales as "a state marked by the loss of free will, in which a person is forced through violence or the threat of violence to give up the ability to sell freely his or her own labour power" (Bales, 2005, p. 17). He finds these three dimensions of loss of free will, appropriation of labour power and the use of violence in a number of typical examples of new slavery: white slavery, forced labour, debt bondage, child prostitution, forced prostitution, sexual slavery (Bales, 2005).

There are a number of elements that are striking about Bales' approach. To begin with, the demarcation line he draws between old and new slavery in the scheme he provides can be subject to criticism, since in 'old' slavery profits were not low. Furthermore many slaves were not in long-term relationships with their masters, as they were subject to early mortality and likely to be sold on to other slave owners.¹⁴ And finally, with regard to the assumption that in 'old' slavery slaves were maintained by their masters, it has been observed by historians on slavery that many slaves engaged in commercial activity and often had to maintain themselves off small plots of land (see Geary, 2004a; see also Sheridan, 1995). The second striking point is Bales' approach to statistical data. While he considers slavery and

¹⁴ I must thank Dick Geary who made these points to me about 'old' slavery.

trafficking to be phenomena particularly hard to quantify, he nevertheless does not shy away from giving estimates about both, with slaves amounting to 27 million worldwide and trafficked people being between seven hundred and 4 million (Bales, 1999, 2005). As for the methods used to produce these numbers, for trafficking he relied on other unspecified sources but he, like the US government, estimates that trafficking in persons is “extensive and growing”, with “up to fifty thousand women and children” illegally brought into the US each year (Bales, 2005, pp. 135-6). For slavery, however, he is the expert and his estimate of the number of slaves in the world has been accepted by both national and international agencies, and even by part of the academic community. But the way he calculated this was singular, as he admits to having based his judgement on a vast number of sources, derived from both official and unofficial estimates in every country he studied. These included reports by US government agencies, by the ILO, by experts in some countries, by NGOs, by other national governments, work by academic experts (to a less extent because academics do not seem so keen to produce statistics on slavery), and press reports, especially the *New York Times*. Bales calls this kind of approach ‘the social science equivalent of the vacuum cleaner, sucking up data from every possible source’ (Bales, 2005, p. 96). Never mind if some of these sources are highly unreliable and/or biased and none of them has proved to be realistic, since how can there be 50,000 trafficked women in the US every year (actually this estimate was revised in the US government Third Trafficking in Persons Report of June 2003 and reduced to between 18,000 and 20,000 (see McDonald, 2004)) and only about 450 victims assisted, 122 open investigations, 32 cases prosecuted and 106 convictions of traffickers since the enactment of the Trafficking Victims Protection Act in 2000? (McDonald, 2004; see also Chapkis, 2005).

Quite apart from the awkwardness of choosing the press as “the largest source of information” on human trafficking and enslavement, and of presenting journalists as “normally reporting facts or government statements of facts”, with the only inconvenience, for Bales, that they “do not make up large reports” (Bales, 2005, p. 101), it has been noted that to

rely on such estimates in a field which is, by Bales' own admission, mined with sensationalism and overestimation, is misleading, to say the least. Thus, in the US there has been criticism about the ways in which government officials and religious NGOs use figures on sex trafficking, regarded as the largest category of modern-day slavery. Moreover, there have been questions raised about the way in which Bales and his newly founded US-based 'Free the Slaves' organisation base their estimates of sex trafficking on press news items about 'sex slaves' which may be invented, as was certainly the case with one report published in the *New York Times*.¹⁵

Another striking element about Bales' approach is the fact that his 'case study' method of collecting data on slavery has focused on specific countries and labour markets, such as brick-making in Pakistan, agriculture in India, charcoal making in Brazil, prostitution in Thailand, and water-selling in Mauritania (Bales, 1999, 2005), which are considered as typical examples of contemporary slavery. This should not surprise us, if we consider that he uses specific 'multiple regression' methods to 'predict' the amount of slavery in a country and that, according to this method, the variables that most predict slavery are the infant mortality rate, the proportion of population under fourteen, the proportion of the workforce in agriculture, government corruption, and even the extent of a country's threatened and endangered species. Translated into a less technical language, these variables distinguish between *backward* or, to use Bales' word, 'underdeveloped' countries, where slavery can be predicted, and developed countries, where slavery is less likely to occur. Clearly, Bales, who very vaguely mentions the fact that there exists an unresolved inequality problem between the North and the South of the world, does not see the problem of slavery as centrally related to this inequality, but with the fact that there are some countries with backward cultures which allow children to be sold from one family to another. These are countries where governments

¹⁵ Peter Landesman's 'The Girls Next Door' article, published at the *New York Times Magazine* on January 25, 2004, has been widely criticised for being flawed in methods and number of sex slaves produced. See comments at web site: www.slate.com. See also 'Nathan's reply' *The Nation* web site: <http://www.thenation.com/doc/20051003/exchange>

do not properly manage their own domestic affairs and lose control of the monopoly of violence because they are 'corrupted', and countries which do not have the sensitivity typical of western countries to take care of the environment. Such countries, in Bales' view, are condemned to slavery until the developed world organises itself internationally to extinguish it and to rescue and rehabilitate the slaves.

If Bales' language is unsettling when he speaks about slavery and its predictability in a number of underdeveloped countries, it is even more disturbing when he speaks about human trafficking. While he warns at times that there is a danger that trafficking gets sensationalised through an excessive focus on prostitution, what he does throughout his book is exactly this. Trafficking in persons is considered by Bales as a slave trade related to contemporary smuggling and illegal immigration, forced migration and greedy criminal networks. To quote him:

[Smuggling and trafficking] operations can be as simple as the smuggling and subsequent trafficking of an individual by another individual over a border without proper documentation – by transport vehicle or foot – or sophisticated operations moving large numbers, using forged documents and generating huge profits that must subsequently be laundered. Trafficking may involve offences against the state, such as abuse of immigration laws, document forgery, corruption of government officials, money laundering, and tax evasion. Other violations are directed against the victims: unlawful coercion or threat, extortion, aggravated assault, sexual assault, rape, or even murder. (Bales, 2005, pp. 133-34, my square brackets)

Although Bales recognises that the differences between smuggling and trafficking operations are sometimes blurred, he points out that, "however, upon arriving in the destination country, smuggled individuals are usually free to apply for asylum or look for work in the informal sector. Trafficked persons are, upon arrival, put in debt bondage or forced into slavery-like practices in the sex or labour markets" (p. 133). In saying this, Bales does not seem to be aware that linking sexual and other forms of exploitation exclusively to illegal immigration is to miss the point about the complexity of labour exploitation. Slavery-like practices which are found in perfectly legal migration experiences and labour markets, for

example, the non-payment of promised wages, confiscated passports, confinement, lack of job training, and violence, have all been reported in the Asian Migrant Yearbook 2000 for migrant workers “who are legally present in a number of countries under various work permit schemes” (Anderson and O’Connell Davidson, 2003, p. 8). He does not seem to be aware either that undocumented migrants who are ‘free to apply for asylum’ are normally put, upon arrival, into state-managed detention centres where their human rights are routinely violated (Trucco, 2005; Andrijasevic, 2006). On a more general level, smuggled (undocumented) migrants who enter the informal sector are normally liable to be exploited and put into slavery-like conditions, not by traffickers or smugglers, but by the destination country’s employers of all kinds. This applies particularly to migrants employed within western families as domestic workers, a category which is notoriously subject to exploitation and abuse whether or not the employment is documented and about which Bales does not seem able or willing to give much in the way of evidence or examples. On the other hand Bales, who has warned us about the danger of stressing trafficking for the purpose of sexual exploitation, gives only examples of just such trafficking cases, typically the Nigerian prostitute who has been brutalised and coerced through magical rituals. What makes this view untenable as a general rule is that there has been substantial evidence from research, both academic and non academic, that the majority of migrant prostitutes who are indebted and work in European countries manage to pay their debts back. This is particularly the case with Nigerian prostitutes living in Italy (Cole, 2006; Skilbrei, 2006; see also Murray, 1998), though specifically presented by Bales as typical cases of debt bondage, whereby girls “fall into enslavement, are paid nothing, and are regularly brutalized” (Bales, 2005, p. 131).

Trafficking, like slavery, can be ‘predicted’, according to Bales, through a statistical study of ‘push’ factors in countries of origin which, again, must be poor, corrupted, with a large population of under-fourteens, and troubled with conflict and social unrest. He also mentions some ‘pull’ factors accounting for the attraction that some rich countries exert

towards both traffickers and trafficked, and it is interesting that here Bales does not even vaguely mention the presence of a demand for sexual services in spite of the fact that he considers prostitution to be a large area of trafficking. Instead, on top of the pull factors he postulates the proportion of the destination country's male population over the age of sixty as a factor of potential demand for immigrant workers willing to take up low-skill jobs (Bales, 2005). Yet, when Bales sets out to give suggestions about how to 'extinguish' the demand for trafficking he devotes an entire section to 'reducing the demand for prostitution' (p. 167). In general, the way in which Bales speaks about prostitution, sexual slavery, pimps and clients, reveals a lack of knowledge and research about the whole subject, and when he speaks about the demand side of trafficking he is prone to focus his attention on prostitution and the demand for 'trafficked' prostitutes and in a very subtle way suggests that, because there is a moral economy that makes prostitution accepted in most countries as 'voluntary', people end up by turning a blind eye to trafficking. His arguments seem to imply that the public, instead, should understand that most (all?) prostitution is characterised by violence, habitual rape, and abuse, since pimps worldwide usually exercise total control over prostitutes and their earnings and can effectively sell prostitutes to other pimps (Bales, 2005). For this reason he regards the Swedish law which criminalises the demand for sex acts as a positive example, despite the fact that research has not indicated any positive effect in terms of combatting trafficking. On the contrary, there is evidence that the law has been detrimental to prostitutes through their being pushed underground (Kulick, 2003; Svantröm, 2004). There is no hint of the complex relations that prostitutes establish with their clients, who do not merely aim to dominate or rape prostitutes, nor of the fact that third party involvement in prostitution takes a variety of forms which the simple and outdated concept of 'pimp' cannot take account of (O'Connell Davidson, 1998; Bernstein, 2005; Tatafiore, 1994; Corso and Landi, 1991, 1998). Bales assumes, instead, that the client, as the consumer of 'trafficked' prostitutes, represents the demand for trafficking generally. He cites the research by Anderson and O'Connell Davidson

(2003), but totally misses the point about parallels between demand for domestic work and demand for sexual services, since for him consumers of domestic services and consumers of sexual services have a different elasticity of demand, with the former having a number of substitutes or alternatives in their choice of domestic workers, the latter having, apparently, little or no alternative to satisfy what Bales himself seems to believe is “a biologically driven need” (Bales, 2005, 171).

While for sex trafficking Bales seems to suggest a legal approach in the direction of abolitionism or even a mild form of prohibitionism in the law pertaining to prostitution, accompanied by various educational client-oriented projects, for other forms of trafficking he suggests, in order to reduce demand, a legalisation of migratory channels. This would make the demand for cheap labour easy to meet through a legal system of migration and labour. So Bales seems to suggest that it is acceptable for migrant people to be used as cheap labour, and to drudge endlessly in a private house or in a factory, even when the person might have higher education, as long as this happens within the framework of the law.

Bales’ conceptualisation of contemporary unfree labour is extremely relevant to this study, since he touches on some important theoretical and policy aspects which are of concern for this thesis. I will therefore attempt to explain in the following conclusions to this chapter the connections between Bales’ specific views and my own research questions.

Conclusions

This chapter has explored the definitional problems surrounding slavery from both a philosophical point of view and from the point of view of ‘new slavery’. We saw how slavery and related concepts of self-ownership and property cannot be understood without reference to questions of belonging and community. My analysis suggests that liberal theoretical accounts of slavery as the opposite of freedom and of slave labour as the opposite of wage labour are inadequate; that unfree labour is better understood through a continuum where slavery is one extreme of two poles containing in between them a variety of different labour conditions.

Moreover, people's positions in the continuum are affected by other factors, such as gender, race, and sexuality, which might exclude them from full citizenship or place them on the margin of a given political community. Certain groups in society, such as wives and prostitutes, have historically had a different and limited access to citizenship status, and I have critically analysed feminist theories explaining women's subordinate conditions in terms of patriarchal male dominion and prostitution according to the same male-female domination model, particularly when discussing the UN Trafficking Protocol and feminist struggles over the definition of trafficking and prostitution. I argued for a more dynamic model of power relation applying to both slavery and prostitution, one which also takes into account people's ability to resist through a number of individual and collective means.

Finally we looked at the debate over 'new slavery' and, in particular, Bales' analysis of contemporary slavery as a phenomenon different from, if comparable to, old slavery. We saw how Bales' approach is informed by an ethno-centric model which explains slavery in terms of 'developed' and 'underdeveloped' worlds, and that this dualism maps onto other dualisms such as free/unfree labour, legal/illegal migration, free/unfree prostitution. I made a critique of Bales' approach as one which presumes a binary division between those who belong to the western civilised community and those who do not, and one which deploys the term 'slavery' as a metaphor which speaks to the barbarity of the Other.

The reason why I wanted to discuss Bales' analysis of slavery at some length in this study stems from the observation that his statistics, language, and views about 'new slavery' and 'trafficking' are already having substantial influence on much press coverage on the subject, on non-academic (e.g. NGO) research, on successive US government Reports on Trafficking, and even on the academia¹⁶. It would therefore be interesting to explore whether or not key actors working in social protection programmes in Italy understand terms such as

¹⁶ After all Bales is a Professor of Sociology and his last book has been well received by respectable scholars such as Suzanne Miers.

‘new slavery’, ‘trafficking’, ‘sexual exploitation’, and prostitution in the same way as Bales, and if, like him, they view global unfree labour as something reflecting the barbarity of some cultures in contrast with what is taken as the model for democratic civilisation and liberties. If this was the case, it would then mean that the kind of conceptualisation of ‘new slavery’ articulated by Bales and other anti-slavery activists matters also in policy terms. It would mean that the concept of slavery has taken on a life of its own, detached from the history of modern slavery and the complexities related to that history, in terms of the different socio-economic, political, and geographical, as well as specifically historical, circumstances in which slave and master relationships took place, the different degrees of dependencies involved, the role of agency and rebellion, the role of gender, which I have outlined in the first section of this chapter. What I set out to explore, then, in the successive chapters of this thesis is if, and to what extent, do key actors’ narratives about ‘slavery’ and ‘trafficking’, as well as their views about prostitution in general, and migrant prostitution in particular, reflect questions of community belonging (e.g. the belonging-exclusion binary division represented by the horizontal axis in Figure 1), or questions of labour exploitation (e.g. the free-unfree labour binary division represented by the vertical axis in Figure 1). The thesis will investigate whether the narratives offered by key actors working in social protection programmes denote a use of ‘slavery’ as a metaphor to designate specific phenomena such as global migration and the various forms of unfree labour which it entails as if they were a novel version of the old (white) slave trade, which victimizes specific groups of people, namely young and ignorant girls and women coming from poor regions and working in prostitution. If this was so, their approach to contemporary migration and associated servile labour would be one that mystifies the crude reality of contemporary international capitalism and its thirst for replaceable, flexible, cheap, and vulnerable labour. This would be an approach which, while providing the public with powerful stories about criminal organisations engaged in the slave trade and duped girls who fall prey to greedy traffickers, evades more complex questions of agency, women’s

roles and choices to migrate and to engage in sex work, and an analysis of the way in which prostitution has become part of the wider sex industry, within which it is not just ‘helpless’ victims whose labour and human rights are violated, but also women who choose to work in the sex sector but whose labour and human rights are not protected because, as Doezenia has pointed out, “international actors and agreements are rarely as vocal about promoting prostitutes’ rights as they are in condemning forced prostitution. No international agreement condemns the abuse of human rights of sex workers who were not ‘forced’” (Doezenia, 1998, p. 41).

If key actors working in social protection programmes think, like Bales and the likes, that the migrant women they assist are not ‘sex workers’, but ‘sexual slaves’, this would mean that for these women the metaphor of slavery works so as to fix their identity as ‘community outsiders’ whose outsidership is established according to criteria of belonging pertaining to race, gender, migrant status, and sexual behaviour. On a theoretical level this would mean that key actors, and more importantly women’s groups having an active role in anti-trafficking debates and policies, would not consider prostitution as part of what D’Cunha (1997) calls ‘reproductive labour’. Finally, on a policy level, to study key actors’ narratives about trafficking and slavery through Bales’ analytical model would highlight the risk of adopting ‘preventive’ and ‘repressive’ (in short conservative) approaches to immigration and prostitution, and to migrant prostitution in particular. If a similar ‘preventive’ and ‘repressive’ approach is applied to policies, then social protection programmes for ‘trafficked’ prostitutes, far from protecting the human rights of the latter, would leave them vulnerable to police’s abuses and to the risks of being forcibly repatriated on ground that they have not been found as ‘deserving’ protection. On the other hand, even when social protection programmes succeed in ‘freeing’ migrant prostitutes from their assumed enslaved condition, there is the risk that what they achieve through this type of policy would be a move from position D to position C in the diagram shown in figure 1 at the beginning of this chapter. In other words, an

anti-trafficking approach might not operate so as to guarantee a passage to work conditions/areas which are not subject to exploitative/slavery practices, but rather leads to women's partial incorporation into the private sphere as subordinate.

This thesis offers an exploration of the way in which anti-trafficking policies in Italy reflect specific views and orientations to the 'slavery'/'trafficking' debate, and of how these views affect migrant prostitutes through the policies that are applied to them. It highlights the perils of employing the category of 'slavery' as a term to describe certain experiences of oppression today. It is therefore important to locate this analysis of slavery as metaphor within the particular social history of the Italian national context, with its specificities in terms of national identity formation, colonialism, im-/emigration, and its conceptualisations of the Other, be it the prostitute or the 'extra-communitarian' (non-EU) immigrant. This is the subject I will explore in the next chapter.

Chapter 4

Slavery as Metaphor, Encounters with the Other and the Italian Context of Migration

This chapter sets out to present the Italian context in terms of its past and recent history of nation building and of migration. To review this history is useful for our understanding of the main object of this thesis, namely the way Italian protection programmes for VoTs work, the way they represent migrant women as ‘slaves’, and how these representations can be understood within a ‘colonial’ framework which considers Italian past encounters with the Other.

In order to do this, in the first part of the chapter I will focus on some important moments of Italian national identity formation, namely the ‘Risorgimento’, that is the social, cultural and political movement which led to the unification of Italy under a unitary state in the years 1861-1871, and Fascism, with its quest for colonial power. In particular I will try to highlight the most salient symbolic aspects of Italian nationalism as encapsulated in the language and images of the Risorgimento period (namely the role of woman and land, and the intertwining of traditional values linked to blood, religion, honour and kinship), with the modern ideas coming from the Enlightenment, with its rationalism and its ideas of freedom and independence. Italian pre-fascist and fascist colonial history will be presented in continuity with the evolution of its identity formation in opposition to an Other, be it the internal southerner or the external colonised African. Again, the role of woman and the gendered image of colonial conquest will be important. A constant trope in this evolution of Italian national identity building is the use of ‘slavery’ as a metaphor, sometimes in relation to the Italian political state as a divided and dependent nation, sometimes in relation to the Italian imperial project to ‘free’ ‘enslaved’ African peoples.

The other constant theme of Italian identity formation is its position within Europe, particularly its efforts to gain recognition as a ‘proper’, modern European state. With this

respect, the second part of the chapter, with its focus on recent migration flows and the Italian position as a new immigration country within these flows, will show the importance of the EU as a parameter to re-build credibility after the political and economic chaos following the corruption scandals of the early 1990s. I will use parliamentary speeches to highlight this aspect of national identity through reference to European efficiency requirements in the field of immigration policy, and also to show how the immigration issue, with its new 'extra-communitarian' Others, became a potent theme for political and electoral re-alignment. The immigration emergency, with its 'trafficking' drama, brought the old slavery metaphor back to the centre of public discourse. It also gave new impetus to the old colonial myth of 'good' Italians who free enslaved women from third-world countries, and Italian legal efforts in the area of trafficking proved particularly fruitful, gaining Italy a creditable reputation for the anti-trafficking policy established particularly through Article 18 of the immigration law, and for the 'good practice' established in the area of victim protection. I will look at the Italian legislation and its recent reform of the criminal code to accommodate a more flexible conception of slavery that can be applied to 'trafficked' women, as well as its cultural production around the issue of trafficking and its particular use of the slavery metaphor within that production.

All this sets the historical, socio-political and cultural backdrop within which our study of social protection programmes in the three Italian cities of Lecce, Catania and Rome will be analysed.

4.1 Metaphors, freedom, colonial missions and the nation: the Italian case

Anne Stoler has argued that the colonial world created by European powers was in one sense a projection of European fantasies and anxieties about their national identity, in particular as to the nature of bourgeois sexuality, which began to be viewed through the lens of representations of sexuality in the tropics (Stoler, 1997). Her discussion points to the

importance of both Freudian and Foucaultian interpretations of colonialism centred respectively on the interplay of power and fantasy in the first case, and power and discourse in the other. From this perspective, it helps us to understand the importance of language, for example the importance that metaphors had in the building of nation, particularly the gendered images and fantasies that played such a prominent part in European national and colonial experience.

Italy is particularly instructive with this respect. Its position as a late-coming nation in modern Europe and as a late colonial state, and the particular brand of early nineteenth-century Italian nationalism, known as *Risorgimento* ('Regeneration'), clearly illustrates the particular interplay between the metaphors of freedom and slavery on the one hand, and gendered interpretations of nation and colonial conquest on the other. Thus, in an essay on the discursive formation of 'nation' during the pre-unification period in Italy, Silvana Patriarca exposes the particular narratives that stood behind the formation of an Italian 'consciousness', and she highlights the importance of the relational aspect and inherent pathology of that consciousness, characterised as it was by exaggerated claims of cultural superiority in a context of objective stagnation and backwardness (Patriarca, 2005; see also Bollati, 1985, 1996).

In the peak years of Italian pre-unification nationalism, from 1815 until unification in 1861, *Risorgimento* intellectuals referred to the state of Italy as one of hopeless slavery, be it intended as 'slavery of intellects', in Gioberti's¹⁷ term, or as the 'abject slavery' of being under foreign rule, lamented by poet Ugo Foscolo's romantic character Jacopo Ortis¹⁸. The vast literature of these years is replete with metaphors used to describe Italy before unification. These metaphors were all impregnated with gendered figures and images, which, as Alberto Banti has suggested in a recent book, were aimed to convey strong emotions linked to manly honour (Banti, 2000; see also Patriarca, 2005). Recent studies on these linguistic

¹⁷ Vincenzo Gioberti, cited in Patriarca, 2005, para 12; see also Del Boca, 2006.

¹⁸ Ugo Foscolo, *Le Ultime Lettere di Jacopo Ortis*, cited in Del Boca, 2006.

metaphors and images have proposed an idea of early Italian patriotism which is strikingly at odds with the one we inherited from traditional historiography. They suggest that behind the words of freedom and independence from foreign rule, there lay a more obscure concept of nation and unification into a unitary state. To continue with metaphors, Italian patriots of various stripes intended unification and the formation of the nation-state as a transition from a state of 'degeneration' conceived as a "process of almost literal feminisation" to "a national 'regeneration' conceived as a process of almost literal re-virilisation of the people" (Patriarca, 2005, para 6). Banti finds that the object of desire of Italian patriots, the nation that is, was pursued through the use of a range of pre-existing linguistic structures, such as honour, religion and kinship, and the idea of nation which ensued was therefore marked by elements of blood and land (*suolo*), which we tend to associate more with German nation building (see Banti, 2000). The creation of the Italian nation-state, then, was purported not only through the values of liberty and independence, but also through a call on honour: the honour offended by the violation of the land, of the dignity of the people, and of the purity of Italian women. Reference is made to the recurrent image of male duel fighting as a way to combat the foreign enemy, and to the image of the foreigner who violates the Italian woman, as part of the 'archaeology' of national discourse (see Banti, 2000).

But, to go back to Patriarca's notions of 'relationship' and 'pathology' in Italian consciousness, the idea that was built of the Italian national character was not of the Italians' own exclusive making, but also came from foreign visitors. Italy, observes Patriarca, like other nations situated at the 'margins' of Europe, had gone through a process of Othering, which included both negative and positive stereotypes. Typically, these stereotypes, particularly those coming from the vast literature of the Grand Tour, included images of the Italians as "indolent, morally and sexually lax, and easy to resort to fights and arms" (Patriarca, 2005, para 9; see also Del Boca, 2006; Bollati, 1985, 1996), in other words the same attributes used by European slaveholders with regard to their African slaves (see

Patterson, 1982). In this process of Othering, Italians themselves soon engaged, referring to Southerners in particular as “lazy, timid, full of vices, and inclined to superstition” (Patriarca, 2005, para 10). In the context of European Enlightenment, the Italian character seemed at odds with civilisation and Christian values, and parallels between Italy and the Orient were in fact recurrent in much literature of the time (Patriarca, 2005)¹⁹. In order to be raised to its proper place in Europe as a civilised and Christian nation-state, Italy, then, needed to go through a process of de-feminization and de-Orientalization, thus to regain its industrious and glorious past (Patriarca, 2005).

In trying to find a link between nineteenth-century Italian nationalism and gender conceptions and Italy’s future colonial history, and how these factors interplay within a discourse about slavery and about women, we cannot avoid noting that Italian patriots embraced the philosophy of separate spheres between men and women as part of the exercise of forging a masculine national character. Notwithstanding the role in the creation of the State that women had performed not only as mothers and teachers of patriots, but also as participants in political activism²⁰, the new Italian nation was idealised around the image of neatly separate gender roles. In this image the ideal of ‘real woman’ was to be the ‘pious’ and ‘domestic angel’, and the ideal of ‘real man’, breaking with the old figure of the *cavalier servente* (the vain nobleman who devotes too much time to the company of women), was substituted with that of the bold, courageous soldier, who would find in war, even in “the beautiful wars of Christian conquest”, a training ground for “other wars, from which would arise greater [Italian] hopes”, in the words of Cesare Balbo (cited in Patriarca, 2005, para 42, original square brackets).

¹⁹ It has been argued that an Orientalist discourse is still applied to the Italian South by Northern Italians (see Grillo, 2002).

²⁰ For the role of women in Italian nationalism see Soldani, ‘Donne e nazione nella rivoluzione italiana del 1848’, *Passato e Presente*, 17 (1999); see also the special issue ‘Patrie e appartenenze’, *Genesi: Rivista della Società italiana delle storiche*, n. 1, Vol. 1, 2002, especially Soldani ‘Italiane! Appartenenza nazionale e cittadinanza negli scritti di donne dell’Ottocento’.

Italian colonial campaigns after unification were part of that same pathology, since grandeur was sought in the context of military, political and economic weaknesses. But these campaigns were also the result of the type of nationalism produced by early patriotism, a nationalism which had more continuities with the future aggressive nationalism of the fascist period than Italian historiography is prepared to admit²¹. In an international context which Patriarca (2005) describes in terms of the 'unequal dialogue' between European states, post-unification Italy appeared as in the words of Klemens von Metternich, nothing but 'a geographical expression' (see Del Boca, 2006, p.16). Italy's participation in the scramble for Africa in 1885 was premised upon military weakness, compounded by total ignorance about African political and cultural matters and an obstinate confidence that the Italians were duly taking part in what was viewed as a war 'between civilization and barbarity' (Del Boca, 2006). To have an idea of the type of project which animated the Italian colonial mission in Africa, Del Boca reports the speech pronounced by the then prime minister Francesco Crispi in parliament on the day after the Italians arrived in the Horn of Africa:

What is our aim? only one: to affirm the Italian name in the African regions and demonstrate also to the barbarians that we are strong and powerful! The barbarians can only hear the power of the guns; so, our guns will thunder at the right moment. (Crispi, cited in Del Boca, 2006, p.75, my translation)

The Italians began to use the same stereotypes that for centuries had been used by both Italians and non Italians to describe the Italian and, within Italy, the southern character. From the first experiments in Eritrea and Somalia in 1882-85, through to the Libya campaign in 1911 and the invasion of Ethiopia in 1935, it was a history of brutality and extermination, of prison camps and summary executions, of deportations and forced labour, which only recently, and with some difficulty, has been documented by a few historians. The images that Italian colonizers had in mind for the realisation of their enterprise were those associated with

²¹ On the continuity between liberal and fascist Italy in developing a nationalist discourse based on race and eugenics see Sòrgoni, 2002.

the European conquest of America and the extermination of the Indian population (Del Boca 2006; Labanca, 1993). According to Del Boca and others, the reason why the Italian historiography has been so reluctant to unveil the atrocities committed by both liberal and fascist Italy in Africa and in the regions occupied in Europe during the Second World War, is to be found in the persistent image that Italians had built for themselves from the unification, that is as 'good people' (Del Boca, 2006; see also Labanca, 2002; Palma, 2005). As Del Boca points out, this myth about the 'natural' kindness of Italian people has shielded them from the harshness of history, and it persists until the present (Del Boca, 2006). The myth was created in the colonial context and through the images of African people who were being saved from slavery by Italian soldiers. These images of Italian soldiers saving natives from their slavers arrived the metropolis through a plethora of tales, photographs and post-cards produced from the late 1800s to the fascist era (Palma, 1999, 1997; Del Boca, 2006). The fact that the fascist government defined its colonial policy as 'demographic' colonialism, which would send Italian workers and peasants to build civilisation and progress alongside the colonised people for the common good, would cast the Italian colonial state apart from other colonial powers, as 'kindly colonialism' (see Palma, 1997; Labanca, 2002; Del Boca, 2006).

Italy, even fascist Italy, participated in the rhetoric about saving Africa from slavery, and this among other things shows how difficult and ambivalent European abolitionist and emancipation policy in general had been in many parts of Africa (see Lovejoy, 2000; Klein, 1994; Lovejoy and Falola, 2003). To be sure, antislavery had quite a different history in Italy, as it did not come from the social middle classes, nor was it carried out by any political group. This can be explained chronologically by the fact that Italy began its colonial activity when in England the antislavery agitation had lost its momentum. The Italian Antislavery Society was founded by Cardinal Lavigerie in 1889 with the support of Pope XIII, following the antislavery campaigns conducted by the cardinal both in France and in Italy (see Ceci, 2002). The history of antislavery in Italy, however, reflects the nature of the relationship established

through time between the State and the Catholic Church. While all European antislavery policy reflected a conflict between a lay conception of civilization enshrined in the Enlightenment's rationalism and liberalism, and a Christian conception of civilization which Catholic and Protestant churches alike wanted to affirm in the colonies, this conflict, observes Lucia Ceci (2002, 2005), was particularly acute in post-unification Italy, where the Church was not yet integrated into the Italian state. The so-called Roman Question meant that when in 1896 the Italians attempted to occupy Ethiopia, the Catholic review *La Civiltà Cattolica*, the official organ of the Vatican, could deny that Italy had any right 'of civilization against barbarity' while at the same time it maintained that only a country that was 'nationally Catholic' could have brought 'true civilization in Abyssinia' (Ceci, 2005). The Antislavery Society in Italy, together with its sister National Association for the Rescue of Italian Catholic Missionaries (*Associazione nazionale per soccorrere i missionari cattolici italiani*), was closely linked to the Church, which used the missions as an opportunity to integrate itself into the Italian State in an attempt to promote a unitary project of 'bringing civilization' under the unified Christian and Italian banners (Ceci, 2002). As it was made clear by one of the speakers in the first Congress of the Antislavery Society held in Rome in 1903, vice-secretary Gennaro Angelini:

Convinced as I am that colonial expansion in Africa is a providential event to open the black continent to Christian civilization and protect it from the disastrous Islamic influence, I am delighted that Italy, still faithful in its majority to the religion of its ancestors, also takes part in this glorious crusade against barbarity, by giving our valuable missionaries the opportunity to act for the good of civilization and of the Fatherland. (cited in Ceci, 2002, p.42, my translation)

The full integration of the Church into the Italian state polity was sanctioned by Mussolini in 1929 with the signing of the Lateran Pacts. The relationship between State and Church in the colonies was premised upon the understanding that the Church ensured that Italian mission stations in the colonies did not engage in religious proselytising so as to avoid

conflicts with Islamic leaders, and that their action would be limited to establish schools, institutes for orphans, professional schools, 'free villages', etc. Up to 1932 the Church established good relations with the Islamic powers in the Somalia region, and the Vatican press publicly praised the cooperative attitude of the Ethiopian Ras Tafari as the paladin of antislavery policy (Ceci, 2003). By 1937, however, the missions had been absorbed into the fascist colonial policy in Ethiopia, and the same Catholic press now celebrated "the prodigious triumph of our weapons against the slaving hordes of the Negus [and] the foundation of the Empire" (cited in Ceci, 2003, p.2, my square brackets).

Antislavery policy in the Italian East African colonies followed more or less the same line which had been traced by other colonial powers in the area. The antislavery attack was directed against the slave trade, of which those mainly responsible were held to be the Arabs and Swahili peoples, whereas domestic slavery was viewed as benign and not an issue for the colonialists (see Lovejoy, 2000). In Somalia, until 1905, the antislavery policy was carried out by a private company (*La società del Benadir*), which proved to be totally inefficient in the task and became the object of three judicial investigations for having allowed slavery not only to be tolerated in the colony, but to have been actively encouraged, with the legalisation of contracts of slave ownership through Italian formal stamps. This was documented in an enquiry carried out by the explorer Luigi Robecchi Bricchetti on behalf of the Antislavery Society (see Del Boca, 2006; see also Ceci, 2002). As reported in another document presented the Italian parliament in 1903, "there is no domestic slavery in Benadir, if for domestic slavery we intend that it is sufficient for the slave to appear in front of the Italian authorities and to express his will to be freed for this to happen. Slaves are bonded unconditionally [to their masters], except for some rare case where the master decides to free

his slave” (my square brackets)²². The same document reports that slaves in Somalia can be “bought, sold, imprisoned, inherited, donated, exploited and rarely freed”²³.

If the liberal colonial authorities had economically profited from slavery, the fascist colonial government in Ethiopia actively engaged in the use of forced labour (Del Boca, 2006). Ironically, it was the highest fascist authority in Ethiopia who denounced the plight of indigenous forced labourers in the irrigation area along the Uebi Shebeli river in Southern Ethiopia. As Del Boca reports, in his memorial General Serrazanetti stated that, while forced labour may be a necessity in the process of establishing a colony, the way it was used by Italian employers and officials went beyond any public scope and violated the basic civil norms applied even by slave-owners to their slaves (Del Boca, 2006). The kind of labour system described in this document was so harsh that labourers were reported to prefer to kill themselves rather than work in the fields (Del Boca, 2006). By this time antislavery, which both the fascist government and the Church, had used as the main justification for the invasion of Ethiopia, was an empty slogan and forced labour, defended by Mussolini, survived until the last Italian left the country, which was not until 1948 (Del Boca, 2006). For the Church, antislavery propaganda was a pretext to denigrate the “low religious and moral level of the Abyssinian peoples” and to exalt the “generosity” of Italy (Ceci, 2003).

To conclude this excursus of Italian national and colonial history, I wish to end where I began, that is with the gender and sexual aspects of that history. Italian penetration of African lands usually also meant the literal penetration of African female bodies by Italian colonizers. There is a vast literature, novels and biographies, and photos collections representing African women as slaves freed by Italian soldiers, or featuring naked female bodies washed by Italian soldiers, or narrating the exotic beauty of African women through

²² In Atti del parlamento, legislatura XXI – 1902-3, p.102, see Camera dei Deputati, 1903. See also Del Boca, 2006.

²³ Camera dei Deputati, 1903, p.103.

the same linguistic metaphors and tools used to describe exotic African landscapes²⁴. In line with a long tradition of representation of colonial conquest as a ‘feminine conquest’ (Pickering-Iazzi, 2003), the fascist regime did not shy away from using this image, as the song popular among the soldiers approaching Ethiopia suggests in its text: “*Little black face, beautiful Abyssinian woman, we will give you another law and another king*” (see Pickering-Iazzi, 2003, p.197, my Italics). It was not just a metaphor, but an established custom for Italian men of any class and rank to cohabit with a local woman from whom they would have sexual and domestic services as well as children who would in most cases not be legally recognised by their fathers, in many cases because their recognition would have violated fascist ‘race’ laws (Taddia, 1988; Pickering-Iazzi, 2003; Del Boca, 1999; see also Sorgoni, 2002). Yet, the preoccupation with miscegenation prompted the regime to discourage this custom by introducing legal measures against inter-racial sexual relations which were in contradiction with its rhetoric about male virility, a rhetoric translated at home into a booming of state-controlled brothels. As a matter of fact, Mussolini, in open contempt of international anti-white slavery and anti-prostitution laws which he ridiculed as Quaker sentimentalism, resorted first to the export of French prostitutes and then to instituting local prostitution areas for different ranks of Italian soldiers, in a vain effort to conciliate the need to protect the image of the Italian woman as ‘pure’ and ‘domestic’, as against the indigenous woman who came to be viewed in the popular imagination as ‘prostitute’ (Palma, 1997). The surveillance of sexual behaviour proved difficult, because scientific racism in this case entered into conflict with a more rooted form of racism which reduced the African woman to a sexual object (Palma, 1997). As Stoler has pointed out, a discourse of sexuality and the management of sexuality in the colonial world reflects pre-existing preoccupations about class and race order, namely the

²⁴ Images of black women as objectified female bodies are found in Del Boca and La banca, 2002, *L'Impero africano del fascismo*. Editori Riuniti. See also Ennio Flaiano, 1966, *Tempo di uccidere*; for an autobiographical collection see Irma Taddia, 1988, *La memoria dell'Impero*. The theme of colonial gendered representations from a cultural studies perspective can be found in Patrizia Palumbo (Ed), 2003, *A Place in the Sun*.

inclination to draw boundaries between ‘middle-class virtue’ and ‘lower class immorality’ (Stoler, 1997). This is even more so in the Italian case, since, at a time when in the rest of the world the right of colonial powers was being questioned, the colonial world created during the fascist empire – (with its mobilization of men and women for the colonial cause, its institution of pre-colonial camps simulating ‘primitive colonial living’, its courses on colonised cultures and races, on colonial home furnishings, gardening and cooking for the Italian middle-classes), sought to establish in the colonies a social order which reflected highly gendered, racial and class hierarchies which are still present in the ways Italians relate to themselves and to the Other, be it an immigrant, a prostitute or any other ‘deviant’.

Given this historical heritage, we should now move our attention to the recent debate about (im)migration in Italy.

4.2 Italy as a new immigration country and the domestic debate on migration

Within the period of the new wave of international migration, which began in the early 1980s, Italy has been transformed from what was a traditionally emigration area to being an immigration area, along the lines of other European countries (such as Spain, Portugal, Greece) in the Mediterranean area, which has been described as a new ‘migration space’ within which ‘new cultural encounters’ have taken place (King, 2001, p. 1; Ribas-Mateos, 2001; see also Castles and Miller, 1998; Sassen, 1999). Within this process of transition from a state of emigration to a state of immigration, a number of different migration experiences have been taking place almost at the same time: internal migration, return of Italian emigrants, and external migration from non-EU areas. Moreover, the latter does not conform to what orthodox migration scholars have taken to be the typical migratory experience of the single male followed by family settlement. Rather, many different experiences are evident, with the

different Italian regions providing different contexts of migration²⁵. Within the new international migration, women and children are independent actors who, as was the case of those single men who came to Europe during the 1960s and 1970s, are being 'pushed' from their countries by a number of factors (e.g. escaping wars, poverty, oppressive social systems etc.) and 'pulled' towards the rich North by a number of other factors (e.g. attraction towards affluent societies, search for better earning opportunities, etc) (Pugliese and Macioti, 1991; Mottura and Pugliese, 1992; Melotti, 1995; Zanfrini, 1992; Zontini, 2001; Campani, 1993; Castles and Miller, 1998).

Italy, therefore, has become a migrant-receiving country at a time when the neoclassic theories of migration are giving way to a more complex, articulated analysis which takes into account questions of dual-labour markets, world-systems, network and institutional theories, all of which explain population movements in the light of an intertwining of factors related to both individual, micro-level decision-making and decisions taken on a macro-level (Massey et al., 1993, Salt and Stein, 1997). Among these factors two can be considered as particularly relevant for Italy: the underground economy and the presence of a large voluntary sector which, in the case of Church agencies such as Caritas, over time have managed to organise and select the flow of migrant labour, independently from government plans (see Petrucci, 1995). The underground economy, which in Italy absorbed more than 20 per cent of the total labour force in 1995 according to a study,²⁶ has attracted a substantial portion of migrants (Busetta and Giovannini, 1998), in particular irregular migrants from non-EU countries, whose number is estimated to be the highest in Europe, from 1 to 1.5 million people (Sassen, 1999), and who, according to data from Eurostat relative to year 1993, constitute 84.5% of all the migrant population (Melotti, 1995, p. 115). According to an IOM study, in spite of high unemployment in Italy, there is a demand for migrant labour, particularly female migrants in

²⁵ See, for example, Faiçal Daly (2001) for the case of Tunisian migration to the South and North of Italy.

²⁶ Quaderni della Fondazione Centro Ricerche Economiche 'Angelo Curella'. New Series – N. 2. See Busetta and Giovannini (1998) *Capire il sommerso*. Napoli: Liguori.

the domestic service sector (IOM, 1996). The same study reports that unmarried women have migrated to work as maids in Italian cities since the 1970s, and that the demand for women in 'traditionally female jobs' such as waitresses, domestic workers, nurses and 'entertainers' has grown (IOM, 1996; see also Campani, 1993, 2000; Vicarelli, 1994; Zontini, 2001). The presence of the informal sector in Italy has certainly allowed for a pattern of female migration which Morokvasic (2004) describes as a kind of 'settlement' in mobility. During the 1970s and 1980s this pattern was represented by male migrant seasonal labour in agriculture, but during the 1990s it came to be represented by Eastern European women - in particular Polish and Romanian – who, caught in the crisis linked to their countries' transition from communism to liberalism, adopted a rotating system of migration characterised by temporary work in the informal service sector, such as domestic and care work in Italian families and sex work, implying risks of exploitation and violence as well as opportunities for economic improvement (Morokvasic, 2004, see also Anthias, 2000).

During this new phase of migration, the informal sector became the largest area of recruitment for female migrant labour (Campani, 1993) and, within this area, the female migrant domestic worker and the migrant street sex-worker (or the 'immigrant prostitute') became the two major stereotypes which defined specific groups of migrant women, in particular Eastern European and African women (see Pugliese and Macioti, 1991). While those engaged in domestic work were not viewed as posing a problem, and for them regularisation was to some extent more available, those engaged in street sex work, typically from Albania and Nigeria, soon became the focus of the debate about the 'traffic in women' and the emergence of 'new slavery'. Angel-Ajani sets this debate within a discursive framework which criminalises specific migrant groups and considers some 'deviant behaviours' as being almost 'non-Italian' (Angel-Ajani, 2003a, p. 51, see also Dal Lago, 2002, Melossi, 2003).

While up to the 1980s immigration was not a central issue in Italy and governments limited themselves only to responding to each immigration flow with specific ad hoc amnesty laws which aimed to regularise a certain number of undocumented migrants, in the 1990s the situation changed as the political landscape both in Europe as a whole, and in Italy in particular, underwent radical changes. The fall of the Berlin Wall and the opening of the borders with Eastern Europe initiated new immigration flows into western Europe – although less dramatic than those which had been announced by western governments and international agencies - and Italy became one of the destination areas for many people leaving those countries and for the thousands of refugees who escaped ethnic cleansing in former Yugoslavia (King, 1998). During the same period Italian politics underwent a crisis as a result of a series of judicial investigations by a pool of judges from the Milan court which resulted in the incrimination of important politicians charged with corruption, illegal party funding and involvement in the Mafia system. The whole judiciary process, known as *Operazione Mani Pulite* ('Operation Clean Hands'), led to the end of what was from then on called the First Republic, meaning that the political class which had ruled Italy for over forty years, and to the beginning of a supposedly new era for Italian politics, a Second Republic, with an array of new political forces and extreme right movements and parties taking the fight against illegal immigration as one of their core political programmes.

During this new phase of Italian politics the condemnation of 'illegality' became the political winning card for both left- and right-wing governments, and 'illegality' increasingly came to be linked to what Melossi calls the 'crime of modernity', that is migration and mobility, with all the anomie and deviance which they supposedly entail (Melossi, 2003). As Melossi points out, in a society where forms of illegality were found to be widespread at the highest levels of public life, foreigners became the scapegoat in a psychological process of repression and displacement, whereby the criminalising attitude towards foreigners underlies "a fundamental suspicion towards ourselves and the kind of society *we* have built" (Melossi,

2003, p. 383, original emphasis). Within this framework, which Maneri calls ‘security’ frame, the ‘crime’ and ‘immigration’ emergencies became so linked discursively that “they often were deployed interchangeably” (Maneri, 2001, p. 12-13). The immigrant becomes the accepted ‘public enemy’, and it is the immigrant’s ‘deviant behaviour’ which gets closely checked, rather than the general context of social relationships within which that behaviour is enacted (Maneri, 2001, Melossi, 2003). So, for example, East European, South American and African women’s involvement in street sex work, and Moroccan men’s involvement in drug-dealing are popularly viewed as problems linked to immigration, foreign organised crime and ‘trafficking’, despite the fact that they actually reflect a taste for drug and commercial sex consumption on the part of Italian people (Melossi, 2003, Angel-Ajani, 2003a, 2003b).

The first parliamentary debates on migration reflect the search for legality, which in the Italian context coincided with a search for a new identity marked by European concerns with regard to efficiency and effectiveness in dealing with migration. So, in 1990 illegal immigration was framed as a problem of lack of proper laws in line with European standards, as shown by the following extract:

Italy has become [...] the soft belly of Europe. While the rest of Europe, for years now, has disciplined immigration [...], Italy is still the ‘beautiful country’ which is producing, with this Government, the fifth amnesty over clandestine immigration.

We must apply the principle that the peoples who have fought for their freedom have the right to enjoy it in their own country, and that no man can be uprooted from his land for work reasons. These peoples, therefore, must be helped, but in their own countries. (Martinat, Camera dei Deputati, 15/02/1990)

If we consider that the author of this speech is a member of a social movement which has direct origins in the old fascist party, now the post-fascist *Alleanza Nazionale*, we can better understand the irony in this narrative of the ex-colonies’ newly found independence and the implication that the people there must stay to enjoy it in their impoverished countries, with

the help of the rich West which in the first place contributed to the creation of those conditions.

The dual discourses of criminalization and cultural difference which are mentioned by Angel-Ajani as defining features of Italian anti-immigration policies, are reflected in propositions about religious difference and the dangers that Italy may become a 'multi-ethnic' or 'multi-racial' society, propositions which we can find in a resonant speech by the Speaker of the Italian Senate, Marcello Pera, who in summer 2005 warned Italians about the dangers that Europe, and Italy, may become populated by 'mixed-race' people (*meticci*)²⁷. In the same speech he warns against those who in the name of a 'sentimentalist', 'rhetorical', 'weak' tolerance want to deny western 'superiority' against Islamic cultures.²⁸ In a similar vein, liberal philosopher and political scientist Giovanni Sartori has written in various articles published in the national daily *Il Corriere della Sera* that certain migrant groups (African in particular) are incompatible with Italian culture and that Italy should take a tough and responsible position in matters concerning immigration and border control. We have, then, an anti-immigration discourse which ranges from the overt racist and xenophobic language of the extreme right party *Lega Nord* (Northern League) to the more subtle positions about cultural incompatibility and difference expressed by a range of actors from the media through to the political, scientific, and intellectual world. The writings and speeches of this discourse produce what Dal Lago calls a 'tautology of fear' which turns urban tales into social, political, and legal reality (Dal Lago, 2002). Right-wing anti-immigration position might indicate, as pointed out by Davide Però, "that Western Europe is pervaded by a hegemonic ethno-nationalist discourse which both in its illiberal and anti-EU version (Right) and in its neo-liberal and Europeanist one (EU) prescribes congruence of culture, community and territory and considers immigrants (especially if Muslim) as outsiders if not dysfunctional aliens" (Però, 2005a, p. 834; also Però, 2001, 2002). Nor is this discourse confined to the political

²⁷ Pera M., 2005. Reported by F B, *La Repubblica*, 11/09/2005.

²⁸ Ibid.

Right. On the contrary, symbolic statements such as ‘immigrants are a threat for honest citizens’ have become a weapon used by legitimate political representatives of the Left, who pretend to articulate the people’s genuine fears and insecurities. It is in fact in the most left-wing and progressive of Italian cities, Bologna, where the mayor, ex-trade union leader Sergio Cofferati, has responded to recent citizens’ committees’ outcry against micro-criminality and squatting by migrant people through forced removal, dismantling of ugly-looking migrant camps, and with statements about ‘the danger posed by illegal immigration’ and the drift towards ‘racist’ reaction if nothing is done²⁹. According to this socialist representative, the Italian left should not be ashamed of using the word ‘legality’ for fear that it would supplant concerns about ‘social justice’, and it should ultimately understand that if citizens are hostile to illegal immigrants is not out of racism, but because of genuine and legitimate fears about insecurity – “We must face it, when crimes are committed by foreigners people are more frightened”.³⁰ Again, this attitude is suggestive of a more general ambivalence of the new Italian Left towards immigration policy, which, as Però points out, “in principle favours ethno-cultural difference and appreciates syncretism, but that (apart from being scarcely applied in practice) fails to ‘integrate’ or combine with other egalitarian preoccupations, such as the promotion of socio-economic justice” (Però, 2005a, p. 852; Però, 2001, 2002). The fact that this new Left policy is carried out through the intervention of civil society actors in the form of committees of the type found in Bologna and of associations which are subordinated to the formal political system, demonstrates in a way what I have already indicated in the previous chapter, that civil society can be ‘conservative’, rather than ‘progressive’, and so the ‘multi-culturalist’ politics presented by its various actors serves only to maintain a ‘progressive’ and ‘politically correct’ appearance while being in actual fact unprepared to confront the conditions of super-exploitation and oppression affecting migrant people (Però,

²⁹ For a more in-depth discussion on the attitude of the Italian Left, and of the Bologna administration in particular, towards immigration, see Però, 2005.

³⁰ Cofferati, interviewed by Marco Imarisio, *Corriere della Sera*, 22/06/2005.

2005a, p. 852; Però, 2001, 2002). The 'immigration emergency' in Italy is, then, a recurrent theme for the national press and politicians of both the Right and the Left. We can trace the symbolic start date of this emergency back to March 1991, when an old overcrowded ship approached a port town of the Italian Puglia region. The dramatic image of thousands of Albanian refugees climbing through and jumping from the ship toured the world, after it was used as part of the famous shocking advertising campaigns launched by Benetton. It is reported that "in six days, 19,619 Albanians crossed the Adriatic Sea to land in Puglia" (Perlmutter, 1998, p.203). It was the beginning of what came to be known as the 'Albanian refugee crisis', a crisis which, as Perlmutter observes, for the first time led a medium-sized power like Italy to persuade the UN to provide it with a mandate to lead a military-humanitarian mission in Albania to restore order (Perlmutter, 1998, p. 203).

As many authors observe, this first wave of Albanian flotilla migrants, which was followed in June and August of the same summer by another two, took political authorities by surprise (King and Mai, 2002; see also Piperno, 2002), and left the Italian public with the impression of receiving a biblical exodus which in the end brought around 50,000 Albanians into Italy (Ciconte and Romani, 2002). The steady increase of arrivals of migrants to the Italian southern ports prompted the above mentioned ideologically-driven debate about immigration, a debate which allowed television and the press a free hand to transform a complex phenomenon into a series of simple stereotypes, according to which migrant people are too many and too poor, and who all are for this reason all responsible for the increase in crime (Ciconte and Romani, 2002). In the case of Albanian migrants in particular, King and Mai (2002) observe how in a matter of six months the Italian public discourse articulated through the media shifted from treating Albanians as refugees who escaped political unrest, to treating them, from the second wave onwards, as 'illegal' economic migrants, democratic government having by then been established in Albania (King and Mai, 2002; see also Perlmutter, 1998). If even up to 1990 the emergency had concerned the presence of illegal

Senegalese street vendors selling boot-legged goods, and the presence of black African and Moroccan men involved in drug dealing, from 1991 onwards the Albanians became the main target of media discourse about immigration and, as pointed out by King and Mai, the very term *Albanese* came to signify “a combination of the ‘desperate, poor, uncouth immigrant on the one hand, and on the other the even more negative stereotype of the ‘untrustworthy’, the ‘criminal’, the ‘prostitute and pimp’” (King and Mai, 2002, p. 163; see also Piperno, 2002). By the year 2000 the emergency concerned criminal organisations with specific ‘ethnic’ or national characteristics, and the press had a prominent role in carrying out what can be described as very effective anti-immigration propaganda, to the extent that politicians of the extreme right had only to cite newspaper articles to illustrate the ‘immigration-and-crime emergency’, as in this parliamentary speech:

Il Gazzettino reports, among other things, the statement of two public prosecutors that: ‘the Albanian and Nigerian Mafias are totally free to do what they want in this country’. [...] On the Internet I looked at various archives of national newspapers related to the last month and I typed in the word ‘Albanians’. There appeared tens and tens of articles on the barbarities carried out by their gangs at the expense of our citizens during their night-time visits to their houses. [...] The problem [...] is about Albanian and Nigerian Mafia gangs who come to Italy and force our citizens to see in the same way the good immigrant and the criminal immigrant, because laws do not allow us to distinguish between the two. (Dussin, 2000)

The Italian public discourse on immigration is to be contextualised in what King and Mai (2002) call the Italian ‘politics of “othering”’ after the break-up of the ‘First Republic’ and Italy’s search for a new identity within Europe as a modern, efficient state. There was a parallel here between the political turmoil experienced by Albania and that experienced by Italy during the same years, which King and Mai link to Italians’ demoralisation and resentment towards the political system and to a “process of redefinition of a new Italian identity in relation to its internal and external ‘others’” (King and Mai, 2002, p. 187). The main points which characterise the nexus between the search for a new national identity and

the way in which Albanian immigration is represented in the Italian media are summarised by King and Mai as follows:

- Albania's association with Italy's (fascist and colonial) past;
- The condition of deep institutional and moral crisis that Italy was in at the time of the first two migratory waves in 1991;
- The echoing of current Albanian migration with respect to Italy's own experiences of internal and international migration since the country's unification;
- The re-emergence of dynamics of social antagonism that had been repressed in the process of construction of the Italian unified state and culture, and the re-projection of some of these repressed dynamics onto the socially-disadvantaged Albanian immigrants (King and Mai, 2002, p. 187)

The equation immigration-transnational crime, expressed in the above quoted parliamentary speech, opened up a good opportunity for the Italian authorities to show both on a European and national level that Italy was efficient in crushing Albanian and Nigerian Mafia organisations and in controlling national borders. The idea behind that equation, that immigration was not driven by individuals searching for a better life but instead orchestrated by international criminal networks, was also supported at international level by the European commission and other international bodies such as the UN, which in 1999 established an Ad Hoc Committee to develop instruments to combat organised crime, including trafficking, and in the following year produced the Convention on Transnational Organised Crime and the Trafficking and Smuggling Protocols, signed in Palermo in December 2000, which was discussed at some length in the previous chapter.

In the following sections I would like to look at the way in which trafficking was managed in Italy as a discursive tool falling within its immigration policy. Particularly I will look at the legal, social and cultural framework within which the debate on trafficking and new slavery developed in Italy.

4.3 Trafficking, prostitution, slavery: the Italian law context

Italy did not have a specific law on trafficking in human beings until 2003, when Law n. 228 on the 'Traffic in Human Beings' and 'Slave Trade' was passed by the parliament on 11 August 2003. Until then, the Italian legal system offered a wide range of rules and provisions relating to a diversity of offences:

- the law on prostitution (Law n. 75/1958), in particular Article 3, n. 6, dealing with the transfer of persons within the state territory or to another state for purposes of prostitution;
- the penal code of 1930 in those articles dealing with sexual violence and with 'slavery' and 'reduction to slavery' (Articles 600-604, now redefined by the law on trafficking);
- the law on immigration (Law Decree n. 286/1998³¹), in particular Article 12 against illegal immigration, especially when it is aimed to recruit persons to introduce in prostitution, and Article 18 which provides a residence permit for reasons of social protection;
- the law against paedophilia (Law n. 269/1998) also falls within the area of the law concerned with the fight against trafficking and 'new slavery', with reference to minors as victims of specific sexual offences, such as exploitation for prostitution, pornography, and sexual tourism, defined as 'new forms of reduction to slavery' ;
- Finally, the law against sexual violence, recently modified by Law n. 66/1996, which at last locates sexual violence among crimes committed against the person, and not, as was previously the case, as a crime against morality. Article 3 punishes whoever, through violence or threat or abuse of authority, forces someone to perform sexual acts or to be the object of sexual acts. Article 4 provides for aggravation when the violence is committed on a person who is already subject to limitation of personal freedom.

There are in Italy, therefore, a variety of laws which can and are applied to cases of migrant women who suffer sexual abuses or forced labour. However, 'trafficking' posed a

³¹ It is worth to mention at this point that in the Italian legal system law decrees differ from ordinary laws because they are issued by the government instead than the parliament in emergency situations. As a consequence, law decrees must be converted into laws by the parliament within 60 days from the date of publication in the Official Gazette, otherwise they lose their force.

problem for the Italian jurisprudence to the extent that its link with the crime of ‘slavery’ made it difficult to apply existing laws. The articles contained in the penal code were too old, they dealt with the traffic of Italian women, for exploitation in brothels overseas (‘white slavery’) and with a condition of slavery like that defined by the League of Nations Slavery Convention of 1926 (slavery as the exercise of rights of ownership, or ‘chattel slavery’), widened afterwards to bring into consideration also ‘practices similar to slavery’. Judges, in dealing with contemporary cases of migrant women and girls exploited in prostitution seemed reluctant to use the penal code and during the 1990s they applied a progressively revised and expanded concept of slavery almost exclusively to cases of child labour in areas other than prostitution (only in one case involving a 15 year old Albanian girl exploited for prostitution was this definition applied) (Virgilio, 2000, 2002a). As pointed out by Maria Virgilio, the difficulty in applying the concept of slavery to adult women consisted in the fact that the total subjection which the slave relationship is deemed to imply is easier to demonstrate in the case of child exploitation, but a lot more complicated in the case of adult women working as prostitutes (Virgilio, 2002a, 2003). However, the jurisprudence progressively tried to look for a flexible enough definition so that adult women exploited for prostitution could also be treated as victims of slavery-like conditions. In 2001 a sentence of the Rome Court of Assizes of 23 February 2001 (sentence n. 1115, Bilbilushi) established exactly such a flexible conception by making clear that the law had to ‘prevent and suppress’ all “relations of domination which result in individuals being deprived of the ability to self-determination through a psychological subjugation and total annihilation of moral liberty” but which “does not exclude the concession on the part of the master of a reduced sphere of freedom”, the idea being that a minimum amount of freedom can better influence the victim’s inner will than crude violence (Virgilio, 2002a, p. 84; see also Rosi, 2004). It was in fact the case of a fifteen year old girl kidnapped in her country and brought illegally to Italy for the purpose of exploitation which led the Supreme Court in January 1997 to apply the concept of ‘conditions

similar to slavery' and to state that the practices listed in the Slavery Conventions of 1926 and 1956 constitute just examples of slavery-like conditions, to which any other de facto condition of subjection can be added (Rosi, 2004, p. 53; Virgilio, 2002a).

The search for a more up-to-date concept of slavery was part of a climate of emergency concerning 'trafficking', exacerbated by the dramatic stories which were described every day in the national press, television programmes, and the academic world. As elsewhere in Europe, trafficking had come to be understood as in the European Declaration of 1997, that is as 'trafficking in women for the purpose of sexual exploitation'³² and, as some authors have remarked, this underlying gendered and sexualised conception was not effaced by the new definition provided by the Trafficking Protocol (Arandau, 2004; Kapur, 2005; Doezeema, 2002; Sanghera, 2005). In the context of the international women's rights movement, with its focus on violence against women, trafficking acquired in Italy, as in other European countries and in the US, the gendered and sexualised characteristics which were so reminiscent of white slavery, and it was this conception which influenced policy-making in the single European states.

When the first draft of the law against trafficking was presented to the Italian parliament, the problem was described by the left-wing parliamentary group as follows:

When in 1800 all forms of slavery were abolished the 'civilised' world thought that it would no longer have known these inhuman forms of exploitation. [...] instead at the dawn of the third millennium, in Europe, a space of 'freedom, justice and security', we assist 'almost' powerlessly, often passively, in the most intolerable form of enslavement, that of young non-EU women, forced by criminal organisations, on pain of death, to 'prostitution'. [...] Italy has more than 25 thousand slaves in its streets and represents the transit area for the traffic of young women coming from East Europe, and therefore must give a strong and incisive sign to her European partners, by going beyond knowledge and by taking specific action to counteract the traffic, based on the three pillars indicated by the Hague Conference: harsher sanctions, protection of victims and programmes for the rehabilitation of the latter.

³² 'The Hague Ministerial Declaration on European Guidelines for Effective Measures to Prevent and Combat Trafficking in Women for the Purpose of Sexual Exploitation', Ministerial Conference. The Hague, 24-26 April 1997.

(Camera dei Deputati, 1998).

Such a dramatic picture reflects the passage from an anti-immigration rhetoric which, as we have seen, had focused on crime in general, to one which, from the mid-1990s, focused increasingly on sexual exploitation. The dividing line between 'good' and 'bad' immigration could not be clearer, and it was one which Church groups active in voluntary work with migrant prostitutes adopted in order to transform the anti-immigration debate into an anti-prostitution campaign. To combat trafficking it was necessary to call into question the law on prostitution, so that clients could be punished and prostitution would be eradicated, a programme proposed by Church groups, in particular the Comunità Giovanni XXIII, and to some extent also by feminist groups. Behind the many proposals to change the law on prostitution there was the urge to get rid of street prostitution, defined as 'slave prostitution' and linked to trafficking. In order to achieve this aim, proposals fell into three different positions: prohibition, where prostitution is conceived as a crime in itself, supported particularly by religious groups of the type cited above; de-criminalisation, particularly through the abolition of the 'procuring' offence, supported by progressive feminist groups; and regularisation through the re-introduction of state-regulated brothels and registration and taxation of prostitutes, supported by the political right (see Picciolini, 2000).

The other laws which were under close scrutiny were those on slavery contained in the penal code, which has been discussed above. Law n. 228/2003 against 'trafficking' and the 'slave trade' was the outcome of the aforementioned elaboration of the concept of slavery on the one hand, and of the above quoted definition of trafficking contained in the UN Convention and related protocol on the other. Article 600-bis of the law introduces the concepts of 'servitude' and 'continuous subjection' as behaviours which can be legally punishable with eight to twenty years of prison when carried out by 'threat', 'deception', and 'abuse of authority' over 'people who are in need', or 'who are bodily or psychologically disabled', and provides for an aggravation of the penalty when the above behaviours are

aimed against children, or towards the exploitation of prostitution or to organ removal. Article 601-bis on ‘trafficking in persons’ provides for the punishment of any individual who engages in the traffic of persons who are found in conditions described in art.600-bis or for the purposes explained in the same article (labour or sexual exploitation, begging), through the same means (violence, deception, abuse of authority), and with the same aggravation in cases of exploitation of children, exploitation of prostitution or organ removal.³³

This law is too recent for its practical impact to be evaluated, and also from my own interviews with judges it emerged that its utility had more to do with its symbolic meaning, to show “that we now have a law on trafficking” (Judge1, Lecce, 2005). What is certainly relevant to us about this law is the definitional link between ‘trafficking’ and ‘slavery’ in the sense that for the offence of trafficking to exist there must be a ‘reduction to slavery-like conditions’, and this was evident from the first drafts presented in 1999 (see Giammarinaro, 2000). The fact remains that in Italy policies in the area of ‘trafficking’, in particular the policy to protect victims, preceded the law on trafficking and was applied through other legal instruments, namely Article 18 of the immigration law, and it is now to this piece of law that I wish to focus in the next section.

4.3.1 Article 18: technicalities, practicalities and the European context

Article 18 was contained in the section of the 1998 immigration law entitled ‘Provisions of humanitarian character’ and it allowed for the regularisation of certain migrant people who were found in situations of violence or serious exploitation. The text of the law reads:

When, during police operations, investigations or proceeding related to the criminal offence provided for in article 3 of the law 20 February 1958, n. 75, or of the criminal offence provided for in article 380 of the penal code, or during interventions of local authorities’ social services, there are [...] situations of violence or of severe exploitation

³³Parlamento italiano, Legge del 11 Agosto 2003, n. 228, ‘Misure contro la tratta di persone’. *Gazzetta Ufficiale* n. 195, (23 Agosto 2003). www.camera.it/leggi/03228l.htm. See also Arena, 2003.

against a foreign person, and there emerge concrete dangers for his/her safety, as a result of his/her efforts to escape the control of an association dedicated to one of the above mentioned crimes, or of statements given in the course of preliminary investigations or during trial [...], the Chief police officer [*Questore*] [...] grants a special residence permit to allow the foreign person [...] to participate in a programme of assistance and social integration.³⁴

Two premises must be made about the text above. Firstly, the law makes an explicit link to prostitution. Law n. 75/58 is in fact the law which regulates prostitution, otherwise known as the Merlin law, of which I will say more later in the thesis, when discussing abolitionism. For now, it will suffice to say that Article 3 provides for the punishment of third person involvement in the exercise of prostitution and makes brothel-keeping punishable. N. 6 of Article 3 in particular, punishes anyone who induces a person to move to another state or within it for the purpose of prostitution, in other words it refers to ‘trafficking for the purpose of prostitution’ (Virgilio, 2002a, p. 78). We can therefore say from the outset that there was a willingness on the part of the legislator to make a clear link between trafficking and prostitution, at the expenses of trafficking (or ‘serious exploitation’) in all other sectors.

The other law article mentioned in the text of Article 18, Article 380 of the penal code, refers to a range of criminal offences, among which ‘reduction to slavery’ and organised crime. Notwithstanding the inclusion of ‘reduction to slavery’ as one of the crimes of which a foreigner may be victim, the Italian legislation, as we saw in the previous section, provided in 2003 for a specific law against trafficking in persons and against slavery, which modified the penal code. It is worth noting with this regard that Article 13 of Law n. 228/2003 against trafficking and slavery also provides for special assistance programmes, but only for victims of slavery or slavery-like practices and on a temporary basis, whereas in Article 18 it is

³⁴ Parlamento italiano, Decreto Legislativo 25 luglio 1998, n. 286, ‘Testo unico delle disposizioni concernenti la disciplina dell’immigrazione e norme sulla condizione dello straniero’. *Gazzetta Ufficiale* n. 191 del 18 agosto 1998 – Supplemento Ordinario 139. <http://www.parlamento.it/leggi/deleghe/98286dl.htm>

sufficient that a foreigner is found in 'situations of violence' or 'serious exploitation'.³⁵ It has been noted that the implementation of Article 18 has allowed a substantial increase of prosecutions and convictions related to trafficking cases (Pearson, 2002, p. 142). However, as we shall see in the next chapter, these convictions and prosecutions are all linked to prostitution-related offences:

While statistics are available on the number of prosecutions for exploitation of prostitution and illegal migration, it is not clear how many of these are actually trafficking cases under the terms of the Trafficking Protocol. (Pearson, 2002, p. 142)

Pearson (2002) addressed the urgency of a specific law against trafficking which would allow to collect reliable statistics on prosecutions of traffickers. However, to the present, Law 228 of 2003 against trafficking and slavery has not improved statistics in this sense, and the offence of reduction to slavery remains a difficult one to prove (see more in chapter 5). However, again, the mentioning of the law on reduction into slavery indicates an intent on the part of the legislator to make a link – if not in technical terms, in rhetorical terms - between trafficking and slavery.

Having made the above premises, Article 18 provides for a temporary residence permit to foreign persons who are found in the conditions of violence and severe exploitation described in the law text (Pearson, 2002, p. 140). This permit is valid for six months and can be renewed to one year or more according to specific requirements from the justice authorities (paragraphs 4 and 5). It is also stated that this permit allows access to social services and to study, and to be registred in official employment offices. Further, paragraph 5 reads that, if the holder of a residence permit for reasons of social protection obtains a work contract at the end of the social integration process, the duration of the residence permit is prorogated until the duration of the contract, or, if it is a permanent contract, for the duration

³⁵ For a further reading, see David Mancini, 2007: 'La protezione sociale ex art. 18 del dlgs 286/1998 svincolata dallo status di cittadinanza: l'art. 6, comma 4 del decreto legge 300/2006'. In *Filodiritto. La legge – il diritto – le risposte* (10/01/2007). <http://www.filodiritto.com/index.php?azione=visualizza&iddoc=543>

established by the law. Up to 2002, the law established that a residence permit for reasons of work was to be renewed after two years, if the contract was permanent, after one year if the contract was temporary. With the passing of the amendments to the immigration law through Law n. 189 of 30 July 2002 (the so-called Bossi-Fini law), a residence permit for reasons of work is issued only on conditions that the employer provides and guarantees for a suitable lodging and for travel expenses when the worker returns to his/her country (Article 5-bis)³⁶. This provision, which makes a residence permit strictly linked to a work contract (in such a way that the expression *contratto di soggiorno* – contract of residence – is used), has important consequences for people who obtain a residence permit for reasons of social protection. As we shall see in the next chapter, women who access protection programmes under Article 18 in most cases obtain a work contract as domestic workers, and this makes them extremely dependent on their employers according to the new immigration rules (e.g. they may be obliged to work and live with one employer for two years, even if the latter turns out to be exploitative or abusive). I shall say more on this later.

In general, once a holder of a residence permit under Article 18 completes successfully the integration process, meaning that she also gains a work permit, she enjoys all rights and restrictions of movement which apply to non-EU residents (e.g. freedom of movement within the Schengen area). However, considering the extremely restrictive rules of entry, staying and working in Italy, which the Bossi-Fini law has introduced, to obtain and retain a residence permit under Article 18 has become more and more difficult.

Another important characteristic of Article 18 is the separation between strictly legal and social aspects, which makes victim protection in Italy unique, since it does not tie a residence permit to the person's willingness to take part in any legal proceedings against the trafficker. This is usually explained by referring to Article 18 residency as a process taking place through two channels: (1) through the social services of local councils and registered

³⁶ Parlamento italiano, Legge 30 Luglio 2002 n. 189, 'Modifica alla normative in materia di immigrazione e di asilo'. *Gazzetta Ufficiale* n. 199 (26 Agosto 2002), Suppl. Ord. <http://www.parlamento.it/leggi/02189l.htm>

NGOs (social channel); (2) through the Prosecutor's Office (judicial channel). In both cases, the residence permit is issued by the *Questore* (Chief of Police for each district). In procedural terms, the granting of an Article 18 permit, would involve three phases:

(1) a first contact between the victim and the NGO/social services/police. In this phase provisions of basic services are provided and a trust relationship is built;

(2) presentation of relevant material by the NGO to the police, attesting that a crime as occurred (social channel). Alternatively, the victim may decide to make a sworn statement (*denuncia*), and the prosecutor starts an investigation (judiciary channel). However, as noted by Pearson, even if the victim does not make a full report with names of traffickers, the prosecutor's office may start an investigation on the basis of the information received by the NGO, and this poses a problem in terms of the danger of retaliation against the victim (Pearson, 2002, p. 141). During the legal proceedings – if the procedure occurs through a judiciary channel – the victim is entitled to have a lawyer representing her interests at the trial (Pearson, 2002);

(3) the Questura, after hearing the opinion of the prosecutor (if a judiciary channel is applied), grants a temporary six-month residence permit and the victim accepts to follow a social integration process. This is the protection and assistance phase and it is the victim's duty (rather than right) to access the integration programme offered by the NGO. During this phase the victim is placed in specific, protected lodgings, ranging from 'flight' (escape) houses through to religious communities and institutes, family placements, to autonomous or semi-autonomous houses, depending on the single NGO resources and its profile (religious, non religious, etc.). Victims are also entitled to access all medical services (like any Italian citizen), legal services, education/training, and special counselling.

Between phase (1) and the actual granting of a residence permit there may be a more or less long period of waiting according to the single regions where Article 18 is applied. Since, as we will see later, Article 18 is interpreted and applied in different ways

according to the regional contexts, the when and how a residence permit under Article 18 is granted depends on the local police sensitivity over the issue (e.g. their willingness to inform a woman on the existence of Article 18); the cooperation between the police and the local NGOs (Pearson, 2002). As noted by Pearson (2002), for example, and as we shall see when looking at fieldwork data, if a relation of trust is built between the police and the NGO, “the Questura grants the permit on the basis of material provided by the relevant NGO, instead of waiting for the opinion of the prosecutor or the start of an investigation process” (p. 145). In other words, whether or not a social or a judiciary channel occurs depends not so much on the actual danger of retaliations against the victim, but on police discretion in each local context.

An Article 18 permit can be transformed into a permanent residence permit if, after the initial 18 months period, the person finds employment. However, this occurs within the limitations established by the immigration law, as we have seen above. It is also possible, in theory, for a victim of trafficking to apply for asylum on the grounds of fear of persecution and of no provision of State protection against this persecution. In practice, again, procedures for asylum are very long and difficult. The critical phase is, however, that involving the initial decision on the part of the Questura to grant a temporary residence permit, since, while the person awaits for this document, she cannot start working, at least in theory. We shall see how this problem is overcome by the single NGOs in specific contexts when we look at field data. According to a study from the Equal Opportunities Department the actual granting of an Article 18 permit takes between 8 to 12 months (Ferraris et al, 2002, p. 88; see also Barberi, 2004, p. 78). As it emerged from other studies, the issuing of a residence permit under Article 18 can be delayed or refused if the police cannot identify the applicant or if the applicant has been served a deportation order, or if she is a national of a country with which Italy has established deportation agreements (such agreements have been signed with Albania and Nigeria) (Pearson, 2002). Finally, while Article 18 does not require the person to return

home, it is possible to ask for repatriation, in which case phase (3) does not take place and a different programme of assistance in the country of origin is offered through funds from the Home Department in cooperation with the IOM local branch (Ministero per le Pari Opportunità, 2007).

It has been observed that Article 18 is situated between a witness protection measure³⁷ and an ‘amnesty’ law to regularise specific migrant groups, in particular women ‘victims of trafficking’. In the mind of the legislator, it was this second aspect that distinguished Article 18 on a European level, since it stressed “not so much the protection of the witness, to guarantee the genuine nature of his/her statements, but rather the legalization of a foreign person (generally a woman) victim of trafficking-related crimes” (Petrini and Ferraris, 2002, p. 53). The rationale of Article 18, then, seemed to be to allowing for an anti-trafficking policy which, while providing for punishments against perpetrators (by collecting testimonies from victims), it stressed the humanitarian character of the law (by providing for protection and assistance for the victims). The uniqueness of Article 18 as a victim protection measure, then, is that it can effectively separate the aspect of protection from the aspect of repression by allowing a foreign person to obtain a residence permit even if she refuses to act as a witness of trafficking-related crimes, the central preoccupation being the victim’s safety and protection in front of a concrete danger. Thus, Belgium also provided for the protection of victims of trafficking in its legislation against trafficking in human beings passed on April 13, 1995, but this law links the granting of a permanent residence permit to the victim’s cooperation with police investigations and makes the same permit conditioned to the good results of investigations (i.e. they must lead to the conviction of traffickers) (Pearson, 2002, p. 90).³⁸ For

³⁷ In Italy there are special laws on witness protection which in the recent past have been used instrumentally to gain information from the so-called *pentiti* (repented Mafia people). In 2001 a new law (Law n. 45) introduced the principle of witness justice for those who were particularly in need to be protected. It was a principle which separated the question of protection from that of gaining information. See Virgilio (2002b); see also Rosi (2004).

³⁸ See also *Articolo 18: tutela delle vittime del traffico di esseri umani e lotta alla criminalità (l'Italia e gli scenari europei. Rapporto di ricerca*, ed. On the Road (Martinsicuro: On the Road Edizioni, 2002), chapter 4, “La dimensione comparativa”, 2.5 Belgium, pp. 393-422.

a victim to access Article 18 protection programmes, on the other hand, it is sufficient that she has integrated into Italian society during her 'rehabilitation' process (Pearson, 2002, p. 141).³⁹ As I will demonstrate in the next chapter and throughout the thesis, this promising law framework, which gives central importance to protection and assistance, is not translated into a law practice. Since the outset, it appeared clear that there was a gap between the legislation and the way in which it was applied in the different regions. Particularly in relation to the importance of denunciation, Elaine Pearson observes:

Although under the law, the Article 18 permit is not conditioned on the trafficked persons' readiness to report their trafficker, in practice there is a clear tendency to grant permits only to those who are willing to testify. (Pearson, 2002, p. 144)

One last important aspect to notice about Article 18 programmes, which makes it so interesting to the object of this thesis, is the fact that they are funded by the Department of Equal Opportunities. Since the latter limits funding only to cases of sexual exploitation, this brings us back to the link between trafficking, prostitution, and sexual exploitation, and to the fact that Article 18, in spite of its neutral language, remains gendered in its purpose, that is it is willingly targeted to women exploited into prostitution. I will come back to this when looking at data in chapter 5, and in chapter 7, when I discuss Article 18 from a women's rights perspective.

On a European level, the European Commission provided in 2004 for a Council Directive on short-term stay permits issued to victims of trafficking and to those who have been subject to an action to facilitate illegal immigration and who cooperate with relevant authorities (see Saulle, 2002; Curtol et al, 2004).⁴⁰ As noted by other commentators, in this

³⁹ See also David Mancini, 'La protezione sociale ex art. 18 del dlgs 286/1998 svincolata dallo statuto di cittadinanza: L'art. 6, comma 4 del decreto legge 300/2006'. In *Filodiritto. La legge – il diritto – le risposte* (10/01/2007). <http://www.filodiritto.com/index.php?azione=visualizza&iddoc=543>.

⁴⁰ Directive 2004/81/EC: 'On the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration who cooperate with the competent authorities'. European Commission. Official Journals, OJ L 261, 6/08/2004. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0081:EN:HTML>

Directive the aim of protecting and assisting the victims is entirely secondary to that of strengthening instruments to combat illegal immigration (Curtol et al, 2004). It is clearly stated that protection and assistance are linked to the victim's usefulness for the purpose of investigations, evaluated by the competent authority, her willingness to cooperate and the fact that she has severed all relations with those suspected of the given offence. This procedure puts the European Council Directive on temporary visas within the same framework established by the UN Protocol, whose repressive thrust is highlighted by its link to organised crime and illegal immigration, which make migrant women liable to being treated as offenders rather than as victims (Kapur, 2005; Harrington, 2005; see also van der Kleij, 2003). More generally, in most countries victim protection has not been turned into an instrument to give opportunities for permanent residence in the host country and for the provision of good job options and training (Talens and Landman, 2003; Pearson, 2002). As noted by Kapur, while the protection and assistance of victims is not made mandatory by the Protocol, it once again stresses the purpose of migration, rather than the violence experienced by women, and ultimately gives a strong message that it is better for them to stay at home (Kapur, 2005). As for the European Council Directive, some authors have remarked that, while it will probably be a step forwards for those countries which do not have any instrument to give residence permits for migrant women who experience violence and abuse during their migration experience, it represents partly a step backwards with respect to Italy's present legislation, namely Article 18 on residence permits for social protection (Curtol et al, 2004). However, as I have already indicated, it is mainly the aspect of protection linked to cooperation with the police and judiciary authorities that prevails rather than protection of human rights as such, and in this sense the law disappointed the expectations of all those who had advocated it and who had welcomed it as a model for other European countries. Finally, it is worth remembering that Article 18 was introduced within a legal framework that for the first time regulated immigration in all its aspects, from quota entries through to work, and

expulsion, and which, for the first time, introduced centres for the detention of irregular migrants (CPTAs). It was therefore a law that reflected broader EU pressures to maintain border and immigration controls on the one hand, and to ensure that human rights are not violated on the other. The inconsistencies of this kind of politics is well illustrated by the fact that Italy does not have as yet a clear legal procedure to recognise refugee rights (see Capussotti and Ellena, 2003). Meanwhile, the CPTAs have been the object of criticism at the European Parliament and legal proceedings have been initiated by the European Court of Justice for the gross violation of human rights in Italian detention camps built in Libya and the mass deportation of migrants from the island of Lampedusa and from Libya to their countries of origin as a result of a series of bilateral accords established between Italy and Libya since July 2003⁴¹. During one of these mass deportations, 83 immigrants, many of them asylum seekers, lost their lives in the Sahara desert.⁴² According to various reports, Italian CPTAs in general operate in violation of the most basic hygienic and human rights standards, with verbal and physical abuse and violence being routinely used⁴³ (see also Andrijasevic, 2006).

We now turn to the cultural context within which Article 18 was adopted and applied.

4.4 Trafficking, prostitution, slavery and Article 18: the cultural context

We have already mentioned the importance of the link between Article 18, prostitution and slavery. I would now like to look at this aspect in terms of how this link was culturally produced as a discourse and a practice in the particular Italian context.

⁴¹ From *Liberazione*, 30 April 2005. Reported at "Meltingpot Europa" Web Site: <http://www.meltingpot.org/articolo5373.html>

⁴² From the report by F. Gatti, *L'Espresso* of 21 April 2005, 'Guantanamo a Lampedusa'. To be found at "Meltingpot Europa". www.meltingpot.org/articolo5271.html

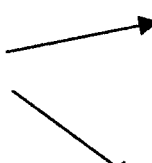
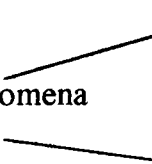
⁴³ See State Watch, March 25th 2005. EU-Italy. *The EP adopts resolution condemning the mass expulsion of migrants from Lampedusa and the "lowest common denominator approach" to asylum*. www.statewatch.org. See also Amnesty International, 2005: *Italy: Temporary stay – Permanent rights: The treatment of foreign nationals in 'temporary stay and assistance centres (CPTAs)*. AI Index: EUR 30/004/2005, 20, June 2005. Web Site: www.amnesty.org/library/index/engneur300042005

Since the early 1990s there have been many NGOs, both religious and lay, working in the field of protection and assistance of migrant sex workers. This grass-roots activity created the ground for a policy framework which was progressively shaped by the knowledge, statistics, language and ideas promoted by field workers and professionals, and it reflected a mixture of progressive instances of migrants' and women's rights groups on the one hand, and religious groups' and ordinary people's preoccupation with street migrant prostitution, viewed as the most degrading form of slavery on the other. The passing of Article 18 and government financing of related social protection programmes did not create a new field of NGO work, but rather encouraged new actors to work in this area while allowing existing actors to carry out their previous work, but with more funding. A cursory look at the names of the various projects financed by the Equal Opportunities Department through the funds provided under Article 18 is revealing of the philosophy behind the law and the way in which the problem was being constructed: 'Free Woman', 'Free from New Slavery', 'From Darkness to Light', 'Woman-Prostitution', 'Freedom', 'New Wings', to mention but a few names of protection projects.

Behind the anti-trafficking campaigns and projects there were a variety of interpretations as to the target-people involved (prostitutes, sex workers, victims of trafficking), the type of problem (prostitution, trafficking, exploitation), methods (rigid/institutional control, flexible/harm-reduction/empowerment method) and aims (eradication of prostitution, management of social problems). To the extent that trafficking was interpreted overwhelmingly as linked to the sexual exploitation of women and children, and action was addressed towards migrant street prostitutes through the work of social groups active years before the introduction of Article 18, we can say that policies in this field were deeply influenced by the rhetoric around prostitution, which, over the last decades, has become an important area for consensus building within local politics (see Prina, 2002a). On the other hand, local governments have also been influenced by the various religious and non-

religious, migrants', women's and sex workers' rights groups which have pressed for specific, often ideologically-driven, approaches which, although different from each other, have in common a reading of the problem of trafficking for the purpose of sexual exploitation in social, as opposed to security/public order, terms. The result has been a variety of local approaches to prostitution, including conservative, preventive and sex workers' rights measures (Prina, 2002a, Picciolini, 2000). These approaches, largely stimulated by a variety of actors in response to changing factors which have given prostitution a new dimension, marked by ethnicity, gender (involving multiple gender identities), and migrant status, have made the discourse concerning prostitution to be polarised more than ever, giving rise to the cultural-ideological orientations which, as noted by Prina, are reflected in the various projects funded through Article 18 and can be summarised on the lines of the scheme shown in Table 5 below:

Table 5
Representation of actions and rhetoric on prostitution in Italy

Actions towards	Considered as...	For the purpose of...
<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">Individuals</div>  </div>	Exploited, victims of trafficking	Redemption, salvation, social reintegration
	Migrant prostitutes with no rights	Support to get legalised and to acquire citizenship rights, promotion of autonomy processes
<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">Social phenomena</div>  </div>	Evil	Eradication
	Social problems causing conflicts	'Management' of problems and mediation of social conflicts

Source: Adapted from Prina, 2002b, p. 506.

The 'slavery' rhetoric is one of the products of this process of polarisation, and in Italy has found in religious groups the most fervent perpetrators. Thus, the president of the

Comunità Giovanni XXIII, Don Oreste Benzi, in response to proposed legislation which aimed to prohibit prostitution in public places, but which would allow for legalised sex work through self-help among prostitutes working in flats, said:

[This law] would allow girls to form groups and help each other in their practice of prostitution. It would follow that, given the nature of the phenomenon in Italy today, totally left to the racket which enslaves girls and forces them to sell their bodies, to legalise prostitution would mean inevitably to encourage the exploitation and enslavement of the girls. (Benzi, 2002, my square brackets)⁴⁴

This priest has been very popular and much wanted as a guest in television talk shows featuring prostitution, and his organisation has greatly influenced policy orientation in specific cities, such as Rimini in the north, where his work first began in the early 1990s, and also, as we shall see, in southern cities like Catania. The approach of the religious group to which he belongs is one which, while in theory accepting the present abolitionist framework based on the criminalisation of third party involvement in prostitution and non-criminalization of prostitution itself, aims to criminalise clients, who are viewed as ultimately responsible for the ‘enslavement of girls’, and so falls within a neo-prohibitionist approach. This view of prostitution as slavery linked to trafficking and organised crime dominated public discourse and media coverage both in the press and in television programmes, to the extent that even the then left-wing Minister of Social Affairs, Catholic and feminist Livia Turco, stated in 1998 that 80 per cent of street prostitution in Italy is forced and that women are reduced to real slavery.⁴⁵

The heated debate on prostitution resulted in an ever growing number of law proposals having as their objective a reform of the Merlin law. On one extreme, the Committee for the Civil Rights of Prostitutes (*Comitato per i diritti civili delle prostitute*, from now on *Comitato*), asking for “decriminalisation of the crime of aiding and abetting, and

⁴⁴ See Verrini, B., 2003: ‘Don Benzi: raccolta di firme per una pdl contro la prostituzione’. *Vita.it. Non Profit Online*, 5/12/2003. Web Site: www.vita.it/articolo/index.php3?NEWSID=37938

⁴⁵ Turco interviewed by Bonerardi, *La Repubblica*, 6 July 2000.

the right to exercise prostitution indoors” (Danna, 2004, p.167), on the other extreme Catholic organizations, and at times even feminist representatives of the centre-left government, such as the minister of Social Affairs Livia Turco, proposing a criminalisation of clients. In the middle between these two positions, the Right and most of the population were in favour of a re-opening of brothels (Danna, 2004, p.167). Despite all the attention, however, no significant change was made in the structure of the Merlin law, which, as most abolitionist regimes in Europe, prohibits prostitution in brothels and criminalizes third party engagement, leaving prostitutes themselves free to exercise the profession (Outshoorn, 2004, p.8).

When Article 18 came into force from year 2000, there was a massive media outpouring on the topic of ‘trafficking’ and ‘new slavery’ in national and local press, television, books, NGO reports, conferences, and substantial experience among the groups working in the field at local, national and international level. The predominant understanding of the problem is revealed by an article that appeared in a left-wing national newspaper:

This newspaper [...] knows and has taken care to inform readers of recent police operations that have led to the ‘emancipation’ of a few girls and the arrest of their ‘masters’. We are also aware of the successes of Catholic organisations that rehabilitate these girls and reintegrate them into civilised society. However [...] it seems pointless to suggest that these girls group together to form cooperatives in order to take control of what used to be called ‘the oldest profession in the world’. These girls have not chosen to become prostitutes; they have been forced into it. The alternative that should be offered is either that of returning to their families or to reintegrate them into our society by issuing a standard residence permit.

What we are facing is no less than a modern form of slavery. Let us then hope that our readers will not take offence if, in this case, we demand that a policy of ‘zero tolerance’ be brought into effect with no second thoughts, no regrets and no plea-bargaining (Mafai, *La Repubblica*, 18 July, 2000)

The metaphor of slavery became popular not only among journalists, but also among intellectuals. For example, it is employed by sociologist and Mafia expert Pino Arlacchi in a book aptly entitled *Schiavi. Il nuovo traffico di esseri umani* (‘Slaves. The new traffic of human beings’), published in 1999. Considering that from 1997 he was also appointed as

director of the UN Office for Drug Control and Crime Prevention, we could infer that the definition of trafficking as formulated by the UN Protocol was greatly influenced by the Italian delegation, particularly as to the introduction of the concepts of slavery and servitude among the forms of exploitation to which 'trafficked' people are subject, and this is confirmed by some analysts on 'trafficking' (see Spiezia et al, 2002). Arlacchi offers a sociological analysis of historical slavery (based largely on Orlando Patterson's work), sexual slavery (based on Kathleen Barry's work), as well as forced labour and debt bondage, and concludes with a chapter on 'economic' slavery which describes contemporary forms of slavery. Predictably, the book makes no distinction whatsoever between slavery and trafficking in human beings. So when statistics are given, based on data from Anti-Slavery International and from the International Labour Office, we are informed that there are more than 200 million slaves today in the globe, only to discover – along the lines of Kevin Bale's analysis - that these slaves are to be found in Mauritania, Burma, China, India, remote zones of the Amazon forest, and many other far removed places, with no hint of similar conditions in the rich West. New Slavery, announced as the product of hidden, 'malefic' forces in conjunction with global capitalism, comes out as an evil coming from and proliferating in Asia, Africa and 'other', non-western places. The book, in striking similarity with Kevin Bales' work on 'new slavery', ends up by providing an overstretched and confusing concept of trafficking, which goes so far as to include the slavery-like conditions of certain people who have never moved from their home countries and have never experienced 'trafficking' or migration as such. On the other hand, the book compares contemporary migration with the Atlantic slave trade, and in so doing, creates, as noted by Wendy Chapkis, "a moral imperative to stop the flow of undocumented workers regardless of their desire to migrate" (Chapkis, 2005, p. 55). Meanwhile, slavery and human rights violations are presented according to Eurocentric conceptions and western standards, thus proposing an understanding of the problem that

rehearses old binaries around Third World decadence and First World civilisation, the latter having an active role as spiritual guide and policeman, according to circumstances.

The most vivid illustration of trafficking and slavery as an ethnic and sexual phenomenon comes from tabloids and from local newspapers, with their revealing headings:

SEX SLAVES WITH ALMOND-SHAPED EYES
SEX COMES FROM THE EAST
FREED SIX SEX SLAVES⁴⁶

and so on.

But there is also an academic production around trafficking, like that provided by Arlacchi, which uses a similar language and which depicts 'trafficking' through racial and gender stereotypes. The scientific literature around trafficking in general, as we have seen, has been under criticism for the often hazardous, guess-like methods used (see McDonald, 2004, Salt and Stein, 1997), and the definition of 'trafficking' itself provided by the UN Protocol has been criticised for the overlapping of different phenomena and situations within the term 'trafficking' (Anderson and O'Connell Davidson, 2002, O'Connell Davidson, 2005). For example, while the UN Convention has proposed a neat distinction between the smuggling of migrants and the trafficking of human beings (itself an over-simplistic way to distinguish between the guilty, informed migrants and those who are passive victims), when numbers are given, say, about women illegally introduced into Europe, it is assumed that the 500 thousand cases estimated by NGOs all concern all women who have been trafficked for the purpose of exploitation in prostitution (as in Spiezza et al., 2002). In other words, it is assumed that whenever women from developing countries come to Europe they must be 'trafficked' into prostitution. While it is now recognised that migrant people are not exploited exclusively in prostitution, and in spite of the fact that in Italy slavery-like conditions, violence and abuse of human rights have been found in sectors like domestic work (see Morini, 2001), agriculture and the construction sector, there has been no serious study or policies carried out in these

⁴⁶ Articles respectively by Poselli, *Cronaca Vera*, n.1704, 4/05/2005; by Riva, *L'Espresso*, 18/12/2004, Web Site: www.altrameta.it; by Rotondo, Varese News, 16/05/2001, in www.varesenews.it

other areas in Italy, apart from some rare reports by some journalists.⁴⁷ So, even among my interviewees, the answer to the question on whether they have dealt with trafficking in sectors other than prostitution is almost invariably 'No, we know that there is some exploitation, but these are not treated like trafficking or slavery-like situations'. What the Italian literature relating to trafficking does emphasise is the 'ethnic' character of organised crime and the transnationality of trafficking as a phenomenon. Such literature supposes a need for international police cooperation and control of national borders, which has stimulated bilateral accords to be made first with Albania, and more recently with Libya and with Nigeria, that is with states notably regarded as lacking in human rights standards. The most notorious result of these accords is the bilateral violation of human rights between Libya and Italy for the sake of combating illegal immigration, which I mentioned at the end of the previous section.

The exclusively 'ethnic' nature of trafficking, organised crime and related slavery crimes is questioned only by a few researchers. For example, within a framework which otherwise does not challenge the dominant 'trafficking' paradigm, Ciconte and Romani address in a few pages cases in which Italian illegal and legal markets on the one hand and foreign suppliers on the other co-exist (Ciconte and Romani, 2002). We will see below more concerning the involvement of Italian people in crimes reported through Article 18. A stronger critique of the construction of trafficking as an 'ethnic' business, however, comes from Dal Lago and Quadrelli (2003), who in an ethnographic study of crime in an Italian northern city, Genoa, contrast a conception of servile labour resulting from 'trafficking' and international crime against a conception of servile labour which links the Italian local market, in particular the black market, to global economic and social trends, the availability of low-cost labour in far-off lands, the presence of police interests, and so on. In concluding their analysis of servile labour they observe that:

⁴⁷ For slavery-like conditions in agriculture see report by Fabrizio Gatti 'I was a slave in Puglia' *L'Espresso*, n. 45, 1/7 September 2006. Web site: www.espresso.repubblica.it

[...] servile labour is not a relic of the past but a propelling element of globalisation. Work, which for a time seemed to have entered the sphere of citizenship rights, has fallen back (at least in part) into a pre-legal dimension, one which can best be accounted for through Hobbesian descriptions of the state of nature, rather than through Hegelian accounts of civil society. (Dal Lago and Quadrelli, 2003, p. 204, my translation)

The fact that undocumented migrants end up by filling the largest portion of this pre-contract world where relationships resemble more the master-slave types than those inscribed within free-wage contract theories, is not due to the existence of ‘traffickers’ or the ‘new slavers’, but simply to the fact that migrants constitute the cheapest and most controllable labour force for Italian employers, who often recruit them directly from abroad. So it was found by Dal Lago and Quadrelli, who quote one of their interviewees, an Italian constructor employing indentured migrant workers, as saying: “we would recruit people from prisons if we could” (Dal Lago and Quadrelli, 2003, p. 194).

I would now like to draw some conclusions from what we have said throughout this chapter.

Conclusions

We have started this chapter by presenting the Italian historical context of national identity. We saw how the relationship with the Other was important for Italian construction of a national consciousness, and how this Other was found both inside (Southerners) and outside Italy (colonised people) (Bollati, 1985, 1996; Patriarca, 2005). We also saw how important was for the subsequent history of Italian national identity its position within the European space, especially after the integration process into the Economic Community and then into the EU, and we analysed parliamentary speeches linked to fears that Italy did not adhere to European standards as regard immigration laws. We then looked at the Italian public discourse about immigration and how this discourse was linked to the re-emergence of a new “politics

of ‘othering’” (King and Mai, 2002) after the collapse of the political system in 1992, and the search of a new identity within Europe. The representation of specific migrant groups, such as Albanians, were then influenced by Italian needs to find some ‘enemy’ to blame in a context of political, social, and economic unrest.

Then we moved to analyse victim protection, and saw that legislative activity and policy in this field allowed for a simultaneous display of ‘efficiency’ and ‘humanity’. The reform of the penal code to create a flexible criminal offence of ‘slavery’, together with the introduction of Article 18 of the immigration law to protect the human rights of VoTs, and provide access to assistance and protection programmes financed by the State, represented a means by which to re-establish the Italian position within Europe as a ‘civilised’ and ‘compassionate’ nation. The ‘trafficking’ emergency further offered an opportunity to go back to the comfortable old dualisms of ‘civilised’ and ‘uncivilised’ worlds, with ‘traffickers’, depicted as ‘slavers’, and ‘victims’, depicted as ‘naïve’ and ‘ignorant’ women, belonging to the latter, and western NGOs and women’s groups acting as representatives of the former.

One of the arguments which this thesis advances is that the metaphor of slavery used in the Italian public debate and literature on trafficking is not invoked to highlight the paradoxes of contemporary liberalism and global competitiveness, but more to single out the barbarities of the Other, be it the ordinary criminal or the hardened Albanian ‘trafficker’. In this context what Dal Lago and Quadrelli call the ‘fluid nature’ of servile labour relations, that is their often temporary and occasional character, is obscured by a seemingly static picture with slaves and victims on one side and ruthless traffickers on the other side. This is a picture which does not take into account the tension produced by the opening of markets for goods and capital on the one hand, and national and supra-national immigration policies (such as the EU Schengen Agreement) that aim to restrict labour movements on the other, restrictions which, as Jeremy Seabrook (2001) points out, cannot be expected to “be accepted without a

struggle. And indeed world-wide, people seek to evade [them] and often succeed in doing so” (Seabrook, 2001, p. 131, my square brackets).

On a political level, these representations of slavery and the kind of policy activated through Article 18 imply, I would argue, a kind of control which we can explain through Foucault’s concept of bio-power as the modern mechanism to control the body and life itself through disciplinary techniques that have sexuality as their main object and target. But, if sexuality is the instrument through which to control lives and populations, racism remains the language through which populations and cultures are defined, studied, protected and reproduced:

Racism took shape at this point (racism in its modern, “biologizing”, statist form): it was then that a whole politics of settlement (*peuplement*), family, marriage, education, social hierarchization, and property, accompanied by a long series of interventions at the level of the body, conduct, health, and everyday life, received their color and their justification from the mythical concern with protecting the purity of the blood and ensuring the triumph of the race. (Foucault, 1976, p.149)

If, as Dal Lago and Quadrelli (2003) hold, street prostitution is the work area where contemporary forms of racism are expressed in a more direct way and where bodies are more exposed to the crude manifestation of violence, it is also the case that the political power deployed to counteract this violence reflects a system of domination and control as elucidated by Foucault.

It is my aim to show in the next chapters that behind the social protection programmes established by Article 18 there is a micro- and macro-system of power relations which allow for the same domination of bodies and lives which characterise contemporary forms of servile labour.

Chapter 5

Victim Protection in Italy: theory and practice

The idea that keeping a firm hand on border control could simultaneously serve to combat illegal immigration and to protect human rights violated in the context of illegal immigration was put into practice with the introduction of Article 18. A similar provision had been created in 1996 through Article 5 of Law Decree n. 477, which established that irregular migrants who collaborated with legal institutions and gave testimony in trials against people involved in the organisation of illegal immigration should not be immediately expelled and could obtain a temporary residence permit for the duration of the legal proceedings in which they were involved. It was a principle which operated within the limits of collaboration in criminal proceedings and which for this reason is called within the Italian judiciary system a 'premium law', similar to that applied for Mafia criminals who give testimony in trials against members of the Mafia organisation. The similarity consists in treating those who testify as accomplices in criminal behaviour, rather than as offended parties, and the fact that Article 5 was contained within the section entitled 'Repression of activities aiming to encourage the illegal entry of foreigners' was revealing of the purely anti-crime character of the law. With the introduction of Article 18, the legislator made a qualitative leap in turning the witness in legal proceedings concerning trafficking into a 'victim' whose human rights have been violated, and for this reason, the law article was introduced within a new section of the immigration law entitled 'Humanitarian Provisions' to distinguish it from 'repressive measures'. As stated in the presentation of Draft Law n. 3240 to the parliament, it was a law

aimed at protecting victims of trafficking of illegal migrants, particularly for the purpose of sexual exploitation. All foreigners, women, men and children, who intend to escape the exploitative conditions in which they are forced to live, will not be subject to expulsion, but will be able to obtain a residence permit and to take part in an assistance and social integration programme. With this law article we intend to help victims and protect them from reprisals on the

part of their exploiters, at the same time giving an extra value to their denunciations within the framework of a stronger action to combat the criminal organisations which generate these phenomena. (Camera dei Deputati, 19 February, 1997)

The principle of victim protection thus acquired a human rights character which, as successive ministerial circulars made clear, separated the issue of collaboration of victims with the judicial authority and with the police, from the more important aim of socially integrating those who were considered to be offended parties in the system of illegal immigration.

In this chapter I set out to analyse the theory and practice of the principle of victim protection in Italy, with particular attention to those aspects concerning the definition of 'victim' and the criminal behaviour which produced their victimhood, namely 'trafficking'. For this purpose I will give an account of the ways in which Article 18 has been applied throughout Italy, supported with data from the Equal Opportunity Department on the number of people who have used this Article within social programmes, and also with data from the Ministry of Home Affairs concerning the types of crimes prosecuted in the context of the Article, attention being given to the role played by the slavery category in principle and in practice. I will also draw on my own data collected through interviews with key actors working in protection programmes. This analysis will allow us to uncover the gaps between the human rights principle enshrined within Article 18 and its translation into practice and the gradual transformation of that principle into a pure 'premium law' principle, that is simply collaboration in exchange for certain residence rights.

5.1 Victim protection in Italy

As noted above, the uniqueness of Article 18 within the European context is due to the double purpose that it tries to achieve, namely to protect the human rights of people who are supposed to be victims of 'trafficking', and at the same time to repress criminal activities

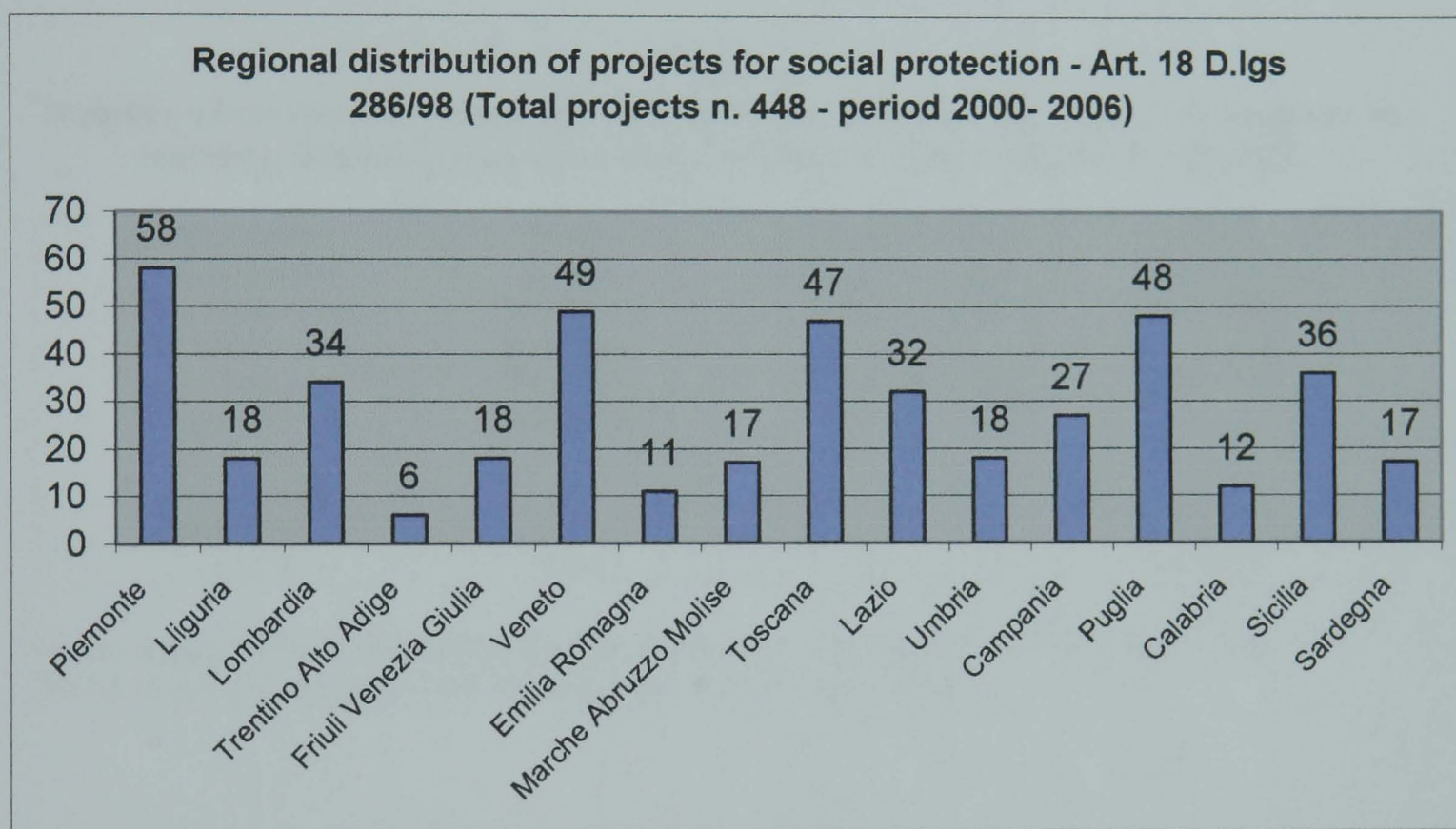
related to illegal immigration. It was in fact thought that only if a trust relationship was established between victims of trafficking and slavery practices on the one hand, and institutions like the police and the judicial authorities on the other, could information be obtained concerning those who perpetrated immigration-related crimes, including trafficking (see Giammarinaro, 2000, 2002). This double purpose meant that an application for a residence permit under Article 18 could, in theory at least, be initiated directly by NGOs and social groups working in the field of migrant women/prostitutes' rights, on the basis of their evaluation of a concrete danger and of conditions of exploitation and violence cited in the legislation, and not exclusively by the public prosecutor in the course of investigations related to smuggling and trafficking of human beings. In other words, a residence permit for reasons of social protection could be granted regardless as to whether the victim released information or made a report to the police, the rationale being that there were only two conditions for the granting of a residence permit for social protection: a) subjection to violence or to severe exploitation; b) concrete danger for a person's physical safety caused by her attempts to escape from the control of a criminal association or by statements given by her (Curtol et al, 2004). The other binding condition was the victim's willingness to engage in a 'social integration programme' which is State-funded and coordinated by State-recognised NGOs who provide specialised programmes for trafficked persons, including training, education, counselling, etc. (Curtol et al, 2004, Pearson, 2002).

This separation between residency procedures and participation in legal proceedings was possible because, since the preliminary discussions in parliament, there had been substantial participation of women's rights groups which had acted as experts and given a special gender approach to the whole legal framework and had focused on specific subjects, namely migrant women and girls exploited in prostitution (Giammarinaro, 2002). However, in spite of this promising framework, it was clear from the start that, even though NGOs running social protection projects could, in theory, initiate applications for residence permits solely on

the basis of their evaluation of the victim's situation, in practice the individual 'questure' (local police headquarters) required both a denunciation by the victim and a formal opinion given by the public prosecutor before a residence permit for social protection could be granted. Consequently, it was estimated after the second year of funding of social protection programmes that approximately 70 to 80 per cent of residence permits under Article 18 were issued to applicants who co-operated in prosecutions, and only about 20 to 30 per cent to applicants who were simply seeking social assistance and integration, without a denunciation or witness statements having been made (Pearson, 2002, pp. 143-44; see also Ferraris et al, 2002, p. 88). We will see that this was also confirmed by my fieldwork interviews with judges. However, in practice, it seemed that there was a mixture of judicial and social approaches to victim protection (Virgilio, 2003), in the sense that the initial contact with social workers and NGO personnel was the preliminary step to prepare the woman for subsequent co-operation with the police and the judicial authorities, as was the case in Lecce, of which more below.

Data from the Equal Opportunities Department show that, from 2000 to 2006, there has been a total of 448 projects for social protection financed by the Equal Opportunities Department distributed in all Italian regions, as shown below.

Figure 2



Source: Adapted from the Equal Opportunities Department. Ministero per le Pari Opportunità, 2007, p. 2. <http://www.pariopportunita.gov.it/DefaultDesktop.aspx?doc=801>

The number of people who accessed social protection programmes from March 2000 to March/April 2005 are, according to data from the Equal Opportunities Department, 9,398, as shown in Table 6 below.

Table 6
Number of victims of trafficking accompanied to services, introduced in projects, in training, and obtaining work permits (March 2000 – March/April 2005)

N. of victims contacted and accompanied to the various social services (e.g. health services, psychological support, legal support, etc.)	N. of victims introduced in projects for social protection	N. of victims who were introduced in training/education courses and obtained bursaries for study/work	N. of victims who obtained work permits
37,716	9,398	7,039	4,625

Source: Adapted from the Equal Opportunities Department. See Ministero per le Pari Opportunità, 2007, p. 2. <http://www.pariopportunita.gov.it/DefaultDesktop.aspx?doc=801>

Data on the number of residence permits issued for reason of social protection come only from the Equal Opportunities Department, since the Italian Statistics Office (ISTAT) disaggregate data on residence permits only by a limited number of categories, such as ‘family reasons’, ‘work reasons’, ‘study reasons’, etc., whereas residence permits for reasons of social protection fall under the category ‘Other’, which includes, among others, the very large number of residence permits issued to foreign minors (Ferraris et al, 2002, p. 87). The most recent data coming from the Department of Equal Opportunities refer to the period going from the first year of activation of Article 18 (2000) to March/April 2005 (fifth year) and are shown below.

Table 7
Number of residence permits for social protection requested and issued from 1999 to March/April 2005.

	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	Total
N. residence permits requested	1,148	1,386	1,082	1,081	1,217	5,914
N. residence permits issued	833	1,062	962	927	942	4,726
%	73%	77%	89%	86%	77%	79.91%

Source: Adapted from the Equal Opportunities Department. Ministero per le Pari Opportunità, 2007, p. 4.
<http://www.pariopportunita.gov.it/DefaultDesktop.aspx?doc=801>

Tables 6 and 7 suggest, to begin with, that not all those who access Article 18 protection services apply for a residence permit, and not all those who apply for a residence permit obtain it. This is also noted by Ferraris et al (2002), who provide the number of those who, between March 2000 and February 2001 (represented by the first column in Table 7), asked to be introduced in Article 18 programmes, that is 1,755 (Ferraris et al, 2002, p. 88). On the reasons why only 73% of the residence permits requested were effectively issued, Barberi (2004) indicates the slowness of the procedure, which makes the whole protection process difficult. She notes that particularly critical is the time during which the victim waits for the positive opinion of the public prosecutor, since this opinion is given usually after the pre-trial hearing or after further investigations are carried out (Barberi, 2004, p. 78). We may also add that the discrepancy between the number of people who access social protection services and the number of requests of Article 18 permits may be due to the fact that many of those who

ask to access services do not want to proceed with making a further request of residence permit, once they understand that this involves in most cases to denounce exploiters.

The data provided in Tables 7 are quite similar to those offered by the Ministry of Home Affairs, which for the period from 1998 to August 2004 recorded a total of 4,287 residence permits for reasons of social protection⁴⁸. The overwhelming majority of residence permits under Article 18 were usually granted to migrant women involved in street prostitution, since the Equal Opportunities Department mainly funds those projects which are targeted to migrant street prostitutes. According to data from the Ministry of Home Affairs, of the 580 residence permits granted for social protection reasons in 2000, 537 were granted to women engaged in prostitution.⁴⁹ The overwhelming prevalence of residence permits granted to women engaged in prostitution is confirmed also by data from the public prosecutor's office in Lecce, according to which only 16 residence permits for social protection have been granted to men who were exploited in sectors other than prostitution. According to data from the Transcrime Research Centre of the University of Trento, from 1996 to 2001 there were 2,741 victims in criminal proceedings brought for human trafficking for the purpose of exploitation, of whom 2,217 were female, defined by Curtol et al as "victims *par excellence* of human trafficking" (p.117). However, it is noted by the same authors that there is "the exploitation of males as well" (Curtol et al, 2004, p. 117). As reported:

It is likely that these male victims have not been trafficked for prostitution, but rather have been forced to repay debts contracted for their illegal trafficking into Italy by working in the underground economy. (Curtol et al, 2004, p. 117).

They hypothesise this after noting the figures for Chinese nationals, among whom "48 out of a total of 53 victims (76%) are male, and [...] are probably exploited by Chinese-owned restaurants and businesses in Italy" (p. 117). This way of explaining the exploitation of

⁴⁸ Note that in 1998 Article 18 was not implemented, thus residence permits for that year might well refer to proceedings which were initiated under Article 5 of Law Decree n. 477 introduced in 1996 and providing for temporary residence permits for social protection, which has already been mentioned in the previous section.

⁴⁹ Ministero degli Interni. Rapporto Immigrazione 2000. www.stranieriinitalia.it/statistiche/rapportominint.html

Chinese labour as an 'ethnic criminal business', something involving only Chinese nationals, is typical of most accounts about 'trafficking' in general, and 'Chinese trafficking' in particular, which depict the 'Chinese community' as "tied to ancient rules and traditions" and characterised by "a strong attitude of submission and obedience to those who have power of command within the community" (Ciconte and Romani, 2002, p. 1001). This 'colonial' approach towards the exploitation of Chinese labour leaves unexplored some crucial questions about the Italian local market and its requirement of cheap and extremely vulnerable (e.g. undocumented, indebted) labour. These questions are highlighted by Alessandro Dal Lago (2003), who notes that the recruitment of indentured labour from outside Europe (he uses the term 'Oriental' to indicate Chinese and other Asian undocumented workers exploited in the construction sector of the Italian North-Western region) is not opposed by Italian entrepreneurs, who have no interest in denouncing an exploitative system which, even if it is temporary damaging to them, may work to their advantage in the future (Dal Lago, 2003, p. 193).

To return to figures about victims of trafficking, Curtol et al (2004) state that, among female victims involved in criminal proceedings, "the most represented nationalities are Albanian (25% of the total female victims), Romanian (10%), Nigerian, (10%), and Moldovan (6%)" (Curtol et al, 2004, p. 117). If we look at the Table provided by Transcrime (see below), however, we can see that, for the period studied, women from Ukraine appear to be more represented in criminal proceedings for human trafficking than Moldovan women, both in absolute numbers (145 against 131 Moldovan women) and in percentage (6.54% of total female victims against 5.91% of total Moldovan female victims).

Table 8
Victims in criminal proceedings brought for human trafficking for the purpose of exploitation. Absolute values and percentages (June 1996 – June 2001)

Nationality	Males	Females	Total	% Males on Total Males	% Females on Total Females	% Total
Albanian	88	566	654	16.79	25.53	23.86
Bosnian	0	6	6	0.00	0.27	0.22
Bulgarian	5	27	32	0.95	1.22	1.17
Chinese	48	15	63	9.16	0.68	2.30
Colombian	12	56	68	2.29	2.53	2.48
Croatian	10	5	15	1.91	0.23	0.55
Czech	2	60	62	0.38	2.71	2.26
French	3	8	11	0.57	0.36	0.40
German	5	15	20	0.95	0.68	0.73
Hungarian	0	93	93	0.00	4.19	3.39
Indian	3	0	3	0.57	0.00	0.11
Lithuanian	1	5	6	0.19	0.23	0.22
Macedonian	4	13	17	0.76	0.59	0.62
Moldovan	13	131	144	2.48	5.91	5.25
Moroccan	17	50	67	3.24	2.26	2.44
Nigerian	19	211	230	3.63	9.52	8.39
Pakistani	0	1	1	0.00	0.05	0.04
Filipino	0	1	1	0.00	0.05	0.04
Polish	2	38	40	0.38	1.71	1.46
Romanian	87	216	303	16.60	9.74	11.05
Russian	6	116	122	1.15	5.23	4.45
Dominican	1	23	24	0.19	1.04	0.88
Serbian	0	4	4	0.00	0.18	0.15
Slovakian	0	13	13	0.00	0.59	0.47
Slovenian	0	1	1	0.00	0.05	0.04
Sri Lankan	10	1	11	1.91	0.05	0.40
Tunisian	27	13	40	5.15	0.59	1.46
Turkish	0	1	1	0.00	0.05	0.04
Ukrainian	8	145	153	1.53	6.54	5.58
United Kingdom	0	2	2	0.00	0.09	0.07
Yugoslavian	52	72	124	9.92	3.25	4.52
Others	101	309	410	19.27	13.94	14.96
Total	524	2.217	2.741	100.00	100.00	100.00

Source: Transcrime Institute. Adapted from Curtol et al, 2004, p. 118.

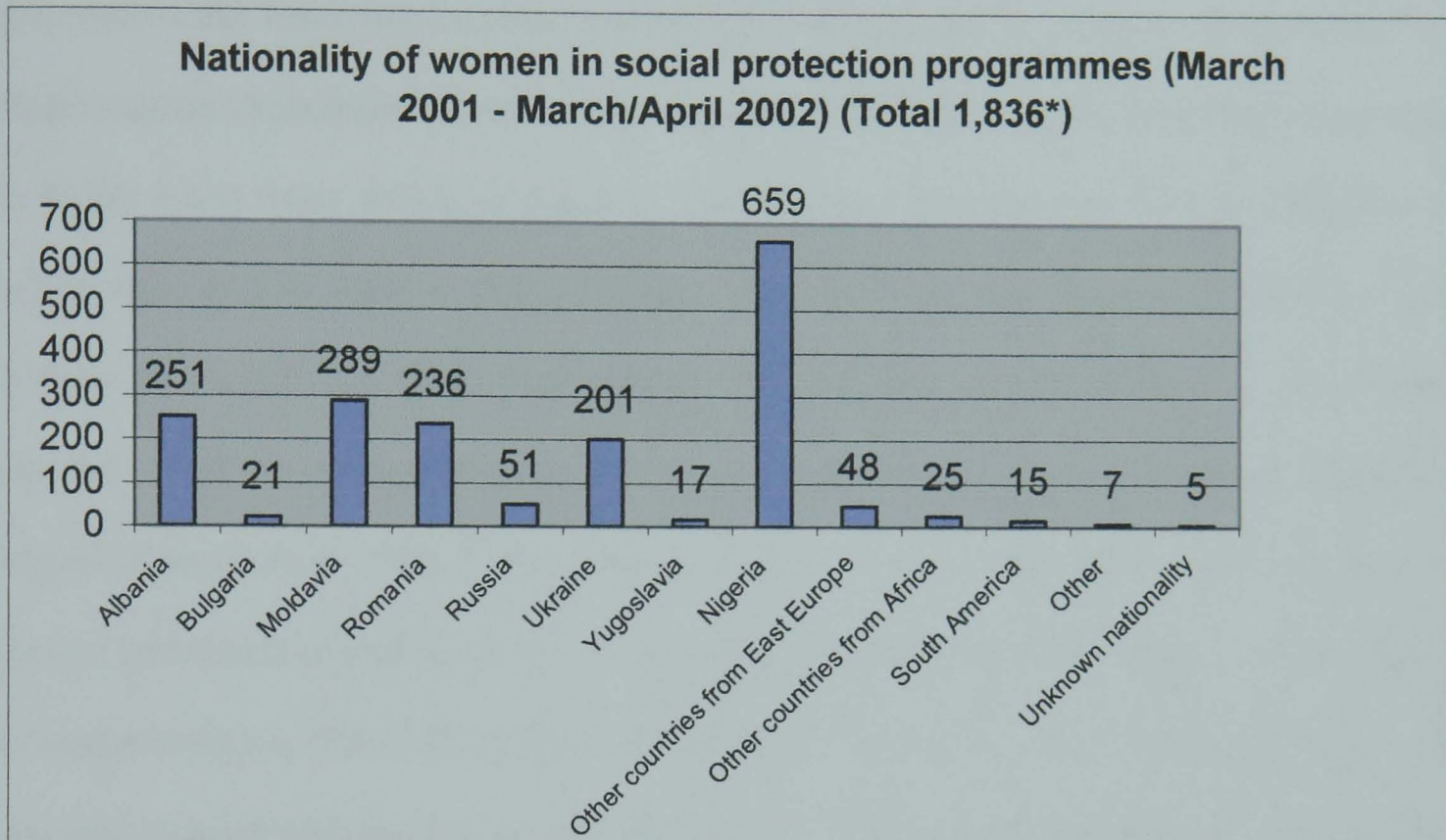
Data available from the Ministry of Equal Opportunities concerning the nationality of women who accessed social protection programmes in the year 2000-2001 indicate an increase in women from Moldavia, Ukraine, and Romania, and a decrease in Albanian women (see Table 9 and Figure 3 below).

Table 9
Countries of origin of women and minors who accessed social protection programmes
(March 2000 – February 2001)

Country of origin	N.	%	Minors	%
Albania	864	15.4	89	37.1
Bulgaria	82	1.5	3	1.2
Colombia	24	2.1	1	0.4
Morocco	97	1.7	-	-
Moldavia	408	7.3	40	16.7
Nigeria	2,896	51.8	40	16.7
Romania	293	5.3	45	18.8
Russia	122	2.1	1	0.4
Ukraine	308	5.5	3	1.2
Italy	41	0.6	2	0.8
Other	378	6.7	16	6.7
Total	5,577	100.0	240	100.0

Source: Equal Opportunities Department. Adapted from Ferraris et al, 2002, p. 91

Figure 3



* Of these, 1,756 are adult women, 80 are minors.

Source: Department of Equal Opportunities. Adapted from Barberi, 2004, p. 74.

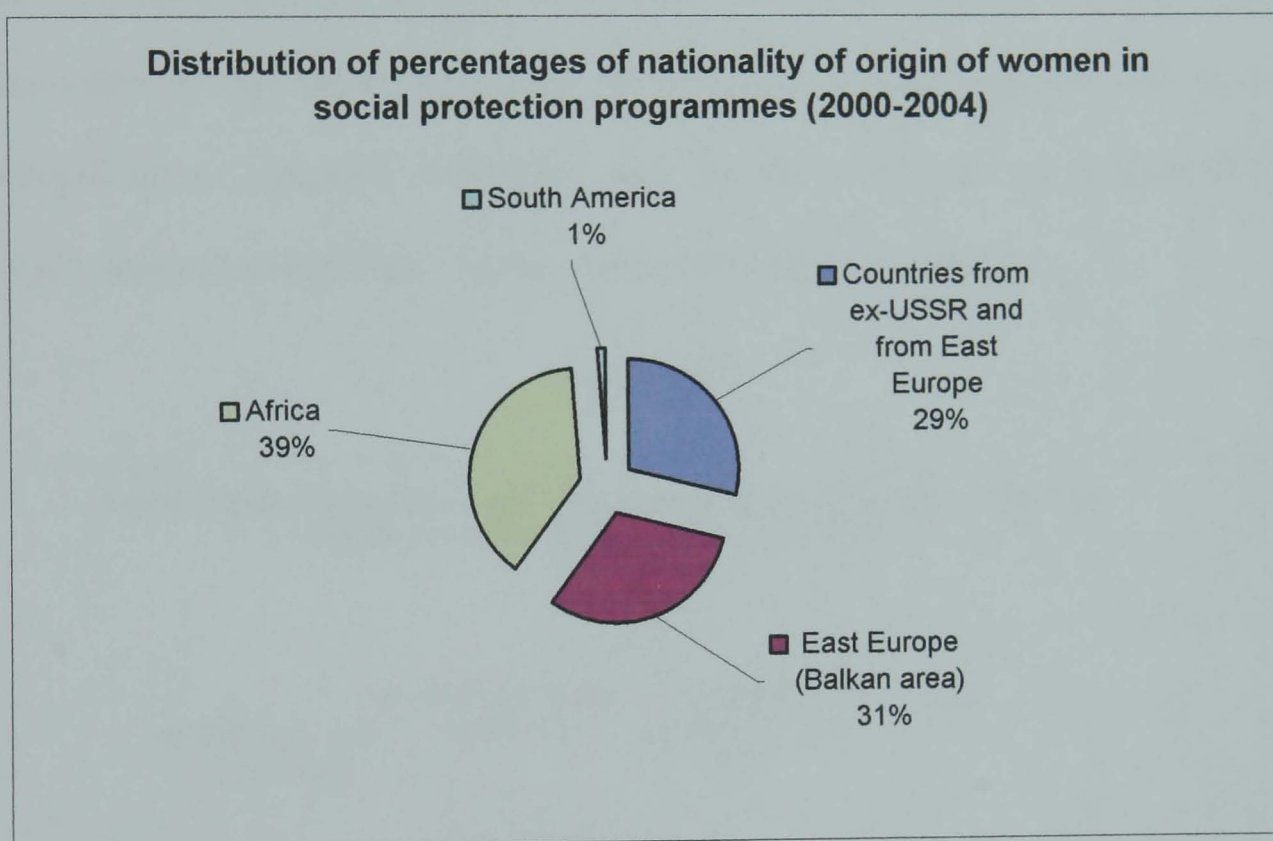
These data refer to a period going from March 2000 to February 2001 (Table 9) and from March 2001 to March/April 2002 (Figure 3) and so refer to a different period. Moreover, as data coming from the Interministerial Commission for the application of Article 18⁵⁰, they are of a different nature from those elaborated by the Transcrime Institute, since the latter's data refer to men and women involved in criminal proceedings as victims of trafficking, and are provided by prosecutor's offices, whereas the former are elaborated by NGOs running the 47 projects for the assistance and protection of victims of trafficking carried out in Italy during the period March 2000- February 2001(see Ferraris et al, 2002, p. 89), and so they refer to

⁵⁰ This is a special commission instituted by the Department of Equal Opportunities in Novembre 11, 1999 and made up of representatives from the Department of Equal Opportunities together with representatives from the Department of Social Affairs, from the Department of Home Affairs, and from the Department of Justice. The Interministerial Commission presides over the control and direction of resources and funds for the implementation of programmes for social protection and assistance to victims of trafficking.

women who might have never been in contact with prosecutors. This, together with the fact that women are more willing to get in contact with NGOs than with prosecutor's offices, explains the wide gap between the 2, 217 women (it is not mentioned if minors are included) provided by the Trancrime Institute, and the 5,577 women (and minors) provided by the Equal Opportunities Department. However, we can note differences also between the figures shown in Table 9 and those shown in Figure 3, and there are explanations for this difference. To begin with, data in Table 9 include women and minors introduced in all 47 projects under Article 18 carried out nationwide during the first year of implementation (2000-2001), precisely 24 in the Northern regions, 13 in the Central regions, 13 in the Southern regions and islands (Ferraris et al, 2002, p. 89). Data in Figure 3, on the other hand, refer to women and minors introduced in only 42 of the 47 projects carried out nationwide during the second year of implementation (2001-2002), 26 in the Northern regions, 7 in the Central regions, 9 in the Southern regions and islands (Barberi, 2004, p. 67). This in part explains the smaller numbers in Figure 3. Another reason for the difference might be due to the increased 'repressive' aspects of anti-trafficking policy soon after the first year of implementation, which might explain in particular the diminished presence of Albanian women (especially Albanian minors) who from the year 2001 began to be deported to their country. If we go back to Table 8 above, then, we can infer that many of the Albanian women (and presumably minors) who figure in prosecutors' offices as 'victims of trafficking' were subsequently sent back to Albania, through repatriation measures or otherwise, after the bi-lateral accord of co-operation in anti-trafficking signed by Italy and Albania. The higher numbers of Nigerian women both in Table 9 and in Figure 3 in comparison with the relatively fewer numbers in Table 8, on the other hand, suggests a greater ability of this group in using the law and the assistance offered, and in avoiding involvement in criminal proceedings. I will come back to this point later. For now, I indicate in Figure 4 below the most recent data summarising the geographical areas of

origin of women who accessed social protection programmes, referring to the period from the year 2000 to 2004.

Figure 4



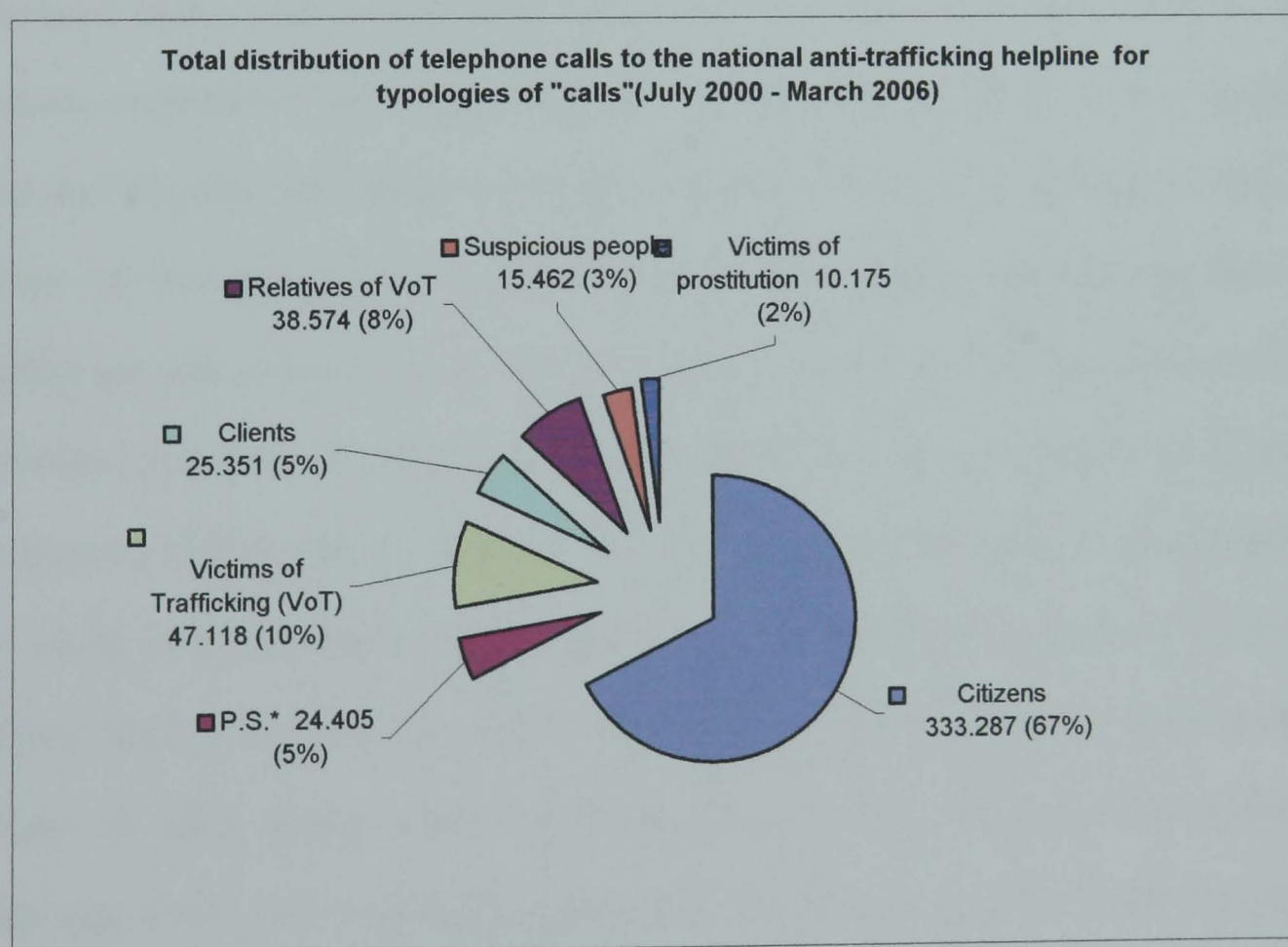
Source: Department of Equal Opportunities. See Ministero per le Pari Opportunità, 2007, p. 3.

These data accord with the previous data in terms of the higher percentages of women coming from Africa followed by women coming from East Europe and from countries from ex-USSR.

Social protection programmes were also accessed by Italian women and minors who could therefore use the services provided within Article 18 programmes even though for them there was no request of a residence permit (see Table 9 above). This presence of Italian women in social protection programme is also confirmed by data on telephone calls received

by the national helpline activated among the so-called 'system actions' (*Azioni di sistema*) directed to implement Article 18. Thus, Giammarinaro (2000) reports that during the first 52 days of the activation of the national helpline, among the people who called the service, 10.77 per cent defined themselves as foreign women 'victims of trafficking', 10.24 per cent as clients, 15.81 per cent as relatives of victims, 46.24 per cent as citizens asking for information, and 6.68 per cent as Italian women victims of exploitation in prostitution (Giammarinaro, 2000, p. 54). Data provided by the Department of Equal Opportunities on typologies of telephone calls to the national helpline do not give a clear indication on this, but the distinction between 'victims of trafficking' and 'victims of prostitution' presumably suggests a difference between migrant and Italian women, as shown in Figure 5.

Figure 5



*Note: P.S. = Public Security Officers

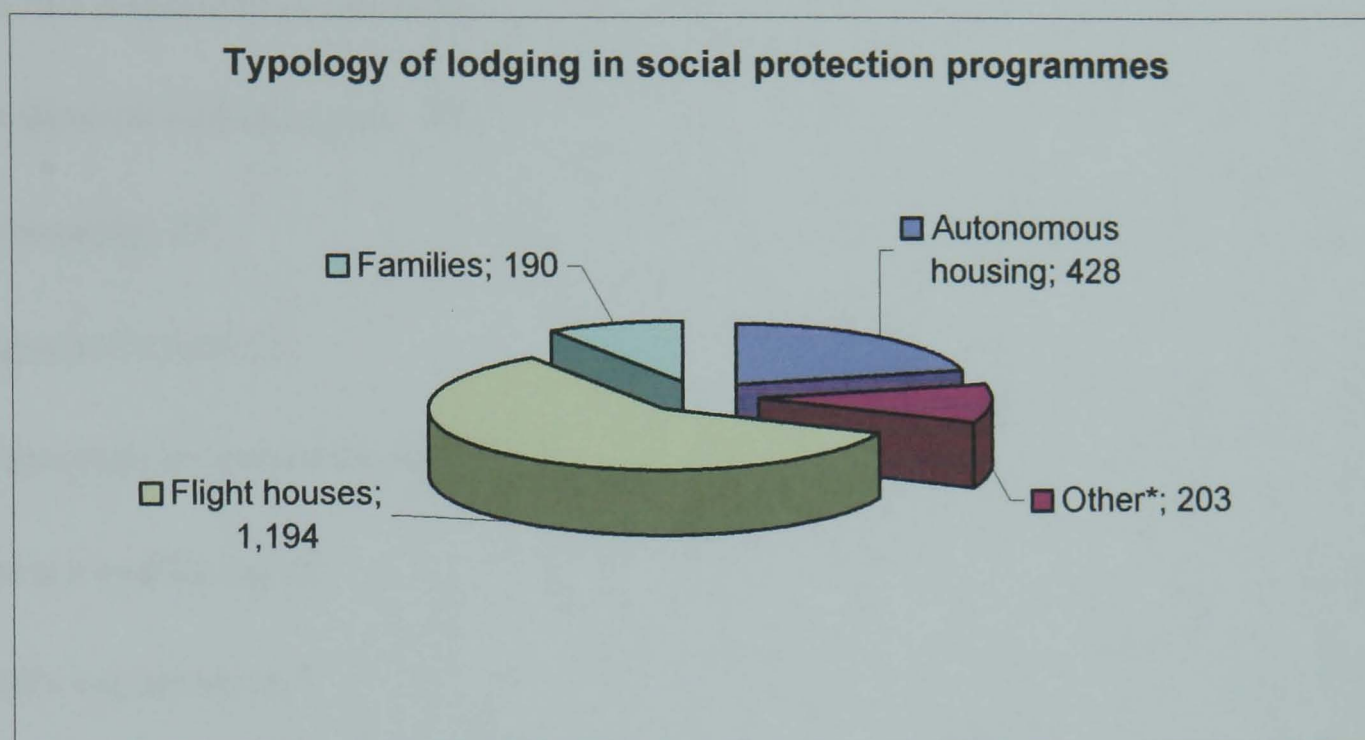
Source: Elaborated from the Department of Equal Opportunities. See Ministero per le Pari Opportunità, 2007, p. 6.

In any case, as some commentators have noted, the fact that Italian women also use the services provided by Article 18 protection programmes, and their use of the national helpline pose a question on the utility of having Article 18 as a tool designed only for foreigners (Giammarinaro, 2002). In reality, with the entry, from 2004, of new countries from East of Europe as new members of the EU, the access of Article 18 programmes by women who were nationals of the new member states - notably women from Romania – and therefore did not need a residence permit, led the government to clarify the scope of Article 18 by establishing that even people who are nationals of a EU member state (and so even Italian citizens) can access social protection programmes under Article 18 of the 1998 immigration law.⁵¹ Thus, Mancini (2007) notes that, since the legislator has explicitly emphasised the essentially humanitarian and social character and scope of Article 18, once the latter is de-linked from residence status, what remains is the obligation, on the part of the State, to assist, protect and socially integrate all those who are found in situations of danger or serious exploitation. He therefore hypothesises the creation in the future of a unitary body of laws for interventions in favour of victims/witnesses of serious crimes, within which to include also the law against trafficking and slavery (Law n. 228/2003) which, as we saw in the previous chapter, also provides, in Article 13, for protection and support for victims of slavery-like practices (see section 4.3.1 of this thesis). This would, more generally, overcome the limitations of Article 18 which, so far, as noted by some authors, has left aside those situations of exploitation and abuses found in sectors other than prostitution and has not addressed the exploitation and abuses of many Italian women and men working in prostitution (Giammarinaro, 2002; Padovani, 2002). So far, Article 18 protection programmes work like a kind of pigeonholing system for migrant people in general, migrant sex workers in particular, with the consequence that it is essentially to such migrant people that the metaphor of slavery can be applied. I will come back to this point later in the thesis.

⁵¹ This was done in 2006 through Law Decree n. 300 whose general title is 'Prorogation of terms provided for by legislative dispositions'. For a more in depth discussion see Mancini, 2007.

Other data concerning social programmes are those related to the type of lodging assigned to women entering protection programmes, and to the penal proceedings linked to them. With regard to the former, in a report published by the Department of Equal Opportunities concerning the final monitoring of 42 protection projects carried out in Italy, Barberi (2004) states that lodging constitutes the second phase of social protection programmes and it is of critical importance for the subsequent progress of individual projects, which normally start with assistance in providing basic services, followed by women's allocation in 'flight houses' (Barberi, 2004, p.76). There are mainly three types of lodgings: autonomous, assigned to women who have concluded protection programmes and have obtained a work contract or are in the process of obtaining it; flight houses, assigned to women in the first phase of protection, during which their 'motivation' to continue is assessed; family lodging, also used in the first phase of protection, especially for minors. More recently, a semi-autonomous option was experimented in some cases concerning women who were perceived as better integrated in the community and so capable of living with friends or partners while receiving periodical visits from social workers (Barberi, 2004, p.77).

Figure 6



*Semi-autonomous housing (47), community centres, friends

Source: Department of Equal Opportunities. Adapted from Barberi, 2004, p.78

Figure 6 shows the number of women and girls who were assigned to the various lodging structures in the period going from March 2001 to March/April 2002. The overwhelming majority found dwelling in flight houses, which, as I could see from my own fieldwork, far from being a temporary solution, was more commonly protracted until the end of individual protection projects, which often lasted as long as two to three years.

With regard to the penal proceedings linked to social protection programmes, at least during the first period of implementation of social protection programmes, March 2000-February 2001, a government report related to the monitoring of Article 18 protection projects indicates that, for the crimes of Mafia association, organised crime, prostitution, kidnapping, kidnapping for extortion purposes, and reduction into slavery, there was a total number of 407 legal proceedings, with the prosecutor's offices most active being in the cities of Lecce (135 cases), Modena (39), Ancona (31), Busto Arsizio (22), Arezzo (21), Bolzano (17), and Trani (16) (Ferraris et al, 2002, p.96). A circular from the Home Office, n. 8516 of June 5 1998,

shows that the number of penal proceedings concerning the above mentioned criminal offences was distributed as following:

- prostitution-related crimes: 158,
- kidnapping: 27,
- organised crime: 12,
- kidnapping for extortion purposes: 6,
- slavery-trafficking: 5,
- Mafia organisation: 1

(see Ferraris et al, 2002, p. 96).

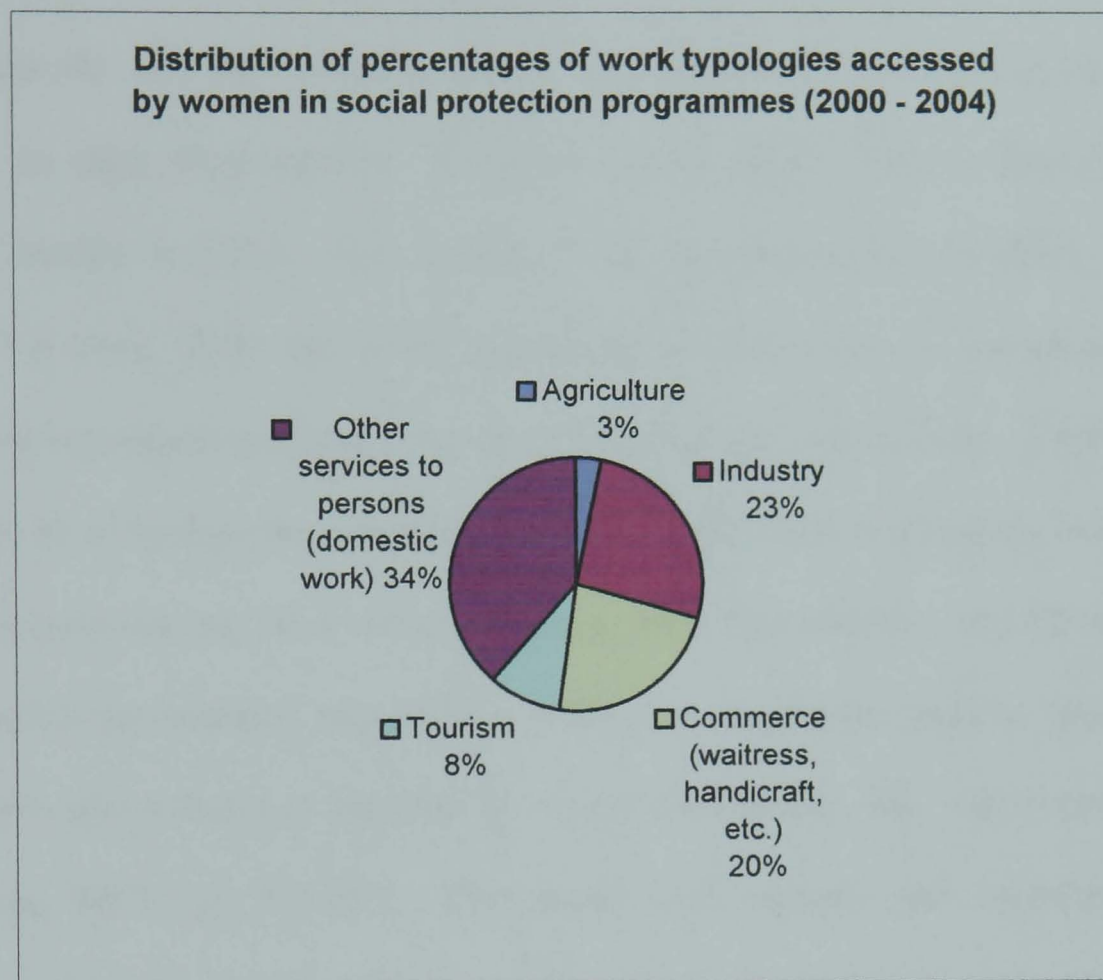
The ISTAT criminal statistics office reports 3,511 criminal offences related to abetting and third party exploitation of prostitution for the year 2000, with 758 people convicted, of which 212 were women. On the other hand, for the same year the ISTAT office reports only 13 convictions for the crime of reduction into slavery (Ferraris et al, 2002, p. 97). Among those charged with the above crimes the great majority were Italian nationals (349) followed by Albanian (293) (Ferraris et al, 2002, p. 96).

These data are not completely reliable to the extent that there is no documented connection between them and Article 18 procedures as such, but they nevertheless point to some interesting gaps between discourse and the reality, namely the gap existing between the stereotype of the foreign criminal involved in ‘trafficking’ and reality, which sees the heavy involvement of Italians. Furthermore, to the rhetoric of ‘slavery’ as a serious and widespread problem linked to ‘trafficking’ (a perception shown by some of my own interviewees such as judges and prosecutors) does not seem to correspond a real emergency in terms of the number of legal proceedings and convictions related to ‘slavery’. On the other hand, the fact that prostitution is the main area of judicial activity since the first year of implementation of

Article 18, is explained in part by the text of Article 18 itself, which, as we saw in the previous chapter, refers explicitly to prostitution-related offences as those occurring within those situations for which social protection takes place. In part it is explained by the fact that Article 18 was the product of specific discourses about ‘trafficking’ and ‘slavery’ as inherently linked to prostitution.

Finally, the type of work afforded by social protection programmes under Article 18 is reported to fall predominantly within the category of ‘services to persons – domestic work’ (34%), followed by ‘industry’ (23 per cent), and ‘commerce’ (20 per cent), as shown in Figure 7 below. Tiziana Lang (2004) notes with this regard that actors working in social protection projects tend to delegate to an employer (usually male) the responsibility for the personal progress of a woman, who therefore finds herself once more in a situation of dependence on a figure in much the same way as she depended on her ‘trafficker’ (Lang, 2004, p.46).

Figure 7



Source: Department of Equal Opportunities. See Ministero per le Pari Opportunità, 2007, p. 5. <http://www.pariopportunita.gov.it/DefaultDesktop.aspx?doc=801>

Another option offered within social protection programmes (as part of the *azioni di sistema* programmes) is assisted repatriation, with repatriation projects run by the IOM in co-operation with the Ministry of Home Affairs. From 2001 to 2006 there have been 160 cases of assisted repatriation (Ministero per le Pari Opportunità, 2007).

One of the elements emerging from the Study of Article 18 conducted within the EU Stop programme is that in the different Italian case studies there is no necessary correlation between main groups present in the local prostitution market and groups accessing social protection programmes. This suggests that access to social protection programmes may not reflect exclusively the need to escape situations of violence or to exit prostitution as such, but also the desire to use this legal instrument to remain in Italy, even continuing to work in

prostitution, but with a different, more autonomous role. With this regard, Prina (2002b) observes that the risk of an 'instrumental' use of Article 18 should be linked to the fact that some projects do not pay attention to the complexity of the phenomenon of migrant prostitution in each local context. He notes, for example, that in contexts where the prostitution market is stable, with groups being established and conflicts reduced to a minimum, it is more likely that single prostitutes use the law in an instrumental way (e.g. change of market supply, personal needs linked to their life cycle) (Prina, 2002b, p. 504). On the contrary, in a market characterised by more conflict and competition between groups, violence and coercion may be a common strategy used by exploiters, and therefore access to social protection programmes may reflect, in these cases, a more genuine request to escape such situations and a desire to integrate in a more autonomous way within the Italian social context (Prina, 2002b, pp. 504-505). This means more generally that actors and institutions working in social protection programmes take into account 'instrumental' use of Article 18 together with its 'authentic' use. Indeed there were some alarming warnings in this sense from some extreme right MPs at the time of parliamentary debates over the legislation, with some parliamentary groups commenting that Article 18 risked becoming a sort of amnesty for irregular migrant people. Although research so far has shown that there was no such risk, there have been nevertheless cases where access to protection programmes has been indicative of an instrumental use, and this indication also came out from my fieldwork data. In terms of explaining migrant women's access to social protection programmes in contexts where their presence in street prostitution is scarce or where there is no substantial prostitution market at all (as indeed is the case of Lecce where the highest number of residence permits are granted to Albanian and other migrant women, and yet the prostitution market here is almost non-existent), Curtol et al (2004) mention the role of jurisprudence, namely magistrates' interests and activities in trafficking. We should also add the role of NGOs and religious groups which have an interest in carrying out protection projects aimed to 'save' prostitutes. With this

respect, both Lecce and Catania are cases in point, albeit with different results in terms of the number of residence permits issued (see below).

As to the reason why a flood of residence permits have not been issued under Article 18, one may mention the fact that the process of accessing social programmes is highly selective, and the control exercised by the various organisations in charge of each programme, together with police investigations over each report/case, and the long procedures involved, militate against an excessive number of applications. Moreover, as I mentioned in the previous chapter, from 2002, with the introduction of the Bossi-Fini law, it has been more difficult for migrant people to enter Italy, to obtain a residence permit (now strictly linked to a work contract), and to have their permit renewed. All this has also affected the procedures to access Article 18 protection programmes, with the emphasis being put increasingly on treating would-be victims merely as collaborators in judicial proceedings rather than as people whose human rights have been violated, and with a *de facto* criminalisation of irregular migrants as such (Pepino, 2002; see also Virgilio, 2003). This might be in part the explanation of the figures shown on the lower line of Table 7. One last point on recent changes which have affected the practical application of Article 18 is the loosening of co-operation between NGOs and women's groups on the one hand and the government on the other. This co-operation had previously encouraged a wider reading of Article 18 and its application according to a flexible interpretation of the role of denunciation through the pressures from women's rights groups in the first implementation period (Giammarinaro, 2002). From 2002, the new minister of the Equal Opportunities Department has not invited NGO experts for the evaluation of projects, so the latter are increasingly subject to an institutional control, according to values and procedures established on an institutional level, without consultation from grass-roots networks (Giammarinaro, 2002). One of the first actions of the newly appointed minister for Equal Opportunities, Stefania Prestigiacomo, in 2001 was to abolish the 'Committee for the

coordination of government actions against trafficking of women and children for purposes of sexual exploitation’.

All this indicates that there has been a cultural and ideological shift, we might say a worsening of the cultural and ideological context, as to the interpretation of Article 18 programmes, towards a more repressive approach on an institutional level, whereas on a social level, in particular in terms of the actual integration phase, the accent has been more on ‘social control’ with more power being shifted to religious and moral entrepreneurs engaged in social protection projects. Going back to the two sets of dichotomies mentioned before (see scheme in section 4.4), the emphasis has been put on the consolidation of a kind of approach which focuses on the slavery metaphor as a dominant category which defines the objects of Article 18 as passive victims/slaves, and which reduces migrant prostitution, ‘trafficking’ and ‘new forms of slavery’ to one and the same thing. This cultural shift has affected the application of Article 18 programmes in terms of the dynamics between ‘emancipation’ and ‘redemption’ aims, and between institutional and social aims, in such a way that social actors working in social protection programmes are increasingly tied to institutional requirements related to a variety of considerations, such as:

- 1) the selection phase, linked to a definition of ‘victim’ that accords with the slavery rhetoric and that rests on the victim’s willingness to ‘change her life’;
- 2) the role of denunciation, which acquires the status of ‘proof’ of a radical change on the part of the victim and her willingness to change her life;
- 3) the aims of social programmes, with an emphasis on a ‘moral reconstruction’ of the person on the one hand, and the suppression/eradication of prostitution as the manifestation of ‘trafficking’ and as a form of slavery on the other;

- 4) instruments adopted, with an accent on institutional control through community accommodation as opposed to autonomous accommodation, thus substituting 'support' with 'control';
- 5) work solution, oriented towards 'niche' markets or domestic work, rather than towards effective integration in the wider employment market and using women's personal resources and effective training schemes.

This takes us back to crucial questions about the definitions of trafficking, slavery and prostitution adopted within social programmes, as well as links between definitions and representations around the gender, ethnicity and sexuality of those affected by social programmes. The institutional requirements listed above also raise questions about the social control and citizenship of those people who are defined according to their sexual practice and migrant status. The accent on moral reconstruction means that a greater emphasis is put on disciplining them into a sexual life oriented to 'good', long-lasting relationships, such as marriage with Italian citizens, as opposed to the commodified sexual relations of independent prostitutes.

In the next section I will analyse social protection programmes as applied in the three research sites studied. I will provide quantitative and qualitative interview data, particularly about specific sex market contexts and approaches to social protection. In analysing each research site, particular attention will be paid to questions of moral meaning in social protection programmes such as those outlined above, to the way in which 'slavery' and 'trafficking' get conflated with prostitution, to the tension between repressive aspects (immigration and crime control) and human rights aspects (protection of victims) within projects under Article 18, and finally to the way in which citizenship is linked to sexuality and gender.

5.2 Victim protection in the three research sites: Catania

The three sites where research was conducted offer different sex market contexts in terms of the numbers and types of groups involved in street prostitution, in terms of the migrant groups involved in social protection programmes, in terms of the types of organisations in charge of protection projects, and in terms of the degree of local government involvement and its role within the projects.

Catania, as a medium-small city, does not have the capacity to support a large sex market as does a big city like Rome. However, after Palermo, it is the second main Sicilian city affected by migrant street prostitution, and Catania in particular has changed over the last five years with respect to the way in which migrant prostitution is practised, with respect to the groups involved, and with respect to the policy approach adopted by the local government. Until 1999 most migrant prostitution was practised in flats and houses within the town's historical 'red light district' area, where since the late 1980s Italian women and trans-sexual people have worked together with women and transsexual people from Latin America, mainly the Dominican Republic and Colombia. From the early 1990s Latin American women were joined also by Nigerian women, so that by 1999-2000 the local branch of the national NGO LILA (Italian League Fighting Against Aids) estimated a total of 270 prostitutes in the area, of which 240 were migrant. Most migrant sex workers were from the Dominican Republic (96) and from Colombia (89), followed by African women (51)⁵². At the end of 2000, a massive round up by the local police led to the removal of all migrant prostitutes from the area and the repatriation of some of them, with the consequence that those who remained were then forced to work in the streets outside the traditional sex market area and in the roadways outside the city centre. From this moment there were more African women and girls involved in street sex work, whereas many Latin American women in the city alternated street work with work in

⁵² Part of the results of the pilot research conducted by the local LILA are published at the *Journal of Immigrant Health*, 2006, Vol. 8 (see Nigro et al, 2006).

flats. So, during August 2003-June 2004, the local LILA street unit estimated a total of 82 migrant prostitutes working in the highways outside the city centre, of which 51 were African (from Nigeria, Ghana, Togo, Benin), 20 Latin American (from Colombia and from the Dominican Republic), 6 Romanian and 5 Albanian.⁵³

The authorities in Catania have not approached prostitution as a potential site of 'slavery' and exploitation, rather they left the market to operate unregulated during the 1980s and 1990s apart from a few symbolic raids, followed, from December 2000, by a politics of repression focused on mass repatriation. Within this new repressive policy framework, residence permits for social protection have been rare (the local police records only 2 permits from the year 2000, one of which was a renewal of a residence permit issued in another locality). The two main groups active in social protection are Associazione Penelope, which is non-religious and based in the city of Messina, working predominantly with the questura in that city; and a local branch of the Catholic Comunità Giovanni XXIII, and works in cooperation with the questura in Catania. The two groups, therefore, work separately and cooperate with different police authorities, although they both work with migrant prostitutes who operate in the same Catania area. All relevant institutions in Catania, namely the city council, the local health service, in particular the trans-cultural psychiatric service, and the police have established cooperative relationships with the Comunità Giovanni XXIII, whereas relationships with the Penelope group have been less cooperative, in part because the latter is based in Messina, but also because Comunità Giovanni XXIII enjoys more credit nationwide due to the publicity gained by its director through television programmes and the press.

Interestingly, there was a different perception of the importance of victims' willingness to denounce their 'traffickers' from the two project coordinators interviewed. The judge interviewed in Catania was very clear about the importance of cooperation between the victim, treated thus as a witness, and the judicial authorities:

⁵³ These are unpublished data from the street unit operators of the local LILA.

The law on the protection of VoT, Article 18, is of difficult application because it is applied only in those cases where there is a willingness on the part of the victim to cooperate in legal proceedings for the punishments of those responsible... It is important that there is a willingness to break all ties with the organisation on the one hand, and that there is cooperation with authorities.

In our experience in Catania, the residence permit for social protection to VoT is issued only after the prosecutors give their authorisation, which they do only when the victims agree to cooperate... We have issued such permits only in two cases, and in both cases the person informed the authorities of the names of those who helped her to migrate, the people who controlled her in Italy etc. (Judge1, Catania)

This was confirmed by the coordinator of the non religious group Penelope,

Yes, in the area where we work [Catania] the girls must report names of traffickers... in any case they need to tell us a story about their immigration to Italy, like how they came, who helped them in Africa and people who helped them once in Italy, who controlled them, etc... It's a standard story which we must write, based on the girl's account and give the police to apply for a residence permit for purpose of social protection. (Female project coordinator1, non-religious group, Catania)

The representative of the Comunità Giovanni XXIII, however, did not make any reference to the importance of denunciation, and he explicitly said that reporting was not important for access to protection programmes:

It is not necessary that women make a report with names of traffickers. Often they don't want to do this out of fear... for us the most important thing in the first contact is not to speak about residence permit, but to make friendship... many of the girls did not obtain the residence permit but they managed to exit prostitution with our help. What we ask girls is to stay in families where they are treated like daughters. We don't force them. We ask them 'do you have a mother and a father? ... What would they say if they knew what you do in Italy?'. This question makes them unsettled. (Male volunteer1, religious group, Catania)

Given the extremely low number of residence permits issued by the 'questura' in Catania and the repressive approach adopted by the Catania administration in general, and given also that, as a Nigerian woman (VoT3, see Table 4, chapter 2) told me, religious

organisations such as Comunità Giovanni XXIII “don’t keep the promise” to regularise the girls’ migrant status but “just put them into nuns’ institutes”, it appears that most women contacted in Catania by the group either get their residence permit in other cities, especially Rome, or are simply put in institutes or family accommodation without any prospect of getting residence rights or, as my informant told me, “waiting for years while working within the institute without receiving any pay” (VoT 3, Catania).

The two interview extracts above suggest two different approaches to social protection programmes in Catania. The approach adopted by the non-religious group focuses on ‘emancipation’ meant as effective regularisation and work integration, with refuge provided in community residence. This group is aware that, in order to gain a residence permit which would allow the victim to contract for work, the latter must supply a convincing story of exploitation. The religious group’s main objective, on the other hand, is to ‘take the girls off the streets’, with regularisation through a residence and work permit acquiring a secondary importance. The method used by this group was therefore based on ‘rehabilitation’ and re-education to an ‘honest’ life within community/family accommodation or within religious institutes where girls were closely controlled, where their mobile phones were taken from them to prevent them from ‘falling back’ into prostitution, and where they were oriented towards a new life style based on ‘genuine’ affective relationships and religiosity. The police authorities in Catania seem to have a more positive relationship with the religious group. As the chief police officer told me:

It was a member of the Comunità Giovanni XXIII who came to the immigration office and said he had a case of Nigerian girl he wanted us to deal with. Afterwards the case was passed to the investigation office.

When we have a case of trafficked woman we are mediated by a volunteer from the association who took the case in the first place. The volunteer mediates between the police and the trafficked person. In this case the above association has proved to be a serious, reliable one. (Female Police1, Catania)

Although the judge in Catania told me that anti-trafficking operations originally were initiated because there was a suspicion that people were smuggled mainly from Sri-Lanka to be exploited in agriculture and in domestic service, Article 18 was applied only to prostitution cases, and the judge's statement was quite interesting with regard to links between forced migration and sexual exploitation:

As far as our experience is concerned, I must say that the crime of reduction into slavery was always linked to sexual exploitation, not to other sectors... We have found some cases of ordinary crime committed by some ethnic groups against people in the same groups, like money extortion and things like that, but not really something like slavery...

Article 18 is applied in cases of migrant prostitutes because the most striking cases were found among people who were exploited in prostitution, but also because in many cases where people are found in exploitative situations (domestic work, agriculture) left their country voluntarily, and this makes the application of Article 18 impossible... (Judge1, Catania)

Another characteristic of Catania, and Sicily in general, is that migrant women within protection programmes tend to look for job opportunities in other cities in the north rather than staying in the area, and this is due to lack of job opportunities in the South. However, I also found cases of women who, having gone through the prostitution experience in Rome and other cities in the north, moved to Sicily during their protection programmes and chose Catania as a residence and working place, as in the case of two women (see VoT2 and VoT4 in Table 4, chapter 2).

As to the link between social protection programmes and the prosecution of 'trafficking' cases, a study by the Transcrime Research Centre on Transnational Crime of the University of Trento reports that from 1996 to 2001 the Catania prosecutor's office had 4 proceedings concerning 'trafficking in persons', whereas in Palermo there were 77 proceedings in the same period (see Curtol et al, 2004, p. 115, 116). I have already mentioned that the low or high number of proceedings does not reflect the real distribution of trafficking-

related crimes, rather it reflects a greater interest and expertise in certain areas on the part of some prosecutors' offices (see Curtol et al, 2004, p. 116).

To summarise, we can say that in Catania the tension between the government's desire to control immigration and its commitment to protect women's human rights gets played out at the expense of the latter; that women's search for citizenship rights through a residence permit granted under Article 18 is frustrated by the predominantly religious approach adopted by the local group, for which the aim of 'getting a woman off the street' prevails over that of granting her real citizenship rights. Finally, the combined local government's, court's and NGO's interest exclusively in prostitution suggest that here, as in most parts of Italy, (migrant) prostitution is seen as a serious problem linked to 'trafficking' and 'slavery', and that persons subject to exploitation and abuse in other sectors, such as domestic work, stand little chance of being identified or assisted as VoTs.

5.3 Lecce

Lecce has already been mentioned with regard to its special nature as a border city, situated as it is along the coastal area near the border with Albania (the nearby Otranto is only 70 km from Vilonia), from where boats arrive transporting people from other East European countries, mainly Moldavia, Ukraine and Romania. Social protection programmes were run mainly by the Regina Pacis Foundation within the detention centre where irregular migrants and asylum seekers are kept before they are given refugee status or are repatriated. This location makes Lecce a peculiar site, in that migrant sex workers were not contacted in their work place by social operators during their outreach work as happens in the great majority of projects for the protection of VoTs (see Barberi, 2004), but by the police in the detention centre where they are brought as soon as they arrive in the nearby port towns. In actual fact, there is no significant sex market in the Lecce area, nor is there a high presence of migrant people in general, for the simple fact that Lecce represents a transit area for other cities and

even other countries in Europe, and the Regina Pacis detention centre, entirely run by the city Diocese, acts as a collector of *potential* refugees, VoTs, and irregular migrants.

From 1999 to 2002 there were 150 residence permits granted for social protection, whose beneficiaries were predominantly women and girls from Moldavia, Ukraine and Romania, according to data from the police office in Lecce (Orfano and Ferraris, 2002). The absence of Albanian women is explained partly by the agreement signed in 1997 between Italy and Albania which established the immediate and forceful repatriation of Albanian undocumented migrants, especially minors, and partly by the fact that women who access social protection programmes in one city may obtain their residence permit in another city where they complete the programmes. The absence of Albanian women in the above figure, however, does not change the fact that the latter were the most represented group among those who accessed social protection programmes in Italy as a whole in the first year of implementation of Article 18, March 2000-February 2001 (see Table 8 in section 5.1). Among the residence permits issued by the questura in Lecce there are those granted to women who had worked as prostitutes in other Italian cities and are sent by other religious groups working within the national network built by the priest who coordinates the Regina Pacis Centre, as noted in chapter 2. The Regina Pacis Foundation is not the only group working in social protection programmes in Lecce; the local government (provincia) also runs another project, called 'Libera', with an approach similar to the one adopted by the Penelope group in Catania. The group running this project, coordinated by a woman psychologist, was not part of the network of the Regina Pacis Centre, but was also based in a detention centre in the nearby port town of Brindisi, where women were contacted first and offered basic services. As was the case in Catania, there was willingness on the part of the institutions (police, judiciary) to build relationships with the religious organisation, but not the non-religious group, which in this case was even more marked by the fact that the Regina Pacis group was responsible for the management of all irregular migrants arriving in the Lecce area and that the detention centre

was a big catalyser of all potential VoTs to be introduced in social programmes. The Regina Pacis Foundation was, then, the favourite referent of the public prosecutor's office. Every time a group of young women was brought to the centre they were heard by the centre's personnel and soon after by the police and the judge, and, as the prosecutor told me, it takes only a matter of a few days for the women to decide to report against those who had brought them into Italy. The following interview extract illustrates the 'method' used to identify potential VoTs, and at the same time it gives us a hint about stereotyping processes affecting migrant women in general:

The women who arrived here in order to be exploited in prostitution were easily identifiable because our experience led us to understand this and also they spoke against their traffickers ... Our criterion really was based simply on the fact that these women were young, they were in groups, and so it was assumed that they were transported here to be sexually exploited ... they had all been sexually exploited abroad ... there was evidence that there had been violence, although not from the country of origin, as normally these women voluntarily left their country. (Male Judge¹, Lecce)

Once the women were admitted into protection programmes, again most of them after providing full report against their 'traffickers', they were simply moved into another section of the detention centre, with the consequence that women in this protection project lived constantly surrounded by armed guards and in an environment which thus resembled a prison or a military camp. As for the methods used to 'rehabilitate' the women, they were similar to those adopted by the Comunità Giovanni XXIII group in terms of control exercised over women's lives, but with the difference that in this area there was a higher number of residence permits granted by the prosecutor's office. The detention centre in Lecce is now closed due to a number of scandals related to the over-crowding of the centre and the incrimination of the priest who ran it on charges of misuse of public money, racist behaviour and physical assaults of migrant people and kidnapping of women who were kept in the centre against their consent. Other charges concerned persuading pregnant migrant women to give

birth to children who were subsequently adopted through illegal adoption procedures.⁵⁴ In spite of the above, the Lecce system is still cited as a model case for the high number of residence permits granted and for the ‘excellent’ level of collaboration between the voluntary sector, represented by the Regina Pacis Centre, and the police and public prosecutor’s office, which collaboration made a ‘legal path’, that is denunciation by the victims, possible after the initial contact with the voluntary people working in the detention centre (Curtol et al, 2004).

To summarise, Lecce, like Catania, has a predominantly religious approach to anti-trafficking policy, since the great bulk of social protection offered here is provided by the Regina Pacis Foundation, financed partly by the Home Department partly by the local Diocese. However, unlike Catania, Lecce was characterised by a high number of residence permits issued under Article 18, and, from conversations with the local prosecutor, it emerged that prostitution was seen as a serious and real problem related to ‘trafficking’ cases:

I think 90% of trafficking concerns exploitation in prostitution. It is true that there are cases of trafficking concerning labour exploitation in general, and in fact in Italy 16 residence permits with article 18 were granted to men who were not working in prostitution. The new law on trafficking has also given more importance to cases of trafficking concerning labour exploitation, but in my experience in Lecce most cases were about prostitution not because of a deliberate interest in prostitution, but because obviously trafficking did involve mainly prostitution. (Male Judge1, Lecce)

This leaves Lecce in the paradoxical position of having a high number of residence permits which would suggest a greater openness to granting citizenship rights not only to women exploited in prostitution but also to women exploited in the domestic sector (2 cases registered in the non-religious Libera project), while, on the other hand, the scandal exploded around the Regina Pacis Centre, with women complaining that they were kept in the centre against their will and without being granted residence permits, confirms that there exists here,

⁵⁴ Article by E. M., *Lecce Provincia*, 14 April, 2005. This information was also partly given to me by the psychologist I interviewed in Lecce, and also from the lawyer of the ‘Progetto Libera’, who took part in the legal proceedings against the coordinator of the ‘Regina Pacis’ in defence of the offended party (see chapter 2).

like in Catania (without wanting to generalise for the rest of Italy) an ‘unholy’ relationship between religious running of protection programmes and citizenship rights granted to women who are institutionally defined as ‘sexual slaves’. As to the tension between ‘repressive’ and ‘human rights’ approaches from the part of the authorities, Lecce has not been affected by a policy of rounding up and massive deportation, as there was in Catania, but the absence of such policies is due more to the absence of a local street sex market than to a tilting of the balance in favour of a ‘human rights’ commitment. On the whole, however, women and girls detained in the Regina Pacis Centre were treated as real or potential sexual slaves, or ‘victims of sexual exploitation’, as the interview with Judge1 above suggests, but not as participant in criminal offences. In Lecce, perhaps more than in the other two research sites, social protection programmes were characterised by a marked paternalistic approach towards migrant women prostitutes, for whom the metaphor of slavery was widely used in a way which reduced their roles as the programmes’ beneficiaries to mere objects of a disciplinary project which aimed to re-define their identities as women, workers, daughters and mothers in opposition to an identity as prostitutes.

5.4 Rome

Rome is different from the two other sites for the particular organisation of protection programmes around the city council which coordinates all the groups involved and has decision-making power over individual projects in terms of funding, supervision and services provided. The main characteristic of this research site is the great number and variety of groups, both religious and non-religious, and projects involved in protection programmes, using a variety of methods, from rehabilitation on the line of Comunità Giovanni XXIII and the Regina Pacis group, through to ‘emancipation’ according to women’s rights conceptions, and prevention through an harm-reduction philosophy and policy. In spite of this variety,

however, programmes are all influenced by institutional control, especially by the city council, but also by the prosecutor's office, whose discretionary power over granting residence permits remains crucial, in spite of its peripheral role under the letter of the law. The Rome case reflects the inconsistency between the incidence of street prostitution, certainly a great deal higher than could be found in small contexts like Lecce and Catania, and the level of legal activity related to 'trafficking' and 'slavery' cases, with only 79 proceedings brought to the Rome court compared to 418 in Milan and 342 in Lecce in the period 1996-2001, according to data from the Transcrime Institute (see Curtol et al, 2004). With this respect, we have to remember that Rome, like Lecce, is also a transit hub for migrants heading towards other cities and it is perhaps for this reason that here 'there were far more proceedings for smuggling of migrants than for trafficking in persons' (Curtol et al, 2004, p. 116). However, like other big cities such as Milan, it is also a pole of attraction for street prostitution both in the city centre and in the periphery around the city. According to data elaborated by the Parsec group in 1996-1998, the Rome metropolitan area attracts 50 per cent of the total prostitution market in Italy, with 3,000/3,500 units out of a total of 5,537/6,989 units (Carchedi, 2000). Within the Roman market there are all the national groups represented throughout Italy, with a predominance of East European women coming mainly from Moldavia, Romania, Albania and other ex-USSR countries, and women from Nigeria. The council in Rome acted both as a funding agency and as a promoter of projects of social protection, and this made the whole system of social protection under Article 18 a lot more structured around a central authority, which provided all groups involved with funds, services, training, and expertise. However, relationships between the city council and the various NGOs and grass-roots organisations involved were not always smooth, and, according to one informant, the NGOs sometimes lamented that the council adopted its own selective criteria and often denied protection refuges (flight houses) to women already taken in care by NGOs. Below is an extract from an interview with a psychologist working in repatriation projects for the IOM in Rome, funded

through the council's social protection programmes. I report it at length because I think it is revealing about institutional and religious approaches towards repatriation and towards social protection programmes in general, and also the various tensions between the different powers involved, in particular tensions associated with the Church and the local government:

Sometimes the Rome council refused to give lodging to girls who were sent to us from other cities and whom we would assist in repatriation projects. They refused to host these girls for those ten days we needed to sort out all documentation, passports etc...

Why?

Because they think it's not worthwhile... they are not interested in a woman who they think is just not fit for a repatriation project because she is mad or something. I had to deal with a girl who passed from one religious group to another. She bumped into a priest, in my opinion totally mad, who wanted to repatriate this Nigerian girl at all costs. This girl was traumatised, she had been hospitalised for mental distress, but the only clear thing in her mind was that she didn't want to go back to Nigeria. So I don't want to send an adult woman back home when she doesn't want to go. But this priest would say that the best thing to do was to send her back home, even through force or deception, because this was the right thing for her. He left her here, basically abandoned her. So we called the people from another religious group where in the end she was taken into care. In another case a sister who runs a flight house nearby the Vatican showed me once a room in the house which was used as a kind of little altar where the girls victims of trafficking, who often are not even Catholic, are made to pray for a certain number of hours. According to the sister they have to speak to Jesus and then write down in a diary what Jesus told them. I was shocked... I asked 'are you sure this is what they want?', 'yes, yes' she said.

If you go to the council office to interview a nun, they will choose the best person they have, I mean they will not let you speak with this type of people, because they know how they operate. (Female psychologist³, IOM, Rome)

With regard to the links between 'trafficking', 'slavery' and prostitution, I will quote what the judge in Rome told me, because it well illustrates the difficulty of 'slavery' as a legal category but at the same time its constant association with prostitution:

I'm involved in offences related to illegal immigration, exploitation of prostitution and introduction of women to be exploited in prostitution, not trafficking and reduction in slavery as such, although the women

exploited are kept in conditions similar to slavery and are in actual fact prisoners of these exploiters. But it's not easy to contest an offence disciplined in the penal code, like reduction to slavery, through article 18.

I mean within the anti-Mafia District Direction once the slavery offence is contested it gets easily linked to prostitution related offences and exploitation of prostitution, so they are not two separate things altogether. (Judge1, Rome)

As to the importance given to denunciation as a prerequisite for access to protection programmes, people working in the Rome project pointed out that this was a problem and made Article 18 very limited in its application:

In Rome it's impossible right now to apply for a residence permit under Article 18 without a full report. In reality it's always been like this, but in the past it had happened that if there were particularly dangerous groups involved and it was too risky for the girl to denounce them, the police would agree that they would use only our information, leaving the girl outside the actual legal proceeding. This wouldn't happen anymore... They treat the granting of a residence permit as a reward for the woman who collaborates with the judiciary and the police. In other words the report with names of exploiters is essential. The last amendments to the law have led to an ever more rigid interpretation of Article 18, more than in any other city. As a consequence, if a girl who has already accessed Article 18 programmes goes to the police to have her residence permit renewed, she will have her fingerprints taken, then if they find out there was a past deportation order for her in their files, they will stop her and keep her in custody room for a night. So, after she has started a social protection programme, she is suddenly treated like a criminal. (Female psychologist1, non religious group, Rome)

Within the Rome project there were eleven refuges or flight houses, of which some were directly run by the council, some were provided by the NGOs participating in the project, and there have been a total of 136 women hosted in the various flight houses from 1999 to 2001. Not all of them accessed protection programmes, but some were subsequently moved to other cities, and as in June 2002, access to social protection programmes concerned a total number of 40 women, of whom 3 abandoned programmes and 2 decided to repatriate after a long wait for residence permits (Minguzzi, 2002). Of the 35 women in protection programmes who had been monitored by the Rome council during June 2002, 2 were without

residence permits, whereas among the residence permits granted to the other women, 22 were for work reasons, 8 were for social protection, and 2 were for family reunion (Minguzzi, 2002). It is further reported that only 15 women with residence permits for work reasons have maintained their jobs when the project was concluded, whereas the rest, including those with no residence permit at all, had experienced precarious and discontinuous work. Among the reasons for this precariousness and discontinuity the report mentions women's difficulty to adapt to a work situation which they perceive as unfavourable, and employers' tendency to negotiate work conditions which are effectively disadvantageous for the woman, with work in the black economy and long 'apprenticeship' periods during which women work irregularly, and work contracts which are extremely 'volatile' and underpaid (Minguzzi, 2002, p.172-73). I will say more about work opportunities afforded by social protection programmes later in the thesis.

To summarise, in Rome social protection programmes were characterised by the presence of the council as the power centre around which the different projects by NGOs revolved. Rome was also characterised by a variety of protection projects which, while using different approaches, were nevertheless all influenced and often limited by the council's selection criteria and, as the interview extract with psychologist1 above suggests, also by the Catholic groups' power.

In terms of the tension between 'repressive' and 'human rights' approaches used by the local government, interview data suggest an increased emphasis on cooperation between the victim and judicial authorities, with the consequence that women are less and less treated like victims of human rights violation, more and more as collaborators in anti-crime operations and even as criminal when found with an expired residence permit (see interview extract with psychologist1 above). Data on social protection programmes in Rome also highlighted a weakness in terms of their ability to grant work opportunities and citizenship

rights to women, who often had to wait for long periods before obtaining documents and had to work irregularly or with precarious work contracts. This, together with the ‘repressive’ evolution of protection programmes mentioned above, suggest that social protection programmes in Rome, like in Catania and Lecce, do not allow for a smooth and easy granting of citizenship rights to women who decide to regularise their migrant status through Article 18. Finally, as for the conflation of prostitution with ‘trafficking’ and slavery’, in Rome, as in the other two research sites, the emphasis was put on ‘sexual exploitation’ as the main area of interest and action on the part of the authorities. As an official from the *carabinieri* told me:

There might be a lot of exploitation in other sectors, like in construction, or in other areas, but we work only in the area of prostitution, because the Rome council works only with the Roxanne project for prostitutes ... (Carabinieri Officer1, Rome)

Conclusions

In this chapter I have explored the theory and practice of social protection programmes. For this purpose I have looked at quantitative and qualitative data concerning the application of Article 18 in Italy as a whole and in the three research sites in particular.

In general it was found that to a rhetoric of ‘slavery’ as the main criminal offence involved in ‘trafficking’ did not correspond a real record of slavery-related offences linked to Article 18 programmes. There also seemed to be a gap between the principle enshrined in Article 18 social protection programmes, that makes it an instrument which operates to combat illegal immigration and crime while at the same time following the government’s commitment to protect the human rights of victims. Both official data and data from field work suggested that Article 18 was progressively transformed into an instrument for gaining collaboration from victims, who often were subject to repressive measures such as revocation of residence permits and deportation. National official data revealed also that there was no

correlation between the size of local sex markets and the number of people accessing social protection programmes, suggesting that the latter may not be used by women to escape situations of violence or to exit prostitution, but rather as an opportunity to get residence documents. It also suggested, more importantly, that institutional and non-institutional actors working in social protection programmes take into account ‘instrumental’ use of Article 18 in the process of distinguishing between ‘real victims’ and ‘bogus’ ones. We will see in the next two chapters how key actors’ language is revealing of this ‘selective’ approach.

In the second part of the chapter I analysed field data in the three research sites, with particular attention paid to whether or not in each site the policy approach revealed the tension between the ‘humanitarian’ and the ‘repressive’ aspects of the law, to the extent in which ‘trafficking’ and ‘slavery’ were conflated with prostitution, and to the way in which residence rights were linked with gender and sexuality. In general it was found that, in spite of the difficulty of ‘slavery’ as a legal category to be used in prosecutions, which was confirmed also by the judges interviewed, ‘slavery’ was nevertheless constantly linked to prostitution and sexual exploitation of migrant women. It was also found that in all three cities, with a particular emphasis in Lecce and Catania, religious groups played an important role in interpreting Article 18 according to a ‘redemption’ conception reflected in a practice which put an emphasis on ‘change of life’ and close control within flight houses or religious institutes. This accorded with national data on types of lodging in social protection programmes, highlighting a prevalence of flight houses (see Figure 5, section 5.1). Field data in the three sites also confirmed a prevalent interest and actions on the part of local governments and NGOs alike around prostitution, which therefore was treated and regarded as the main site of exploitation in ‘trafficking’ and a form of slavery linked to organised crime. Religious/redemptive, as opposed to progressive, principles of emancipation, the focus on prostitution as a form of slavery, and the evolution towards a judiciary/witness approach to Article 18, as opposed to social/rights protection approach, meant that repressive principles

prevailed over human rights principles. With regard to the double effort of Article 18 to control immigration and crime on the one hand, and to protect the human rights of women ‘victims of trafficking’ on the other, it is worth noting Daniela Danna’s observation that, in the climax of the trafficking debate, “more restrictive measures were taken at the local level, where some towns started to withdraw residence permits from foreign women working in the streets and to deport those without a valid residence permit as a part of a clamp-down on ‘clandestini’” (Danna, 2004, p.168). This, together with the observation of data on work opportunities afforded by social protection programmes (see figure 6, section 5.1), suggested that the granting of citizenship rights in the form of residence and work permits under Article 18 was far from being a straightforward process for women who were targeted as ‘victims’ and subjected to paternalistic measures designed to turn them into ‘good women’ and ‘good workers’, rather than into economically independent and civilly recognised citizens.

To conclude, social protection programmes in the three sites confirmed a policy approach that was strongly influenced by a cultural and ideological framework which fixed the migrant prostitute within a category of ‘victim’ for whom, as noted already by Maluccelli (2002), ‘external identification’ exercised by institutions and the power system surrounding social protection programmes does not leave room for women’s self-understanding on the one hand, nor for their active role concerning decisions about their lives during the protection phase on the other. The moral judgement which Maluccelli finds so dominant in the welfare model pertaining to social protection programmes, particularly with reference to the so-called ‘incompatibility’ of the social integration offered by the protection system provided by Article 18 with a sexual life consciously oriented towards commercial sex (as we will find in the next two chapters) was overall reflected in field work data in the three research sites.

In the next chapter I will look in more detail at the ways in which the slavery category is operationalised as a metaphor in the social protection programmes carried out in the three cities where research was conducted.

Chapter 6

Slavery as Metaphor: research findings

Chapter 3 discussed the general problems that have traditionally surrounded the concept of slavery. It was argued that slavery, both as a labour category and as a social relation has been subject to a variety of interpretations according to the different philosophical currents of thought, the historical period considered, and the geopolitical and social contexts where slave systems existed. One of the aspects which made slavery so difficult to define was the gap between a theoretical tradition which assigned it to one of the two poles concerning labour, as either free or unfree/slave labour, and the real experience of labour, which often allowed for considerable overlaps between these two poles. We saw that a socialist tradition of scholarship has drawn attention to the continuity between slavery and other forms of labour exploitation and unfree labour. Similarly, the notion of slavery as ‘social death’ elaborated by Patterson (1982) placed the slave in a condition of ‘non choice’ determined by his/her being cast out from his/her own community of kinship and by the inherent violence on which the master-slave relationship rested. This also created some problems in the light of a recent historiography developing from the mid-1970s, which revealed more complex relations between masters and slaves, giving ample room for collective and individual resistance and rebellion in both modern and pre-modern slave societies.

The definition of slavery in terms of a polar opposition implying total lack of choice has been questioned by historians of labour relations, who have challenged the idea of slavery as a separate system involving the complete subjugation and physical coercion of the slave. For example, with reference to the free-unfree labour binary opposition and to the question of choice and coercion, Steinfeld writes:

When we speak about most forms of labour compulsion, we are talking about situations in which the compelled party is offered a

choice between disagreeable alternatives and chooses the lesser evil.
(Steinfeld, 2001, p.14)

Both slavery and free wage labour, he continues, face this latter type of compulsion, the difference consisting only in the nature and range of unpleasant alternatives available in the two cases. He takes the concepts of coercion and consent to a paradox, citing John Dawson's statement that "[C]ourts ha[ve] been slow to realize that the instances of more extreme pressure were precisely those in which the consent expressed was *more* real; the more unpleasant the alternative, the more real the consent to a course which would avoid it" (cited in Steinfeld, 2001, pp. 15-16, original emphasis and square brackets). His argument suggests that to draw a line between free and unfree labour is a question of moral or political judgement rather than a question of natural distinction between two entirely different species of labour.

To further distinguish between legal and economic compulsion as a way to draw the line between free and unfree labour conceals the fact that both pecuniary compulsion (that is compulsion subject to market forces) and non pecuniary compulsion (subject to the use of physical violence), can coerce the performance of labour under certain circumstances. Moreover, economic coercion, which is normally associated with free labour, is not based on some natural law about the working of markets, but on an artificially-made set of norms concerning property and on ad hoc rules regarding labour relations. Depending on circumstances, economic pressure may therefore imply forms of coercion which are no less harsh than physical coercion or confinement, since "the threat of starvation may certainly operate more powerfully than a short term of confinement" (Steinfeld, 2001, p.25).

For the purpose of this chapter, it is important that we now see the implication of these considerations concerning the term slavery, in terms of the meaning of choice in the context of sex trafficking. The study of migrant women's migratory experience and engagement in sex work is in fact revealing of some of the problems implied in theories about choice and free/unfree labour and how they are often abstracted from social, economic and

political contexts. Their accounts show how in the context of 'sex trafficking' we may well be confronted with Dawson's paradox about consent. This means that the use of the slavery metaphor for these migrant women in social and economic terms presents the same problems and contradictions found in traditional accounts of slavery as 'social death', and that, as Julie Saville points out,

only as abstract symbols, wrenched from social contexts, can slavery and freedom be construed to denote unrelated or opposite conditions. Whether analysed as a global phenomenon, as a social process, or as a model of power relations, the history of slavery and freedom is a matter of interrelationships rather than fixed antagonism. (Saville, 1999, p.81).

By way of analysing women's accounts about their migration and sex work and their relationships with their middle agents, creditors and exploiters, I will attempt to show how their stories fit uneasily with narratives and metaphors of slavery.

In the first part of the chapter, however, I will explore interview data from key actors working in social protection programmes in the three cities studied. I will explore their interpretations of slavery in terms of labour and social conditions and will highlight the inconsistencies in their narratives, which transform slavery into a metaphor to describe particular subjects, rather than a system of exploitation. Interview extracts will be used to expose the process of marginalisation of specific groups of migrant women, namely prostitutes, who become the target of specific social programmes involving some kind of institutionalisation within social and state apparatuses which oversee their rehabilitation into normal life and discipline.

The question of debt as a specific element of trafficking for prostitution will be analysed in some detail from a sociological and historical perspective, with both actors' and migrant women's narratives confronting each other. This will give a more complex, less simplistic, view of the question of debt-bondage.

6.1 Stories of violence and coercion in definitions of ‘trafficking’ and ‘slavery’

In interviews conducted with various key actors involved in social protection programmes, definitions of trafficking and modern slavery fit in part with traditional definitions of slavery, particularly as to the coercive nature of women’s experiences of both migration and prostitution. While there is an invitation from all interviewees to stop considering slavery in terms of chattel slavery and total ownership rights, and to understand it in more fluid terms, new slavery is still explained according to some common universal elements, and one of these is the coercion involved, imagined either as crude force, or as a threat, or as deception, or as abuse of power/authority.

Narratives about trafficking are replete with images of violence as an integral part of the experience of trafficked women from the recruitment stage, through to travelling, and to exploitation in destination countries. A common answer to the question ‘why is trafficking considered a new form of slavery and what is slavery’, is given by the two interview extracts below:

In the past slaves were represented in shackles, they could not move from the plantation. Today slavery is covered by a fake freedom, as girls can move around, they are controlled through mobile phones. But violence is an important element from the beginning, at the recruitment phase. (Male volunteer1, religious group, Catania).

All women have experienced violence in the course of their travel. There is no danger of confusion between exploitation and slavery ... I can’t put a prostitute who works at home with her mobile phone on the same level as a prostitute who is tied up at home and must receive ten clients in a row as commanded by her exploiter. The dividing line is violence ... I mean physical violence or even psychological violence. (Male police officer1, Lecce).

While violence has always figured as one of the defining features of slavery, old and new, it has also posed problems every time the concept was applied to the real world of human relations, where control over people is often obtained without the need to use crude violence or to physically constrain bodily movement. In the case of trafficking stories, for

example, we are confronted with a concept of coercion which involves different aspects and spheres of decision making, such as the decision to migrate, to engage in clandestine work, or to ask for the help of illegal or legal agents. And while there may be limits as to the type of choices concerning ways to migrate and work conditions, the decision to emigrate and to work in the informal sector, or even in prostitution, is often the result of a calculated choice, rather than the result of kidnapping and physical coercion. Thus, some authors observe that what makes trafficking complicated as a concept is the fact that it does not consist in one action, but in a process involving different stages and actions, together with the fact that these stages and actions may or may not involve illegal operations. There is also the fact that coercion, violence, and bodily confinement may take place in both legal and illegal border crossing, or even within same country movement, that is where there is no need to transport people to a foreign country (see O'Connell Davidson, 2005; Anderson and O'Connell Davidson, 2003; Wijers and Lap-Chew, 1996; Salt and Stein, 1997). Wijers and Lap-Chew, for example, consider how in definitions of trafficking coercion is a necessary element in the recruitment of women and in the situation where they end up, and it is this coercion that turns trafficking into a slavery-like practice; yet they also add that trafficking and exploitation can be possible

without borders being crossed, let alone illegally, or staying and working without permit. And if illegality of entry or stay in a country is part of the situation, as long as it does not serve as a way to force a woman, this illegality is not the problem for the woman involved. Moreover, illegal entry, stay or work may as well be the only possibilities for a woman to escape from slavery-like practices. (Wijers and Lap-Chew, 1996, p.27)

Although these considerations were taken into account by the delegates drafting the Trafficking Protocol, Article 4 of the final version of the Protocol, while recognising implicitly that people can be trafficked within national borders, provides that the offence of trafficking must be transnational in nature (Obokata, 2004). This transnationality of the coercion involved in trafficking is reflected in key actors' accounts, in particular institutional

actors such as judges, and it gives rise to a concept of slavery as involving an 'international trade of persons', in particular women, and the 'exercise of rights of ownership' over women by the traffickers (see Figure 8 below), who turn their victims into objects to exchange and smuggle in much the same way in which drugs and arms are trafficked internationally.

Figure 8



Note: Respondents: 7 institutional actors (police, judges: all male); 10 social actors (psychologists, NGO/voluntary workers: 7 female, 3 male); 4 lawyers (all male). Total: 21

If we consider that each group of respondents to the questionnaire was made up by a different number of actors, we can say that all actors considered rights of 'ownership over

people' and 'trade in persons' as two important definitional elements of modern slavery. 'Sexual exploitation' was another category identified by social actors and by institutional actors as an instance of modern slavery. Although there was a reluctance on the part of key actors to mark 'migrant prostitution' and 'prostitution' as modern slavery, this reluctance was compensated by their willingness to identify 'trafficking in women' and 'sexual exploitation' as the other two most important categories to define modern slavery.

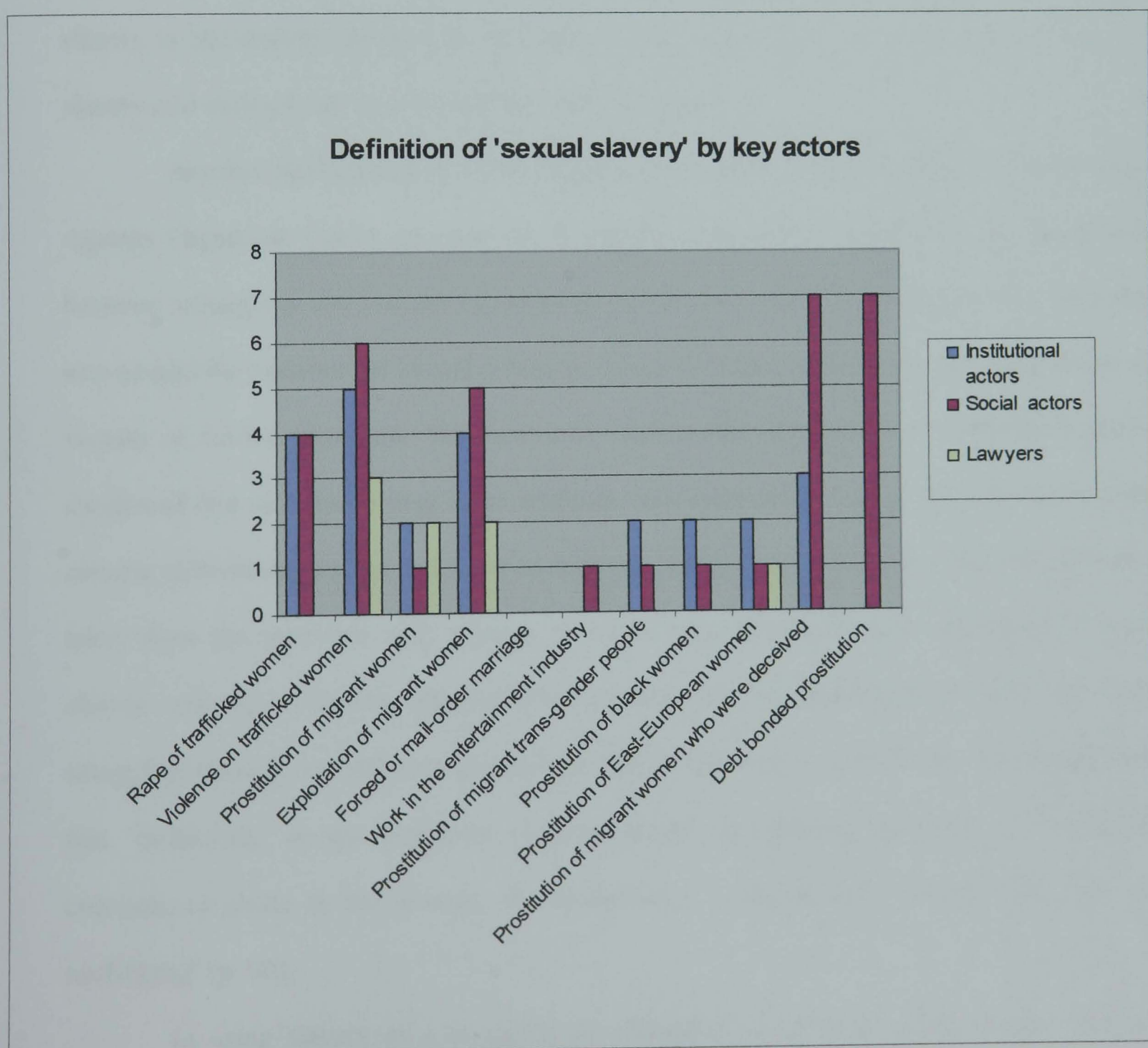
These answers were translated into narratives which presented prostitutes who crossed national borders as subject to be treated as commodities, drugs was a common term of comparison, to be bought and sold in the international market. Judges were particularly inclined to make such comparisons, as the prosecutor in Lecce:

A typical case is that of a woman who leaves her country to make some money, also by working in prostitution and even in an exploitative way, but in a classic sense, with a protector who will provide clients and take a percentage of her money ... it is midway during the journey that this protector turns into a sexual abuser, then into a slaver, and this transformation begins in most cases abroad, before they arrive in Italy. Each time they are sold there is violence involved, and for each change of ownership the price gets higher, as it happens with drugs ... and this proves that the person is treated like an object. In trafficking there are more criminal behaviours involved ... it's a crime that is necessarily transnational, as the criminal behaviours occur in the passage between one state and another. (Male Judge1, Lecce)

Many interviewees, when asked to describe a case of trafficking, would use a narrative implying that there is usually consent on the part of the victim to travel and even to work in prostitution, but that somewhere in the middle of their journey women are entrapped in a slavery-like relationship with the people who have helped them to travel in the first place. It is a type of narrative which, like that contained in the Protocol definition of trafficking, renders consent meaningless under some circumstances, namely when coercive means as those described in subparagraph b) Article 3 of the Trafficking Protocol are used (see chapter 3). I have already noted the principle of 'meaningless' consent enshrined in the Protocol and

the way in which radical feminist groups such as CATW fought for its introduction in the text of the Protocol (see also chapter 7). It is interesting to note that key actors linked the term 'sexual slavery' to 'violence' and 'rape' of trafficked women, but did not make connections with instances of forced or mail-order marriage, and none of the lawyers and institutional actors identified the entertainment industry as a site of sexual slavery (see Figure 9 below).

Figure 9



Interestingly, in Figure 9 all actors seem to prefer the category ‘exploitation of migrant women’ to ‘prostitution of migrant women’ as an example of sexual slavery. This is clearly in contradiction with their narratives, which instead make a link between slavery and migrant prostitution (although they preferred to use the term ‘slavery’ rather than ‘sexual slavery’). As to the categories about the ethnic, geographic and trans-gender identity of those prostitutes subject to sexual slavery, actors seemed reluctant to identify a particular group. Finally, institutional and social actors’ identification of deception in migrant prostitution as important definitions of sexual slavery confirms the importance attributed to deception as a form of violence, while social actors’ identification of ‘debt-bonded prostitution’ as sexual slavery is particularly meaningful in terms of their representation of ‘debt’ as a form of slavery and violence, as we shall see later in this chapter.

Another difficult aspect of the concept of coercion provided by the UN Convention Against Organised Crime concerns, as I already mentioned in chapter 3, the distinction between smuggling and trafficking which produced two distinct protocols and which has encouraged the treatment of irregular migrant people as either accomplices of smugglers, or as victims of forced migration. Yet interviews with institutional actors, in particular judges, confirmed that most trafficking cases originate from smuggling, that is cases of people who consent to be smuggled and end up in an exploitative and abusive situation. The extract above taken from the interview with a judge in Lecce suggests exactly this (see Judge1, Lecce above). Indeed, as Nandita Sharma (2005) points out, the separation of trafficking from smuggling through two different protocols is only a fiction, as in actual facts, once established that ‘trafficking’ occurs whenever migrant people “experience any form of deception, coercion, or abuse in the process, this definition [...] dramatically expands the scope of trafficking” (p. 90).

In using slavery as a metaphor for situations concerning certain migrant women defined as VoTs, actors working in protection programmes tend to offer a narrative that

focuses on the element of violence and coercion in terms similar to those offered by the Trafficking Protocol, as we shall see below. However, when asked to tick on specific definitions of ‘trafficking’ and ‘slavery’, interviewees tended to identify trafficking with ‘forced migration for exploitative purposes’ and ‘international trade’ of women and children, the former to be exploited in prostitution mainly, while they equated ‘modern slavery’ to the ‘exercise of ownership rights’ and ‘trade in people’ on the other (see Figures 10 below and Figure 8).

Figure 10

Definition of 'trafficking in persons' by key actors

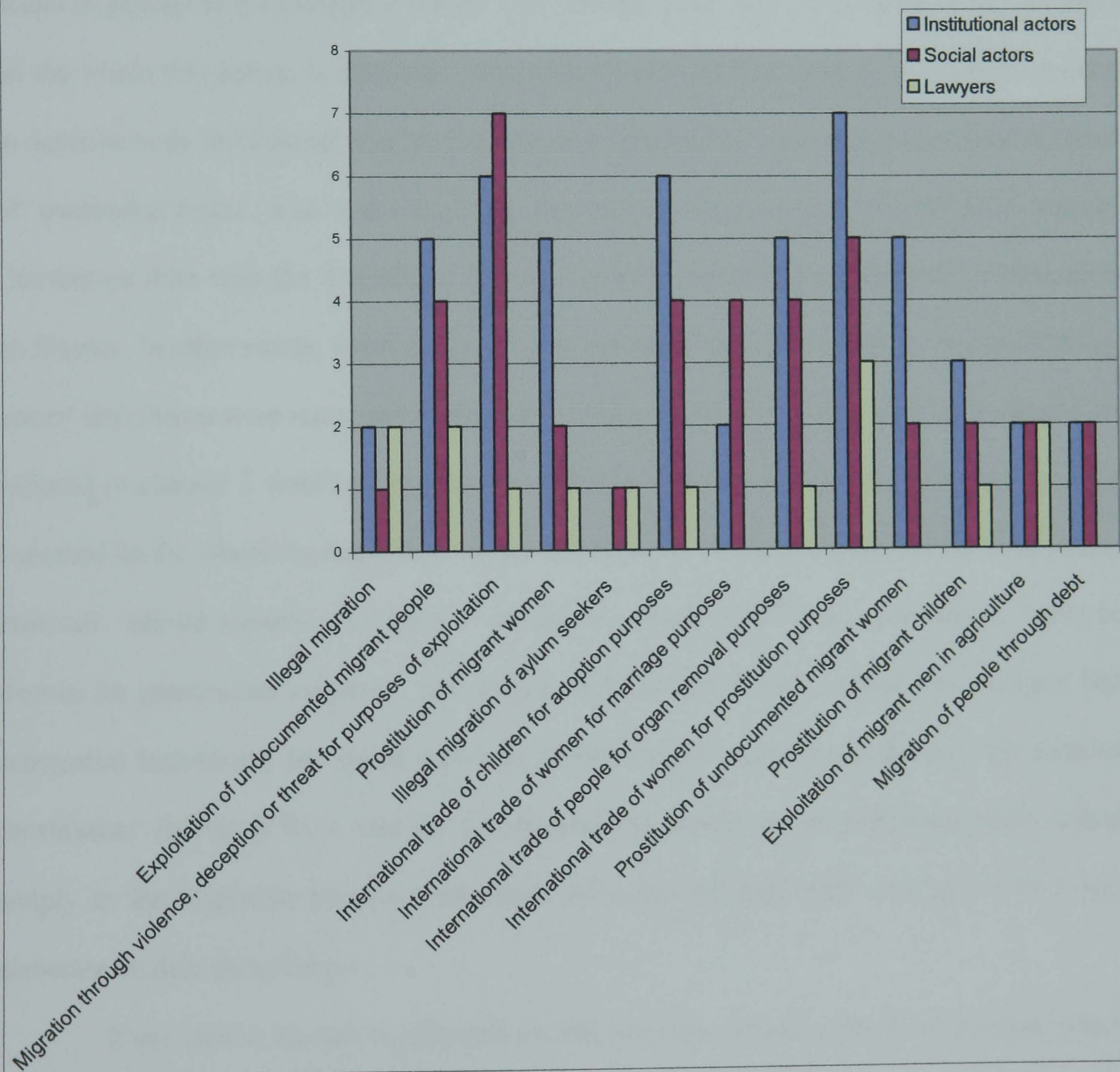


Figure 10 has some parallels with answers represented in Figure 8. Like ‘forced labour’, ‘unpaid labour’, and ‘debt-bonded labour’ in Figure 8, the category ‘exploitation of men in agriculture’ was less important, according to key actors, in defining trafficking. However, institutional and social actors recognize that ‘exploitation of undocumented migrant people’ can be included in definitions of trafficking. Further, the importance given by key actors in general to the categories where ‘international trade’ is involved (Figure 10) confirms on the whole that actors, in particular institutional actors (police, judges) were more inclined to describe both ‘trafficking’ and ‘modern slavery’ in terms of ‘trade in persons’, and in terms of ‘ownership rights’, that is in a typically narrow way, more in tune with the 1926 Slavery Convention than with the Trafficking Protocol or even the 1956 Supplementary Convention on Slavery. In other words, when invited to give specific definitions of slavery and trafficking, actors’ definitions were more narrow than the broader scope of definitions of ‘new slavery’ as exposed in chapter 3 would imply. However, Figure 8 and in Figure 10 considered together indicated on the whole the importance of some categories which are present in the Trafficking Protocol: ‘sexual slavery’, ‘violence’, ‘deception’, ‘trade in persons’, particularly ‘trade in women for prostitution purposes’. One important point about ‘debt’: while this category had substantial importance for social actors in definitions of sexual exploitation (‘debt-bonded prostitution’ in Figure 9), it was not so important in definitions of trafficking, when linked simply to the migration process (‘migration of people through debt’ in Figure 10). I will elaborate on debt more below.

If we look at narratives provided by interviewees, we get a clearer impression that it is in ‘trafficking in women’ and in ‘sexual exploitation’, all linked to prostitution, that coercion and violence are perceived as occurring, rather than in any kind of non-sex work related labour context. Consider the extract below, from an interview with a chief immigration

police officer in Catania and the distinction he makes between exploitation in prostitution and exploitation in other sectors:

... The case of a migrant worker who is exploited by his employer is different, it will be treated by a different law... Here we have individual persons exploiting other persons... there are not criminal organisations who control the exploitation of migrant labour in agriculture. Individual exploitation is less serious than exploitation exercised by criminal organisations who operate in such a way as to enforce more control and intimidation over the victims and their families.

Exploitation of the individual employer is less dangerous for the migrant worker... In the case of a migrant worker who asks for help from a criminal organisation in order to migrate, the relationship with the organisation may often end at the moment when he arrives in Italy ... In the case of prostitutes the relationship continues after they arrive in Italy... They continue to be controlled totally. (Male police officer2, Catania)

While to explain trafficking in terms of ‘organised crime’ is in line with the Protocol definition, what this interviewee is suggesting is that long term control of migrant people by criminal organisations occurs only in prostitution, since in all other cases the relationship ‘may often end at the moment whe he [the migrant] arrives’. Even when there is violence, sexual abuse and confinement in sectors other than prostitution, these offences are not viewed by institutional actors such as the police as cases of trafficking, and therefore as cases for which the Italian law on slavery can be applied:

In those cases where people were working in houses as carers we didn’t call these cases ‘trafficking’, because there was no physical violence. If there was confinement we rather used the law on kidnapping. When a domestic worker was sexually abused we used the law on sexual violence, not the law on slavery. In other words they were not cases of trafficking. (Male police officer2, Lecce)

While, again, this extract illustrates how the ‘trafficking’ discourse effectively separates violence in the house and violence outside the house, and so obscures the more widespread problem of domestic violence, it also seems that the separation between sexual exploitation and labour exploitation is particularly meaningful here, and the meaning has to be

in part linked to a theoretical approach to slavery which, as we have seen, tries to distinguish slavery from all other subordinate relationships because of the totality of control exercised over the enslaved person. We should also note in relation to the last quote that the division between private and public spheres also appear to be linked to the assessment of what constitutes ‘total’ (i.e. unacceptable) forms of control. In the public sphere, confinement and sexual abuse equates to total control/slavery; in the private sphere (e.g. domestic work, marriage) the same forms of control are not viewed as equating to slavery. This in part has to do with the construction of the private sphere (even when labour relations and exploitation occurs) as a refuge from the market and the public sphere where, as Bridget Anderson (2006, p. 9) points out, actors are imagined as “fiercely competing for resources” whereas actors in the home are imagined as “governed by mutual dependence and affective relations, altruism, responsibility and duty”. I will return to this later, for now I will continue by developing the issue of separation of ‘slavery’ and ‘total control’ from ‘labour exploitation’ by linking it to the construction of certain subjects as marginal and victims. For this purpose I will focus on key actors’ views on work, exploitation and prostitution and how they reflect liberal theories on slavery and freedom and their gendered nature.

6.2 Construction of marginalities and victims

There is a sense in which interviewees’ views on the nature of migrant prostitutes’ exploitation and on why their prostitution is a form of slavery, reflect images of degradation and loss of honour, which are not directly linked to a specific labour practice, but rather to a subjective condition related to the fact that some groups of migrant women easily ‘fall prey’ to trafficking networks. As expressed by the chief police officer in Catania (see section 6.1), their exploitation transcends the simple labour exploitation implied by the employer-worker relation. In the context of migrant prostitution associated with trafficking, exploitation is understood more in terms of a subjective condition linked to women’s personal backgrounds

and histories, their culture, and the legal traditions they come from. In interview data, the theme of women's degraded conditions prior their being trafficked is recurrent:

Usually [these women] leave their country because of the degraded and poor background in which they live. It's this extremely poor context that leads them to get trapped within these Mafia organisations. Also the governments in their country don't do anything to change their conditions, I'm talking about East European countries. The woman in these conditions is easy prey for these organisations. I consider the initial condition, the country of origin, the social context where the woman comes from, then the criminal groups to which she is consigned, and then the destination ... This is the process generally speaking ... Women are particularly easy prey, like I said ... For men it's different ... They also come from difficult countries like Romania, Senegal, but their condition is better, not so extremely bad as for the women. (Male volunteer1, religious group, Lecce)

States' failure to protect women's rights in society and family's failure to protect children's sexuality are recurrent themes in prostitution-related trafficking narratives:

We also had girls who hadn't reached majority age. They moved from school to the streets, they were sexually abused by their parents. They look for assistance from other people, because their parents abused them. So the first person they find who seems willing to help them, who gives them 'better' opportunities, they trust them. So they escape violence within the family. (Male volunteer1, religious group, Lecce)

I think that in some cases, within some ethnic groups, there are situations of slavery. My personal opinion is that it's got to do with the conditions of women in their countries. It is strongly related to the protection of women's rights in their countries...the less they are protected the more we have situations similar to slavery for women... There are international laws, when countries sign these laws, there should be instruments to make sure that they are not violated... I don't know the laws in Nigeria but I think that the story of Amina⁵⁵ offers an example of the condition of women there...(Female police officer1, Catania)

'Helping' agencies and institutions engage in a discourse about the Other which renders concepts of work, exploitation, coercion and consent, very fluid and dependent upon

⁵⁵ Reference to Amina Lawal, a woman who was condemned to death by stoning by a Sharia court in northern Nigeria, on 22 March 2002, for bearing a child outside marriage. The death sentence was quashed on 25 September 2003 by the Sharia Court of Appeal of Katsina State. See Amnesty International Press Release. AI Index: AFR 44/032/ 2003, News Service No. 22, 25 September 2003. Web Site: <http://web.amnesty.org/library/Index/ENGAFR440322003>

western conceptions of gender roles, freedom and sexuality, as well as a gendered (and racialised) representation of marginality and exclusion. In this perspective, work and exploitation can acquire different meanings according to the subjects involved and the context where they occur, so that work carried out in a very exploitative context by women deemed at risk of becoming prey to traffickers can be viewed as freedom. Consider the extract below on girls who find work through prevention programmes run by a religious group operating in Romania:

In Romania girls who leave the orphanage when they reach 18, they are the main target of criminal groups who will bring them to Italy. So our group works in prevention projects there and give these girls and other children the opportunity to learn how to work in agriculture, to sell products.

Sometimes they find jobs in Italian factories... they also get exploited there, because they don't earn more than €120 per month, but at least they get a wage...

I mean exploited in inverted commas because that is the basic wage in their country, they can't get more than that... (Nun1, religious group, Rome)

This idea of exploitation 'in inverted commas' is, it seems to me, in line with an Eurocentric conception of the world which distinguishes between the 'West and the rest', between those who can claim rights to decent work and wage, and those who cannot because for them it is perfectly 'normal' to live by low standards and in bad work conditions. As Brace (2006) points out, behind this idea there is a conception of women's work as 'drudgery' in the context of a global 'economy of expedients', or 'economy of makeshifts', where some work, like work in agriculture, domestic work and low paid factory work, even if it is not considered 'slavery' proper, still remains outside the self-ownership model. The fact that in the contemporary debate on trafficking these forms of work are not described as slavery reflects the liberal tradition's distinction between what counts as 'consensual' and what does not, or what are justifiable forms of servility, which I discussed in chapter 3, and which often

overlooks individuals' interests in 'well-being' and in 'not performing intense, undesirable labour' (Cohen, 1998, p. 303; Brace, 2006).

In the context of protection programmes there is a conception of work as discipline, rather than as emancipation and economic independence, which in turn explains why so many interviewees, in particular those who represent religious groups, mentioned marriage with an Italian citizen as the 'best solution' for a girl who exited prostitution through protection programmes. The idea of work as discipline, on the other hand, is linked to an approach of social protection programmes as a rehabilitation process which in religious refuge houses and institutes involves a complete submission to rules on every aspect of women's lives, including the way they use their earnings. As a member of the Comunità Giovanni XXIII told me, "we keep women's money in our fund so that they can be safely sent to their families". The following extracts illustrate how the category of regular or irregular work can shift according to the context where it takes place. If a low paid job in the women's own country is acceptable, irregular work within protection programmes seems also a sign of improvement. According to this interviewee:

... in the beginning it was difficult [to find work while the girls waited for their documents]... now we are quite known in the area, so we are managing to find some work, like domestic or care services, for families, people in the area. Even if it's without documents (irregular work) it's all under control because it's in the area with people we know ... they work one hour for a lady, another hour for another lady and so on. (Nun1, religious group, Rome)

Behind many narratives provided by psychologists, religious people, and the police there were contradictory meanings of 'work', either as 'honest', 'hard' work, or of mere money-making. This led some interviewees to see migrant prostitutes alternatively as slaves, that is as harshly exploited people, or as simply lazy, and therefore in need of discipline:

It is also the case that Nigerian girls don't really love to work, they refuse offers quite easily. Girls from Romania are even worse, they are like princesses... (Female psychologist1, religious group, Palermo)

...It's very difficult the passage from easy earning to hard worked earning. It's very difficult not only from an economic point of view, but from a point of view of the quality of life ... Because they used to spend the whole day without doing anything, without engaging in anything ... really without working in the real sense... (Female psychologist2, religious group, Rome)

With prostitution they [migrant women] didn't get anything. They saved money only after they began to work like horses (i.e. after they entered social protection) picking up tomatoes ... You can't call a prostitute someone who works so hard picking up tomatoes. Those who were victims of sexual exploitation couldn't buy anything... they were only damaged, both physically and morally, and no economic gain. (Male police officer2, Lecce)

There is, in this last interview extract, a very well recognisable distinction between 'a prostitute' and any other hard-working woman. The narrative indicates on the one hand the effectiveness of Article 18 protection programmes to select only those whom 'you can't call a prostitute'. Inherently linked to this, there is, on the other hand, a clear idea about who can be a prostitute: the guilty, lazy. This image of prostitution is one which, as Paola Tabet (2004) points out, does not define prostitution in terms of mere sex-money exchanges, but in terms of the 'quality' of specific women, so that "the notion of prostitute tends [...] to totally coincide with that of vicious, lustful woman" (p. 30). Prostitution, then, like slavery itself, is a metaphor to describe not a specific exchange, or even a specific labour practice, but specific subjects who are defined, either legally or socially or both, as 'outcast', 'transgressors', 'dishonourable', 'degraded', in any case in need to be disciplined. Social protection programmes allow for a process whereby institutions and professionals of various kinds are endowed with instruments to select what Kapur (2005) calls 'an authentic victim', and this process involves, in the context of 'trafficked' prostitution, among other things an invocation of the old Madonna-whore dichotomy, which in turn reaffirms the double standard concerning sexual purity:

It is easy to understand who is a victim. A woman who, even if she works as a prostitute, earns some money because she exploits other

girls, do you think that she would be happy to stay in our families where she will have only a little money? She will not accept it. I have an handicapped son who needs to have his nappy changed... it is difficult to get used to a normal life. Once a 'madam' came here, after only a week she asked to go to the police to get the residence permit. I said 'wait, we cannot go now, because you don't have a passport, because you don't speak Italian.

If a girl has been working in the street for 15 years she does not want to exit from prostitution, she is part of the exploiters. They become like that because they are hardened by what they have had to endure. Once she finds out that she can earn money by doing the same thing to other girls she will do it, because you want to get something back.. she wants other people now to pay. (Male volunteer1, religious group, Catania)

Those who manage to get some autonomy and make some money become 'fallen' women, whores, and as such they are not entitled to protection. In the selection of real victims the justice system has an important role, and judges actively participate in the application of 'sexual' criteria in establishing who is a victim:

It happens often that some of them manage to free themselves from their exploiters and to work independently as prostitutes... I must say I don't have sympathy for them. Anyway considering that prostitution is not an offence as such, unless it's exercised in a disturbing way, they can do it without being illegal... No... I mean I don't want to make moral judgements, but it's not the same thing to have a very young woman who has been forced into prostitution through violence and then tries to get back to her stolen identity and a woman who only tries to enjoy her own earnings rather than change life...(Male Judge1, Rome)

That the state through its legal apparatus uses sexual standards criteria to determine who deserves protection and who does not, is something that applies to both migrant and non migrant women⁵⁶. In the case of migrant women, this is what a flight-house coordinator of a non religious group in Rome told me:

In practice the women who enter Article 18 programmes have the feeling of being judged on a moral level, they begin to feel a sense of guilt, to feel dirty ...I have observed some pre-trial hearings, where

⁵⁶ In a spectacular U turn in matters of sexual violence, the Italian Cassation Court has recently ruled that an adult man who sexually abused the 14 year old daughter of his partner, could have a mitigation of the penalty on grounds that the girl was 'far too experienced' in sexual matters for her age because she had been with other adult men and could negotiate to perform the less dangerous oral sex rather than the requested penetration.

the woman had to testify in front of the public prosecutor who questioned her ...in these circumstances some questions are really terrifying, like 'before you worked as a prostitute did you have sexual relations with men? How many sexual relations? With how many men?' ... this is the way they see whether the women are responsible of their prostitution or not ... the lawyers or judges ask these kinds of questions in order to help the woman, because in this way they demonstrate through legal proceedings the real innocence of the woman. (Female flight house coordinator1, non religious group, Rome)

What we get from these accounts is a moral (in spite of the intention of the judge in Rome reported above), rather than economic, or even human rights, approach to issues of exploitation, abuse, violence and money-making, as essential pre-requisites to the understanding of who is a victim. Freedom is not viewed in these accounts as freedom from exploiters, but as the acquisition of a new identity, or, rather, a regaining of women's 'real' identity, with dignity, and there are abundant images in interview extracts which refer to the issue of identity, as a return to innocence, to femininity, motherhood and (western) domesticity:

You know what, it's easy to take a woman off the street, but it's difficult to rehabilitate her... she is an empty woman, deprived of her femininity, so she has to regain the ability to take care of her body, her hygiene, her sexuality ... they are people who've lost any guideline. (Male Volunteer1, religious group, Lecce)

It's very important this aspect of welcoming women with children ... because in the beginning we only had girls who came from the street. Then when we started to have girls with children, it was very different to have these children running around in the house. They ask for affection, for maternal love and care, and it's extraordinary to see these women showing their maternal aspect. You see a process of reconstruction of their personality in a healthy way ... It's very beautiful to see this. When there were only girls, there was more conflict, they would tend to argue over everything, but the children break with all this... She (the woman) is a destroyed person... She has no point of reference, she lost her dignity ... so we really have to help her to become conscious of what happened to them, their experience of prostitution, to understand its meaning, how they found themselves in this situation, and then restart life as it was before...

The important thing in this process is to regain a sense of childhood, innocence, and all positive things they did before the bad experience. So it's important to understand and to forgive what they've done ... like that Nigerian girl, she said 'they've stolen a piece of my life'. Because she had many dreams before coming to Italy ... (Female Psychologist2, religious group, Rome)

The fact that prostitutes are pathologised as sexual Others, as 'empty' women, and as degendered individuals is part of a discourse on female prostitutes which, as O'Connell Davidson (1998) argues, produces their 'social death' and which stretches back to the Judaeo-Christian culture and conception of woman. The extracts above convey the clear message that, in order to come back to civil life prostitute women must regain their sense of maternal love, their innocence, and, if they want to be forgiven and re-incorporated into society, they must regain a sense of shame for what they have done. This is something that emerged in particular from interviews with individuals belonging to religious groups.

Next, I will illustrate how the creation of marginal Others as part of a discourse on slaves and prostitutes is realised in the context of illegal migration through cultural stereotyping in the form of a division between *we* and *they*, and symbolic representations of third-world poverty. To this end, I will tackle the issue of indebtedness, as another recurrent theme in actors' narratives linked to the enslavement of migrant women.

6.3 Debt, stigma, and symbolic representations of poverty

Debt-bondage is one of the slavery-like forms that are often included within discourse concerning new slavery and trafficking. To be sure, the literature on slavery has always had to deal with the question of debt-slavery and of debt as a route to self-enslavement. Two historians of slavery, Toyin Falola and Paul Lovejoy, consider the subject as one of paramount importance to an understanding of the interconnections between the problems of poverty, access to and control of labour, gender, and capital flows in societies which were imperfectly integrated with world markets (Falola and Lovejoy, 2003). In their

study on the institution of pawnship in Africa, they describe it as “a system in which individuals are held in debt bondage as collateral for loans” (p. 1) and as a “legal category of social and economic dependency” (p. 3):

The pawn was a person held as collateral for a loan, and as in the case of trees and farms that were pledged under a similar system of credit, the pawning of individuals constituted the transfer of productive assets for the duration of the debt as security, unlike a mortgage, in which assets are transferred only in case of default. (Falola and Lovejoy, 2003, p. 3).

Although pawnship has some similarities with slavery, since both the creditor and the master had full control over the labour power of the pawn/slave, there was an important distinction, since “from a theoretical perspective, the pawning contract, not the pawn, was the property of the creditor, while under slavery, the slave was the direct property of the master” (Falola and Lovejoy, 2003, p. 4). Further, while the master-slave relationship is characterised, as we saw in chapter 3, by total lack of kinship for the slave, it is argued by some that pawnship “depended upon the recognition of kinship connections” (Falola and Lovejoy, 2003, p. 9).

Their study explores the transformation of pawnship from a debt settlement mechanism into a system of enslavement of free people during the trans-Atlantic slave trade and the penetration of capitalism in Africa. It seems that throughout the nineteenth century indebted people increasingly would pawn themselves or their lineages with a more or less conscious risk or understanding that they would probably be sold in the slave trade. It is stated that during the slave trade, and in particular during the export of slaves from the Yoruba region of western Africa to Brazil and Cuba, pawnship became entangled with the demand for unfree labour (Falola, 2003; see also Lovejoy, 2000).

- Gender is of great importance in contextualising pawnship, since “much of the labour that was mobilized through this institution was performed by women [and] because of the primacy of women as a source of pawns, [...] the flow of credit and the control of labour were

clutely linked with the institution of marriage” (Falola and Lovejoy, 2003, p. 2-3). Writing on the links between pawnship, colonialism and gender relations in Africa, Jean Allman observes that, after its abolition at the beginning of the twentieth century, pawnship survived well into the 1940s in the form of marriage, and points out that pawnage during colonial rule “declined in uneven, ambiguous, and very gendered ways that profoundly impacted conjugal relationships” (Allman, 2001, p.145, n. 18). Other anthropologists and historians have reported that in Nigeria the pawning system called *iwofa* was particularly intertwined with gender relations and with the institution of marriage, itself a mechanism to settle debts through the bridewealth system (Byfield, 2001, 2003, Falola and Lovejoy, 2003). The historical analysis of links between pawnship and slavery, while in itself attesting to the continuities between slavery and other forms of servile labour, is also important in terms of the relationship between indebtedness and stigma, and how this depends on changing perceptions about what constitute licit and morally justified ways to overcome economic difficulties, as we will see below. It is also useful to understand the interconnections between the economic and the socio-cultural world, between abstract market relations and personal power relations, and how the meaning of debt can change according to a mixture of structural conditions, prevailing social values, and the people involved, both those indebted and those engaged in illegal credit services.

More generally, the question of debt can be analysed from a standpoint of money and its socio-cultural meaning. Viviane Zelizer (1994), for example, in her analysis of the various relational aspects of monetary exchange in advanced capitalist societies, observes that the introduction of money in society did not transform it into a more rational, impersonal, abstract world. Money, far from being just a numerical phenomenon, is subject to earmarking, so that distinctions can be made between “dirty or clean, domestic or charitable, tips or wage” monies, which are “a central feature of advanced capitalist economies” (Zelizer, 1994, p. 200-201). One of the aspects of monetisation of social relations is not just that social exchanges are

commodified and influenced by money, but also that money itself acquires different values and meanings according to the social contexts in which it is exchanged, the ways in which it is used, the goods it buys, where it comes from, and the people who possess it. Money differentiation, then, is an inherent part of a modern consumer society where spending becomes a central economic practice and “a dynamic, complex cultural and social activity” (Zelizer, 1994, p. 201). Moreover, it is in the private sphere that the earmarking of monies acquires more significance, as

People invest a great deal of effort in creating monies designed to manage complex social relations that express intimacy but also inequality, love but also power, care but also control, solidarity but also conflict. The point is *not* that these areas of social life valiantly resisted commodification. On the contrary, they readily absorbed monies, transforming them to fit a variety of values and social relations. (Zelizer, 1994, p. 204, original emphasis)

While gender, as a variable cutting across various social settings, is of particular importance in this process, other elements, such as age, race, and ethnicity, are mentioned by Zelizer as shaping the uses, meaning and allocation of monies. The earmarking of money, however, is not confined to private social settings, but it concerns also the area of market exchange, where government efforts to design a uniform legal tender are coupled with ever more inventive systems of exchanges, from credit card systems to electronic money transfers, direct bank deposits, computerized home shopping and so on (Zelizer, 1994). Zelizer concludes with a recognition that, as money multiplies and enters all aspects of human life, people struggle to manage their complicated social ties and long-distance connections, and one way of doing this is through differentiating money to meet their complex social needs.

One way in which money is constantly created and multiplied in a consumer society is through the creation of credit systems. Daniel Bell (1978) links the creation of commercial banks in the United States through the Banking Act of 1933, and the establishment of bank holding companies which encourage consumer credit, to the ways in which western

governments in general have to manage advanced capitalist economies with persistent inflationary pressure, chronic capital shortage and recurrent liquidity crisis. He argues that the commitment to economic growth has created a set of economic and cultural expectations. This has led both families and the economy at large to live beyond their means through borrowing, with the consequence that the pursuit of pleasure and happiness is increasingly achieved by subordinating any public interest to individual private wants, which in modern western societies are expressed by both economic interests of accumulation to be pursued in the market place and the enhancement of the self through specific life-styles taken from “the repertoire of the world’s cultures” (Bell, 1978, p. 255). Of course, the enhancement of the self and the pursuit of economic wealth go hand in hand more often than not, and they may take either licit or illicit forms, as wealth and the acquisition of property – and credit as a means to obtains them - can be achieved through legal or illegal channels. This takes us back to the problem of debt and stigma, which is so important in trafficking discourse and migration contexts in general. Debt, like money, can have different meanings according to the cultural and economic contexts in which it is created.

To move to contemporary Italy, Alessandro Dal Lago and Emilio Quadrelli (2003), in analysing systems of illegal money-lending in Italy and processes of indebtedness, make links between illegal credit systems, the subsistence economy, and structural inequalities in the contemporary world. Indebtedness, when it takes place in marginal contexts, acquires a negative meaning because it reveals the weakness of the victims who have to resort to illegal credit, and the general stigma attached to debt and to markets for credit in contexts of poverty means that, while most of the actors involved remain invisible, hidden in the informal economy and submerged in the everyday struggle for survival, other actors, like irregular migrant workers, provide more public targets, being particularly at risk of sliding into servile labour and slavery-like situations (see Dal Lago and Quadrelli, 2003). While this is true in many cases of undocumented migrant workers (and reference is made in particular to Chinese

workers in the informal economy rather than to migrant women working in prostitution), Dal Lago and Quadrelli also note that from a sociological point of view an irregular migrant worker who is forced to work for extremely low pay because he/she fears being deported, is not different from the Italian small entrepreneur who loses his/her business because he/she gets into debt with his/her illegal money lenders and is forced to work for the latter (Dal Lago and Quadrelli, 2003). They continue by pointing out that the rationale of all illegal credit systems is the appropriation of property, and when property coincides with the physical person, as when the debtor has no other means to repay but her own body, indebtedness leads to servility. This is as true for the Italian entrepreneur who loses control of his/her business and becomes dependent on his/her moneylenders as it is for the daughter of an indebted woman who is forced to sell sexual services in order to repay the money lenders, two cases reported by Dal Lago and Quadrelli (2003). This should not lead us to conclude that all forms of exchange which do not involve the physical person as property are preferable to those which involve the physical person, and particularly the most intimate parts of the body, as in the case of sexual services. For example, it is reported that some eastern European women who used to sell goods across the Turkish border preferred at one point to substitute the sale of goods with the sale of sexual services, as these were not at risk of being confiscated or stolen⁵⁷. To be sure, the transfer of labour power in exchange for services occurs in many social contexts which are not linked to situations of indebtedness, and Dal Lago and Quadrelli give the example of voluntary work and the apprenticeship system within firms (Dal Lago and Quadrelli, 2003). However, the personal and symbolic aspects involved in the exchanges of labour for services become particularly visible in the illegal world, notably when there is an association with big Mafia organisations and with irregular migrants who transfer their labour in exchange for travel and visa services; and this is something that emerges clearly from interviews with actors who describe the indebtedness affecting migrant prostitutes.

⁵⁷ Reported to Julia O'Connell Davidson by John Davies, on the basis of his research with migrant women.

In narratives offered by key actors working in social protection programmes, indebtedness is given an additional meaning which, as noted by Dal Lago and Quadrelli (2003) with respect to illegal credit systems in general, goes beyond questions of demand and supply, whether related to alternative credit systems or to migration services. The effect of this traditional meaning of debt in the context of illegal migration and in discourse on trafficking is viewed as part of an enslavement mechanism which engulfs the victim and her family in an exploitative situation:

Debt is part of the system of trafficking. Debt is the first mechanism that triggers the whole process of trafficking. It is, like the lack of passport, one of those elements that keeps the victim tied to her exploiters. If it's not debt it's the passport, if it's not the passport they say 'we'll kill your children if you go'. (Female Psychologist3, IOM, Rome)

Debt is a means for the traffickers to keep them under control ... because even after the girls finish paying off their debt they (the traffickers) would always say that they still must give money ... there is always a debt, otherwise who brings them here? It's an economic aspect which is used as a threat ... In actual fact the traffickers don't care about the debt, it's just that they want to keep exploiting them. (Male officer1, Carabinieri Unit, Rome)

You get indebted anyway, and you've got to pay large amounts of money, you can only pay back if you work long hours. Once in Italy they find themselves working in brutal circumstances, in the streets, in cars or standing by a street lamp... it's a lot more degrading, you can't choose your clients, as when you choose consciously to work as prostitute. (Female project coordinator1, non religious group, Catania)

The kind of debt that emerges from narratives about trafficking seems far removed from most forms of indebtedness occurring in many western and non-western countries, and, once again, gender is an important aspect affecting the stigmatization of debt in contexts where migration and sexuality are involved. What would most distinguish migrant women's indebtedness is their being subject to a coerced form of labour and their lack of legal protection which would seemingly leave women without control over their time, work or life.

Consider this policeman's distinction between Italian people who must work, because they are indebted, and indebted migrant prostitutes:

If I have to work because I have to give money to the moneylender I can always go to the cinema in the evening, I can always denounce the moneylender. The prostitutes are beaten up, are locked up. They are indebted because they need money to leave their country in the first place. Of course people who emigrate often get into debt, the problem is how you repay the debt. One thing is to repay it through normal work, quite another thing is to be forced to pay it back through prostitution. In the case of these women, once they arrive in Italy, they are told 'now you have to work for us'. They end up working for them for months, years, may be not years as they always manage to escape once they are more familiar with the place around them... (Male police officer1, Lecce)

This differentiation between debt in prostitution, particularly migrant prostitution, and debt in all other contexts, takes us back to the distinction between exploitation and exploitation in inverted commas which we saw before (see section 6.2). While, as Dal Lago and Quadrelli show in their ethnography of crime, loss of property and of control over one's own labour and time is something that affects even Italian citizens who are caught by sudden economic crisis (as was the case in Italy during the 1990s), I believe that the reason why this last interviewee considered Italian people's and migrant women's indebtedness as two altogether different matters has to do with the way in which processes of stigmatisation and marginalisation are constructed according to notions of citizenship which take into account the gender and sexual identity of the people deemed enslaved through debt. With this respect, it is worth looking at how interviewees linked debt to 'modern slavery', to 'trafficking' and to 'sexual slavery' when asked to tick on specific definitions of these three phenomena. If we return to the Figures shown in section 6.2, we find that, while 'modern slavery' and 'trafficking' are not identified with debt bondage (figures 8 and 10), when 'sexual slavery' is considered, the link with the indebtedness of migrant prostitutes is more clear (figure 9). Moreover, it is worth noting that in Figure 9, respondents who made links between debt and

prostitution were all social actors, predominantly of the female sex, and this has some consequences in terms of the role of women's groups and individuals working in 'progressive' protection projects, a theme we shall explore in chapter 7.

The link between indebtedness and sexual slavery is evident also in actors' narratives about trafficking and sexual slavery. The figures indicated that sexual slavery was linked to situations of rape and violence against prostitutes and to situations of exploitation of prostitution and of prostitution of migrant women who have been deceived. While there is no intention, nor would it be possible, to give statistical meaning or value to these figures, we can nevertheless treat them as indicators which are on the whole consistent with actors' understanding of debt as affecting prostitutes as a particular type of exploited group. We can therefore read them through a gendered lens, which would suggest that indebtedness, like slavery itself, is used as a metaphor for groups of women who are constructed as Other because of their sex work and of their coming from poor environments. While many among those interviewed recognise that other migrant workers are indebted, and that debt is part of the migration experience, there is a distinction made between indebted migrant workers and indebted prostitutes, and between different groups of migrant prostitutes:

Brazilian domestic workers could go out, their freedom of movement was not limited. They would not go out because they were undocumented and feared about the police ... if they were caught by the police and sent to Brazil before they repaid their debt they would not know how to repay it ... But it was their choice to work in this way ... Once they cleared the debt they were free to go where they wanted. In the case of prostitution the debt could not be paid back, because their exploiters would take all the money. This is in all cases of prostitution ...

For the Nigerian it's different. They leave their country with another woman who worked as prostitute as well before. They contract a debt with this woman, but they don't know how much their debt amounts to. They find out about the money they owe to the woman only once they arrive to Italy. So they are forced to work as prostitutes until they pay off their debt, then they are free to work independently if they want. (Male police officer2, Lecce)

[Nigerian] girls are promised a good job in Italy, they get indebted in order to pay for their travel and visa expenses. Often those who came

through debt become exploiters as well. (Female Police Officer1, Catania)

There are in these narratives, as in most narratives about new slavery concerning prostitute women, tensions and contradictions between accounts that depict indebtedness as a mechanism of coercion and control only for migrant prostitutes, and accounts which admit that migrant women working in prostitution, in particular Nigerian women, do manage to pay their debts and to engage in prostitution independently, or even to run their own business by recruiting other women after they settle their debt. I would now like to look at how migrant women view and make sense of their experience of indebtedness and sex work. First, however, I will give a brief résumé of the life stories of my migrant women interviewees.

6.4 Life stories from interviews with sex workers and VoTs

Migrant sex workers and VoTs have described very different stories about their migratory experience, involvement in sex work, and decision to access social protection programmes. I will give here a brief description of their stories as a background information before I begin analysing their interviews.

SW1, Colombian⁵⁸. She came to Italy in 1989 through the help of a friend whom she had met during a trip in Holland. Her friend told her about going to Italy to work in prostitution, where they could earn more money. She was already working as a prostitute in her country, but she wouldn't earn enough money there. She had to borrow some money from a friend in order to buy her travel ticket, but she did not have to pay any interest. She worked both in Italy and in other European countries. In the beginning ('like all other migrant women') she worked in flats for other local women, as she did not have documents and did not know the market, but she did not consider that exploitation (they would share half earnings). Afterwards she worked independently both in the streets and in flats. She was asked

⁵⁸ See Table 3 for characteristics of all SW

by the Penelope group if she wanted to stop and enter protection programmes to gain a residence permit, but she refused, saying that she would no longer be 'free to do what I want'. Although she has no documents she considers protection programmes 'a strong compromise'.

SW2, Colombian. She came to Europe in 1989 with a friend of her mother. She was in Holland first, then when she realized that her friend wanted to exploit her in prostitution, she moved to Italy, in Rome. Here she found work through the Caritas group as domestic worker, but she had a bad experience, because they would not pay her, or they would pay only little money and not regularly. For this reason, after two years in Rome she decided to move to Sicily and work independently as prostitute. She works in the street, but she says she feels safe. She said she would have used Article 18 when she was in Holland may be, but now she said 'I am happy with what I'm doing'. She planned to stay another year or two in Italy and then would go back to her family in Colombia.

SW3, Albanian. She came to Italy independently and with a legal visa in 2004. She said 'like all others' she wanted to earn money so that she could go back to study at university in her country. She said she earns enough money to work for another few years and then return to Albania. She does not need Article 18 as she has a residence permit for family reunion, since she has a sister who is married with an Italian citizen. She says that, like all other Albanian women she knows, she was not forced, although she had never worked as a prostitute in her country because she was studying and the law does not allow to work in the street. She adds 'nobody can be forced as you can always escape'. She work in the street and travels sometimes to northern Italy.

SW4, Nigerian. She, like all Nigerian women I interviewed, travelled to Italy through the assistance of Nigerian 'agents' who provided travel services and with whom she got indebted. She soon started to work in the street and had to pay part of her earnings to the her 'madame'. Significantly, when I first met her through the LILA mobile unit, she told me that she could not move freely to have medical check ups because she was controlled by the

people to whom she had to pay the debt, so she told me on that occasion that she was ‘not free’. At the time of interviewing her, that is after about two years, she told me that she had finished paying her debt, and that she was ‘now free’ but that she could not change job, because she still needed money. She wished to find work in a factory in northern Italy but she needed documents for that, so she was ‘trapped’ in her undocumented migrant status, even after her debt was paid. She imagined a solution either in marrying an Italian man or in saving enough money to ‘buy’ documents, meaning to pay some lawyer to help her getting documents. In any case, she did not want to access protection programmes under Article 18 because she did not have ‘people to denounce’.

SW5, Cameroon. There was no clear statement about the help she received from third parties, and she actually denied that she had been helped by other people to travel to Italy. She maintained that she helped herself and that she did not have anyone to blame but herself for the situation she was in, which she considered ‘bad’ because of the work conditions. She said she knew she would work as a prostitute in Italy, but she did not imagine these conditions (working in the streets). She stressed that she did not have debts with other people and that she borrowed from a bank in her country. She also found in marriage with an Italian citizen a solution to her situation, and did not see in Article 18 programmes an opportunity to legalise her position, because, again, she did not have anybody ‘to blame’. In general, from this interview there emerged a willingness to acknowledge her independence as a sex worker who more or less planned her prostitution work, but who was unsatisfied about the conditions she worked in and her undocumented status, which did not give her any chance to improve her situation. More than job, she wanted to change her migration status.

VoT1, Nigerian.⁵⁹ She also came to Italy through a network and soon began to work for a ‘madam’ for a number of years in Palermo. The relationship with her exploiter was also affected by the debt contracted. She said that one day she had a fight with her ‘madam’ and,

⁵⁹ See Table 4, chapter 2 for characteristics of all VoTs.

after the police came, she was offered a residence permit on condition that she would enter Article 18 programmes. However, she refused to enter programmes, as required by the law, and instead worked for another two year on the streets. Meanwhile the temporary residence permit she had obtained expired, and she decided to stop working as a prostitute and enter social protection programmes. In order to do that, she reported against a 'madam', who apparently was not her exploiter, and so we can clearly speak of an 'instrumental' denunciation, as the woman was already working independently, having already escaped from her previous exploiter. She was still in social programmes when interviewed, and so, even if she said that she did not know that she would be working as a prostitute in Italy, I allow myself some doubts, as she, like all other women, knew very well the law requirements to gain a residence permit. She says she is happy now and 'free'. The psychologist of the flight house where VoT1 was lodged told me that when she moved in she had brought a lot of expensive things with her, such as dresses and electronic durables.

VoT2, Albanian. She came to Italy with her boyfriend when she was only 16. This is the only case where travel was more like a form of kidnapping than choice, as there had been no intention on the girl's part to leave her country. The story involved an encounter with a young man whom she believed wanted to be her boyfriend, an offer to go to Italy, arrival and encounter with other Albanian men and girls, exploitation, beatings, sexual abuse after being drugged, pregnancy and violent abortion. In this case the decision to escape came with the offer from third parties in the hotel where she was living. It was the visibility of bruises and other signs of violence in her body that attracted the attention of the people in the hotel, who directed her to a group working in protection programmes. She moved to Trieste to start the first phase of protection programmes, then moved to Palermo. The psychologist of the flight house told me that the girl's uncle first introduced her to her boyfriend. So this story more or less fits with the classical 'trafficking' stories of Albanian and Eastern European women. She said would like to stay in Italy for her future, although she misses her family. She was in a

training programmes, but it was difficult as domestic and care work was the most available option.

VoT3, Nigerian. She came with the help of agents, who bought her a flight to Spain, then had to walk with other girls through the border area with France where she got other 'lifts' by car and by train to Italy. She accepted to travel because she was told she would work as hairdresser, but then had to work as prostitute to repay the debt to her 'madam'. She was not happy to work as a prostitute, although she said she never allowed her exploiter to dominate or coerce her. One day she was approached by a member of the religious group Comunità Giovanni XXIII in Catania, who offered her the opportunity to enter protection programmes and stop working in prostitution. She trusted the man who told her that he would help her to have documents and find a job, but she ended up in a Catholic institute where she had to work without obtaining documents of any sort, apart from a card saying that she was in the group's protection programme, and she was paid no money. She waited for eight months for some sort of legalisation and work. Eventually she met a man 'who was very nice' and helpful to her and offered to help her to get documents. She went out with this man for a certain period, and then decided to leave the institute and move into a flat with the man, whose family turned out to be efficient in helping her to find documents and work in a relatively short time. She describes herself as 'lucky' but also very determined about what she wanted. She was very embittered from the experience she had in the institute and with the religious group in particular, saying that they were worse than her exploiter in the deception they had used to get her into the institute and in giving her false hopes about legalisation. She is presently working in a hotel and is also working as a cultural mediator for LILA in Catania.

VoT4, Nigerian. She was offered to come to Italy by a man in the hairdressing studio where she was working in Lagos. She was told she would work as hairdresser in Italy for a Nigerian woman, so she accepted. She was provided with passport and flight ticket for France, where she remained in a detention centre without documents (they had been taken by male

intermediaries). After forty days she was picked up by a man who brought her to Italy. Here she met the woman she had to work for. She only found out about the kind of job she would do after a month staying in the house with other girls in Rome. It was very difficult for her to get used to the type of work, and work conditions in particular. She said she did everything to work as little as possible, and she would also give only some of the money to the 'madam', as she knew she did not owe 'all that money' (around 40,000 Euro). One day she was taken in a police round up and was brought to a detention centre in Milan, where she met a lawyer who told her about Article 18. She accepted and began a social protection programme in Messina with the Penelope group. Although during the interview she would say that while she was working on the street she wanted to go back home and that she actually 'allowed' the police to take her so that she would escape from her exploiter, she did not choose repatriation as an option. Instead, after she gained documents she began to work. At the time of interviewing her, she was working in a pub and was saving money to open a business in Catania. This Nigerian woman told me that she wanted to be proud to show her family that in the end she had achieved something in Italy, and so she was waiting to settle in a better, independent work situation before sending for them to come to Italy.

6.5 Migrant women's accounts of indebtedness

The tension between narratives which depict debt as enslavement and loss of control and narratives which leave space for freedom and agency is more striking when we look at women's own accounts about their experience of getting indebted. While in key actors' accounts the issue of debt was used to depict a situation which, almost uniformly, was viewed as 'slavery', in reading migrant women's stories about indebtedness we can find a more nuanced account of their experiences, and of the relationship they established with their exploiters/creditors. In their narratives, debt no longer assumes the characteristics of 'debt-bondage', or of a phenomenon altogether different from the debt that ordinary people incur in

most parts of the world. On the contrary it appears as something more ordinary, a difficult situation which they are able and willing to deal with in most cases. Thus, my Nigerian interviewees, who use the assistance of 'agents' to whom they get indebted, clearly express a mixture of feelings about the people who helped them with travel and documents, as we can see from the interview extract below with a Nigerian woman in a social protection programmes in Palermo:

We girls from Nigeria know that we're suffering, that's why we come here. But the madam charges us too much money ... 80 million lire (40,000 Euro). All of them charge you a lot of money. But it's good that they brought us here. They helped us in a way. They are second to Jesus Christ... (VoT1, Palermo)

The relationship with those who 'brought' them to Italy is perceived by my Nigerian interviewees in particular in very practical terms and there is a business-like nature in the type of 'contract' established between them and those who facilitated their migration. This is in line with IOM research done on trafficking in Italy indicating that most women trafficked for sexual exploitation have made at least a minimal agreement with their traffickers, with only one actual case of abduction found (IOM, 1996). The same study found that from 1995, both Nigerian and Albanian women arriving in Italy were aware of the fact that once in Italy they would have to prostitute themselves to pay the debt they incurred at the moment of departure (IOM, 1996). This means that women make sense of their situation, rather than being totally at the mercy of fate, even in a context which leaves ample room for abuse and exploitation, as in the following case involving a 25 year old Nigerian street worker:

It's normal that people who help you to come here want money, and they can't ask the same money they spend... You know... if you buy something you can't sell it for the same price. If I had to help my sister to come here I would bring her here for free, I wouldn't ask for money, but there are people who bring girls who are not from their family, they're not their sister so they ask for money ... they will ask for the money they had to spend to bring them here... The money they use to drop somebody they will use to pay for another five (girls), but after you pay the money back they maybe try to find a way to make you pay more and more money, and this is no good. If

you don't pay they threaten you ... they say they will kill your mother, and they will do it ... Some people are honest but some are bad, and the ones that are bad are more than the honest ones... For me, it took me a year to pay off my debt. I don't have to pay anybody now. I can work for some time more and then stop. (SW4, Catania)

In much of the literature on trafficking, conditions related to migration over long distances, consequent debt, and work in the sex market, tend to be uniformly equalised to situations of debt-bondage. Liz Kelly, for example, problematizes the notion of 'choice' in contexts where women can hardly 'afford to travel between or across continents' (Kelly, 2003; 2004). For her, the very fact that women arrive with 'considerable debts' and that they "find their way into sex markets thousands of miles away" through "facilitation, or even direct recruitment", means that their circumstances cannot be much "different from debt bonded trafficked women" (Kelly, 2003, p.141). Yet interviews with migrant women reveal that, even in the most constraining of contexts mentioned by Kelly, indebtedness cannot be read only in terms of debt-bondage, and we cannot ignore the positive impact of agency in those contexts. More to the point, the very fact that Nigerian 'networks' are mainly formed by women who act both as recruiters and prostitutes in a hierarchical organisation which allows for 'career' advancement, invalidates Kelly's argument that extreme structural inequalities and gender violence "decreases women's space for action, whilst simultaneously increasing men's" (Kelly, 2003, p. 143; also 2004). Women see their debt situation in very realistic terms, so that often they are able to establish for how long they will work to pay money back to their agents and are able to resist the latter's attempts to extort from them extremely high interest rates, and are even able to escape if they so decide:

The woman [pimp] said that if I wanted I could go back home but that I had to give back money (45,000 Euro) first. What could I do? I gave her half the amount she asked, then I escaped because I was determined not to fuck all these men while she was comfortably sitting and eating at home. (VoT3, Catania)

All this also points to the simplistic way in which connections are made in trafficking discourse (and in the Trafficking Protocol) between organised crime and debt-bondage whenever women move across continents. For one thing, as O'Connell Davidson (2005) points out, there exist a variety of models of 'business' practice on the part of middle agents offering services, who are not all interested in overexploitation or the use of violence and may merely wish to "recoup their outlay on travel and documents and the fee for their services" (p. 77). For another thing, the migrant and prostitution stories of my Nigerian – and, we will see, Colombian – interviewees, who moved through great distances, reflect on the whole what Murray (1998) says about Thai women who move to Australia to work in the sex industry, and that is that "most of these women enter their contracts willingly, and if they can pay off their debt, they may become recruiters or brothel managers themselves" (p.57). Overall, these cases expose the problematic nature of the expression 'debt-bondage', which is often used in the literature on trafficking to pathologise debt for certain groups of migrants and, as Murray puts it, to perpetuate the stereotype of helpless victims (Murray, 1998, p.58). The interview extract from a 38 year old Colombian woman who refused to be helped through Article 18, illustrates how indebtedness can take many forms, and even when it entails extortion, can be accepted as a temporary burden:

I was working for a woman in Colombia who would provide clients, a friend of mine also lent me some money to travel to Italy, so that part of the money I earned it myself part, was borrowed. I gave it back without interest because it was a friend. It was like that among women from Colombia, we would just help each other, because there were a lot of us who wanted to come. Now I don't know if it's still like that... maybe it's changed because there are a lot of people who are envious, who just want to take advantage... Here in Catania people don't take advantage, you work for yourself.
I remember once they [the police] got me. They sent me to my country, so I was there with no money, I didn't know how to come back to Italy. A friend of mine told me she knew a person who would lend me money which I could give back once I was in Italy... The amount that I had to give back was double, a lot... the guy made a lot of money like that. So yes I suppose I was a victim of this moneylender, I had to pay a lot of money... However I chose it, I consented to be a victim... I worked the first year to pay this money back... (SW1, Catania)

What another Colombian interviewee who works alongside Nigerian women in the highways of Catania has to say about debt illustrates the complexity and diversity of ‘debt’:

That’s also the case for South American women. It’s true. They get indebted to come to Italy. If we have a house we have to mortgage it, or we have to get indebted with the bank. It costs 3-4000 Euro to come to Italy, because if you don’t have documents other people have to provide papers for you... It’s things that you can’t say, but it’s like that, it’s life... There is corruption. But I want to be clear. It’s the white-collar people who work in the various embassies who are really corrupt, not those who try to leave to support their families... it’s the bureaucracy, the politicians who are corrupt... we are only atoms, we have no power, can’t do anything and don’t have anything to do with them. When I think about Africa, about those hungry children, the sick women, I think this is corruption, like those girls from Africa I see working in the streets with me... (SW2, Catania)

In the next section I intend to explore women’s self-representations and their accounts of their experience of migration, coercion and sex work. I will analyse their views and experiences from the perspective of the global market culture and the role assigned to women, and particularly women prostitutes, in this culture.

6.6 Travel and coercion

As we saw in section 6.4, interviews with VoTs and sex workers reveal complex stories about migration, sex work and indebtedness, and different experiences of exploitation and abuse, according also to the age, the migratory channels used and the individual’s educational background (see Tables 3, 4, chapter 2). The kind of answers given in relation to their prostitution stories, in particular answers to the question of whether they knew about the nature of their future work in Italy, was also conditioned by whether or not the interviewees were in protection programmes, as they were well aware of the legal requirements necessary for classification as ‘victims’. We have seen also that some women came to Italy independently whereas others came through networks. In spite of this distinction, however, the

various stories reveal considerable overlaps, as the same woman had sometimes experienced migration without assistance, had then been repatriated and had subsequently re-migrated through the assistance of moneylenders. Some stories break away from the stereotype of violence and abuse occurring within networks, and reveal that abuse can take place in circumstances where the women were helped by individuals who were known as 'friends' or as relatives. Even among my Nigerian interviewees, who used the help of agents operating in a network, there were substantial differences in the ways they perceived their experience of clandestine migration and sex work, and these differences are reflected in the more or less long and detailed account they gave about their journeys, and in the importance they gave to particular aspects of their prostitution experience. For one thing, it transpired from interviews that prostitution, even when it had not been taken into account within the migratory project, ended up by being accepted as the only way to earn money in an unfavourable situation (i.e. undocumented migrant status). For another thing, except in the case of one interviewee, a young Albanian girl, migration was not forcibly imposed by a third party. With that one exception, all the women interviewed, both those in protection programmes and those still in prostitution, had left their countries in search of better economic conditions for themselves and their families.

From these premises we can start to build a picture of migrant women as actors within the arena of their migration and subsequent prostitution, and of the type of relationships established between them and their agents and exploiters. To begin with, as far as the type of relationship which tied women to their exploiters is concerned, one of my interviewees who had experienced crude physical violence was an Albanian girl who at the time of her arrival in Italy was only 16. Her story is one of brutal violence and with this respect it fits well with dominant discourse on 'trafficking'. However, even in this story, very complex relationships between exploited and exploiter are in evidence, which do not allow for a universal distinction between exploited girls and exploitative 'boyfriends':

My boyfriend in Albania asked me to go to Italy. I was introduced to him [by her uncle, see section 6.4] at school and after a bit he said we could go to Italy and find a job there. We went by boat. As soon as we arrived at the Italian coast we had to walk, then I was blind-folded by these other Albanian people who were waiting for us. I wouldn't have gone to Italy at that moment of my life, I would have gone maybe later on. I was convinced by my boyfriend.

My boyfriend asked me to work in the street, he said if I didn't do it we wouldn't have any money. I was put in a flat with other girls and the guys would come and pick up the money, and beat us up if we didn't earn enough or kept things for us without telling them. They would make sure we had cigarettes, as much as we wanted and all we needed, they would buy things for us, but we had to work 24 hours a day. I couldn't keep any money for myself, my boyfriend would always take all the money. Only after a while I started to keep money for myself, but my boyfriend found out, I mean the other girls found out and told him. They guys would come and take drugs, like cocaine, and would also offer them to us. They would get very violent if they were angry for something. Once I was raped, they would hold my legs open and fuck me, I was all tied with ropes and they kept abusing me...

Sometimes the guys would be nice, every week they would buy food for a month. They would really behave well sometimes, they would also leave some money for us sometimes. I would have 50 Euros for a week, just to buy make-up or things like that. (VoT2, Palermo)

Many professionals working in social protection programmes, especially women, find it particularly disturbing to see 'spaces for action' or 'agency' in the context of trafficking (a psychologist woman in Rome told me that 'it's a bit of a dirty job' to look for grey areas which would obscure the real horrors of trafficking). While my aim in this thesis is certainly not to deny that there are such horrible cases, I find it all the same 'a bit of a dirty job' to deny that women are not all subject to the same fate, all the more so if we consider that the grey area constitutes the largest part of 'trafficking' cases, and that coercion never assumes an absolute character in most cases of trafficking for sexual exploitation studied in Italy (Carchedi, 2000; IOM, 1996). Thus, although all Albanian women in Italy are depicted in terms of the above story, another of my interviewees, a young Albanian girl working in the Catania highways, told me:

I don't think that somebody can come here with her boyfriend without realising that he doesn't want her anymore, or that she can't escape if she doesn't want to do this job. It's impossible. I don't think a girl can

be so deceived. Nobody can come and kill you because you don't want to work in the street. It's impossible. Maybe the girl comes here because she wants to earn more money and have a good life. Then if she finds out her boyfriend forces her to do this job she can always go away. An Albanian man can't just kill a girl like that, because the girl's family knows she left with that man. And then now in Albania there is a law which allows you to denounce your boyfriend who forced you, and everything the man has (property, money) will go to the girl... They (the police) have more experience now so they have new laws. Maybe in the past girls were deceived, but now they know, even country girls...

None of the Albanian girls who work here with me are forced or deceived. I know one girl with a child, one with five children, they just need money to support them, they wouldn't give anything to a man or any other person... I think if you didn't want to do this job, you would find a way, even asking help from clients, there are clients who can help you. Nobody can stop you from getting away. (SW3, Catania)

Even in the most critical studies done on the trafficking of Albanian girls in Italy, there is always an assumption that there is a connection with the legacy of a traditional patriarchal culture, for example the fact that women's inferior position in society is sanctioned by the Kanun customary law (Mai, 2001; see also Benzi, 2001). Mai (2001) observes that after the collapse of the communist regime young men and women found themselves in a culture devoid of all past values linked to communism, and so they were left in the hands of criminal groups in a very dangerous situation. Having interviewed Albanian traffickers, he mentions that they consider their sexual exploitation of their wives and daughters their own private business. He observes that women in Albania are 'particularly and increasingly vulnerable' and, referring to a study on violence against women in the country, reveals that "in Albania, staying at home for a woman is actually more dangerous than going out; of the interviewed women who actually admitted to having been raped, only in 14 per cent of the cases was the abuser unknown to the victim", whereas in 40 per cent of cases he was a family member (Mai, 2001, pp.270-271). Mai's findings about domestic violence in Albania are not surprising, if we consider that, even in the most industrialized countries, violence against women and girls

occurs within the domestic walls.⁶⁰ What I find striking, however, is that domestic violence is presented as something that pathologically happens in the Albanian society because of its traditional, patriarchal culture. Equally, the points Mai makes about male Albanians' search for material wealth and for a model of consumption which is characterised by a "non-heroic, non moralised private and individual dimension" (2001, p. 272) applies not only to men but also to women, who are not simply vulnerable at the hands of brutal Albanian men, but can also be active in the migration process and may themselves choose prostitution as a means to accumulate capital to be brought back home and to be used to set up business, as many of the Albanian women who work in the Catania highways have told me during the course of outreach work for LILA, or to go back to study, as the above quoted Albanian sex worker told me.

I do not want to suggest that women are never victimised or never suffer abuse and discrimination. I merely wish to point out that it is important to bring into account other aspects of women's experience which illustrate their ability to make choices in a situation of exploitation:

I didn't manage to save money to buy a house, because I spent it for things for myself, like dresses, shoes... I think that we must spend the money we earn before we die. This is what we will all do in the end, die. (VoT1, Palermo)

I made some money for myself, and I gave some to the woman [pimp]... I only gave half of the money to the woman. I managed to live well in economic terms in spite of the many arguments and fights with the woman... But no matter what the woman told me, I knew very well that I didn't owe any money to her in reality. I earned more than I would tell the woman, but keep the money for myself or send it home to my parents (VoT4, Catania)

⁶⁰ Unicef report 28% of women in the US, taken from a nationally representative sample, 'reported at least one episode of physical violence from their partner' (more than in Cambodia (16%) and in Colombia (19%)) (Unicef, 2000, p.5). For Italy, the Equal Opportunities Department reports that 97,8% of violence and abuse against minors are carried out within the family (Ministero per le Pari Opportunita, 2004, p.248).

While these extracts tell us something about women's ability to negotiate their relationship with their exploiters, they also tell us about their relationship with money, which sometimes is used to satisfy immediate consumer desires, as in the first case above, and at other times serves to help families back home. This accords with research on the position of migrant women in the global diasporas that shows them as positioned half-way between economic subjects who are perfectly integrated in the global consumer society and social subjects who are connected with their traditional cultures through their family ties and the children left in their home countries. For example, Parrenas (2004) reveals the quasi-citizenship of Filipina women who work as domestic workers in the US and in European countries. She makes connections between the continued social inequalities imposed by western states on Filipina domestic workers, in particular with reference to their residence rights, and the growing importance of transnational families, with 25 per cent of the Filipino youth population (9 million children) growing up in transnational households (Parrenas, 2004, p. 108). Through the system of contract labour-based migration, by which Filipino domestic workers in particular, and migrant workers in general, are treated simply as labour, rather than as persons entitled to full citizenship rights, western states secure for themselves a pool of low-wage, unprotected labour (Parrenas, 2004; Zontini, 2001, 2002; Castles, 2006; Castles and Davidson, 2000).

Within contemporary Europe, certain migrant groups have been identified as the most marginalized populations. These are what Martiniello calls the *margizens* of Europe, that is all those migrant citizens who lack secure residence status such as "illegal workers, unauthorised family entrants, asylum seekers, refused asylum seekers who have not (yet) been deported, former legal residents who have lost this status (as happened to many immigrants in France in 1996), the long term unemployed who may be subject to deportation in some countries, and people classed as temporary workers who are in fact permanently integrated into the workforce" (cited in Castles and Davidson, 2000, pp. 95-96). If we turn to migrant

sex workers, their position in terms of citizenship rights and status in the host society might be described as worse, if anything, than that of *margizens* for reasons which I will explain in the next section.

6.7 Victims, citizenship and markets

Migrant sex workers participate in a global market culture which, while profiting from the money they generate both in guest-societies through their consumer behaviour and in their countries of origin through their remittances, does not accept them as legitimate members of that culture. While this market culture, as pointed out by Taylor and Jamieson (1999), has liberalised sexual representation through the commodification of sex on the Internet and on satellite television as well as on local sex markets through the myriads of forms of sexual services in diverse social settings, at the same time it condemns to the margins some of those who provide these services, namely those who work on the streets. Migrant prostitutes are outsiders while they work on the streets, and they remain Others when they enter protection programmes. As women who crossed national and sexual boundaries, they are subject to both intrusive and extrusive ‘social death’ (see Patterson, 1982), in the sense that they are not recognised as even half citizens. As migrants who are constructed as ‘illegal’ and ‘clandestine’, they remain on the outside, and as victims who are accorded a residence permit subject to revocation, they are made ‘freed’, rather than ‘free’, citizens.

In highlighting the connections between sexuality, travel and citizenship, Carl Stychin’s (2003) discussion on homosexuality and citizenship in Europe is useful. His analysis of anti-immigration and anti-gay discourses in Europe are particularly relevant to migrant prostitutes constructed as ‘slaves’ and ‘victims’ of trafficking, since prostitution, like homosexuality, is viewed by the state as a threat to the “heterosexual family” (Stychin, 2003, pp. 99-100). Stychin (2003) observes that the process through which the dangerous (migrant) queer is turned into a ‘good’ queer involves a discursive and practical shift from the public

into the private sphere so that social acceptance involves “the elimination of all traces of homosexuality (and certainly any ‘positive images’) from public view” (Stychin, 2003, p.102). Stychin’s points apply to migrant prostitution, since, as immigrants and racial others, prostitutes are also a threat to the “cultural heritage of the nation state”, and the ‘dangerous prostitute’, like the ‘dangerous queer’, inspires a re-articulation of ‘race’ and immigration through the tropes of “disease, foreign invasion, and the threat of unassimilable ‘other’ cultures, dangerous criminality, etc.” (2003, p.100). Prostitution, like homosexuality, then, demands, sexual governing and border control. Legal recognition of sexual dissidents, observes Stychin (2003), is accompanied by a “disciplinary regime” of inclusion/exclusion of subjects within the body politic and community of citizenry (p.103).

Behind this racism, which wants to reduce migrant prostitutes to objects of disciplinary regimes of social control, there are broader implications of migrant women’s representation as ‘victims’ and ‘slaves’ and they are linked to modern conceptions of civil society and ‘contract’. I have already discussed in chapter 3 the way in which post-Enlightenment culture has constructed slave subjects as individuals who are politically, socially, and economically dependent on other people because incapable of participating in contracts as free, autonomous individuals. We also saw how feminist analyses of liberal thought have compared women constructed as dependent in the private sphere with slaves, and how the distinction between private and public spheres has historically served to justify women’s subordination to men. Here, I want to consider liberal constructions of ‘slavery’ in relation to the specific condition of migrant prostitutes who are deemed to be ‘victims’ in need of protection. For this purpose, Julia O’Connell Davidson’s (2005) observations about the way in which children in the global sex industry are constructed as victims of a modern form of slavery are pertinent. Because children “are excluded from, and deemed incapable of, participation in the market” (O’Connell Davidson, 2005, p. 18), their involvement in the sex industry is viewed as unsettling. Indeed, the idea of ‘childhood’ as a state of ‘innocence’ and

‘purity’ is impossible to reconcile with the idea of prostitution as “corruption, pollution and impurity” (O’Connell Davidson, 2005, p. 23), since

If a child is a *prostitute* (and therefore supposedly dirty, rapacious, sexually knowing, instrumental and predatory upon the frailty of men), then she cannot truly be a *child* (and therefore supposedly innocent, asexual, naïve and dependent upon adults’ wisdom, economic support and protection), and vice versa. The idea of children’s presence in the global sex trade is widely experienced as profoundly disturbing not least because it carries the potential to rupture the imagined boundaries that serve to ring-fence both ‘childhood’ and ‘commercial sex’. (O’Connell Davidson, 2005, p. 23)

Migrant women, like children, are also considered as incapable of making choices about their migration and sex work, and it is this incapacity that distinguishes them from ‘willing’ prostitutes in most western countries. Discursive constructions of ‘sex trafficking’, then, as well as those behind anti-trafficking policies such as Article 18 social protection programmes, are imbued with a type of racism which infantilises migrant women as requiring discipline into ‘civilised’ values about what it means to be a ‘good’ woman. As we saw in section 6.2. migrant women’s citizenship, then, cannot be conceived without liberal notions of freedom which are sustained by a series of dualisms, such as public/private, modern/traditional, civilised/barbaric, white/black (see O’Connell Davidson, 2005).

And yet migrant women’s stories and narratives tell us different things about the way they feel as women, as women who earn money through sex, as undocumented migrants, as women who are treated as ‘whores’ because they are black, or as women who are treated as inferior Others because they supposedly come from a ‘backward culture’. While, as we saw in chapter 4, Italian racism operates against different selected groups which include white Europeans like the ‘Albanians’, the whiteness/blackness distinction is still a powerful way to articulate racist conceptions of cultural difference. As interviews with key actors illustrated, it is the black body that gets represented as ‘prostitute’, because, as a male chief officer told me in Catania, “African women are well shaped, and this is important in sex markets” (Police

officer2, Catania). Furthermore, their 'blackness' supposedly makes it difficult for African women to integrate into Italian society:

Nigerian women have less resources ... they will find it very difficult to integrate. What a Nigerian woman told me once will give you an illustration of this... she told me 'God in this life made me born black, poor, made me work as a prostitute and now he is making me work cleaning houses and care about white people's little and elderly ones. In my next life, please my Lord, make me born white and western...'. This I find a splendid metaphor. If she came to say these things, it's because she went through a social process which gave her enough resources to make her more aware and conscious about her identity. (Female psychologist1, non-religious project, Lecce)

While the 'splendid metaphor' speaks a great deal about Italian racism, this psychologist merely prefers to read it in terms of the social programme's effectiveness in making African women, who throughout her narrative come out as stupid children, conscious of their condition. What is clear that all migrant women are conscious of, is the way European racism works, so that they are under pressure to articulate their own sameness with Italians and adherence to western/Italian values. As soon as they are in Italy, African women realise they are 'black', because

When they see a black girl they stop and ask her 'how much?'. I answer 'why don't you go and fuck your mother? I'm going to call my husband...' and they run away. (VoT3, Catania)

As members of patriarchal cultures in their own countries, they are as well imbued with the same conceptions about gender and sexual roles, and with racial assumptions about other people, as are most people in western societies. This can be seen from the words of two Nigerian women, the first interviewed in a flight house in Palermo, the second interviewed in the highway near Catania where she works:

God gave me my private parts for my husband so that I can be a mother. (VoT1, Palermo)

After I get documents I will leave this job ... if I get documents I will leave this job ... this is not a kind of job that somebody would work for ever ... Somebody have to get married ... (SW4, Catania)

At the same time as they try to make themselves accepted in western societies by embracing gender ideals about being mothers and wives, they are also aware about the social value of money and their economic role of bread-winners for their families back home. As the Nigerian woman in Palermo says, “yes, prostitution is like slavery, but there is also money”, and with that money she can enjoy all the things she could not afford in her country, which are also the same things that most of us want in rich countries: nice dresses and high-tech consumer goods. As a Colombian prostitute once told me, “if you have no money you don’t exist, you are treated like a dog”.

The ways in which migrant women affirm their being ‘western’, or the same as western, are diverse, according to how they think they are perceived within Italian society. For Nigerian women it is important to assert their religious and moral standards, their sense of womanhood and marriage/family values, as opposed to the stereotype that casts them as ‘voodoo’ practitioners and hyper-sexual females. The South American women I interviewed found it important to affirm their being autonomous and modern, and they often did this by contrasting themselves to African prostitutes:

I worked with African women, but I don’t like them, they are different from us, they are not polite, quite wild, like animals... they treat clients very badly... But they are also poor people, they’ve suffered more than us. I heard stories about them having their clitoris removed... They are brought here by others who take advantage of them, they told me that... If they are sent back to their country they are taken to prison straight away. With us it’s different, we can say that we were working as prostitutes, they are not accepted as prostitutes... We Colombian women come here by ourselves, we support each other. (SW1, Catania)

I don’t think prostitution is like what all the people say. For women who come from South America it’s not like that. I was among girls who were taken in a round up, and I know that even the police know that South American women don’t allow men to exploit them... they can have friends, men who give them presents, but women who fuck to give money to another man, no ... Women from Albania, Romania, from Africa, yes they are exploited, I don’t know why it’s like that... I can’t think that some women have to work to give their earnings to their pimp... When I hear this I would like to have that pimp in my hands

and strangle him, it just infuriates me... Me, I have five pimps who wait for me in Colombia, they are my children and my mother. I can fuck one hundred men for them...you understand. Instead black women, from Africa...(SW2, Catania)

For none of the women interviewed, be they Albanian or Nigerian or Colombian, 'prostitution' coincides with their identity or their life profession. For them it is a strategy to accomplish their migratory project, which in some cases involves permanent settlement in Italian society, in other cases involves only a temporary settlement for the duration of work, and in other cases may just involve 'settlement in mobility', in the sense suggested by Morokvasic (2004), as in the case of this Colombian woman:

...I love my country, I also like Italy... I told my mother that I would like to take her here, show her how peaceful it is here...If I had documents I think that I would be here and in my country as well, travelling between Italy and Colombia. (SW1, Catania)

This woman's desire to stay in Italy is expressed not just in terms of money and work, but also in the sense reported by Melossi's (2003) interviewees, that is in terms of 'staying in a quiet place':

My country is dangerous. You have guerrilla. It's dangerous for a woman to walk in the street in the night. You get killed very easily over there...My mother asked me 'why don't you come back, you are there without documents...'. If you don't have documents you don't have a good job, so you just survive, don't earn a lot of money. But I told my mother that here it is peaceful, quiet, that's why I want to stay here...There is more violence there also because there are many people who are poor...(SW1, Catania)

My migrant interviewees, like most migrant people, are not, or not exclusively, what Italian 'help' professionals imagine they should be: a horde of desperate, poor people. They are, as social 'helpers' somehow disappointingly realise, often sophisticated consumers and people who desperately try not to drift into the kind of poverty that international structural re-adjustment programmes imposed on poor and indebted countries are causing through cuts in welfare spending and policies which penalise wages and small credit services (O'Connell

Davidson and Sanchez Taylor, 2005; Castles and Davidson, 2000; also Sharma, 2003). For example, a psychologist woman I interviewed in a flight house in Palermo, was rather bitter about Nigerian girls' expensive habits ('they buy the most expensive body-lotions and hair-creams, and expensive foods and drinks') and she insisted many times that all the voluntary workers in the flight house had to adjust with some difficulty to the fact that Nigerian girls did not show gratitude for what they did for them. This is a type of racism which targets Nigerian women more than any other group of migrant women, and it has to do with their being black and African. Poverty in this case acquires a special meaning. In an ethnographic study on racist representations of skin colour among children in Italian primary schools, Paola Tabet (1997) observes that black African migrants were viewed as deprived of any cultural instrument which would help them to manage the environment and construct a decent life: "They are 'created poor'. Together with skin colour, poverty also seems decided from above for mysterious reasons [...]. Poverty does not appear as the product of social relations, but becomes something inherent to [black people's] nature, an essence constitutive of the group or 'race' and thus a characteristic of all black people" (p. 79, my square brackets, my translation). We can therefore understand some volunteers' surprise, or even indignation, at seeing Nigerian women refusing to enter protection programmes because they would not earn enough money afterwards, as did a young female volunteer in a conference I attended in Catania. The fact that she was asked by the Nigerian girl 'how much would I earn if I stopped prostitution?', unsettled the voluntary worker, who said, quite bitterly:

I realised then about the difference between their lifestyle and mine, their clothes and mine. Not all of them are victims, they just want money. (Young female volunteer, conference, Catania)

That they might not be victims, but just individuals who want to build a future for themselves and their loved ones might come as a shock for voluntary workers like the one above, yet for many migrant women and girls it comes as a natural matter of course. Consider

an interview extract which narrates the migratory project of a 22 years old Albanian sex worker:

I came here one year ago ... I came legally, with visa. Why? Like all the others, there wasn't enough money, I wanted to earn so that I could start university again. I couldn't afford to study any more in my country. I came with a visa and then applied for a residence permit for family reunion, because I have a sister here who is married. I knew a friend who has been here for 20 years working like this. She told me if I wanted she could find me a place and I could work. I knew I would do this work. In Albania I wouldn't do it because prostitution is illegal, so you can't work in the street like this. There are maybe girls who do it but not in the street .. it's risky. I've never worked in my country, I was just studying... I will not do this job for a long time. What, do you think I want to become old in the street? No way. I think I will save enough money to buy something for myself and for my family, like a house, in two or three years time. (SW3, Catania)

This young woman was very assertive in the street where she works, and, considering that she is very young and attractive, she finds it easy to earn - as she tells me - around 10,000 Euro per month. Given also that she is legally present and wears normal, student-like sort of clothes, she is able to ignore the police officers who try to threaten her. A very different story, which I want to report at length, involves a 39 year old Colombian interviewee:

I came to Europe 16 years ago. I was 22. I came with a friend of my mother, I trusted her, but I soon found out that she and her friend wanted to exploit me, they wanted me to work as a prostitute for them. It wasn't for me... I didn't want to do it, so they would beat me. I escaped from that situation as soon as I could. So I went to Rome. In Rome I worked all the time doing domestic work with the Caritas group, I worked but they would not pay me. The thing is that I was working without documents so they would exploit me, they would give less or pay me whenever they wanted, so I began to make mistakes, like I began to steal. This is why three years ago I missed the opportunity to regularise through the amnesty law for domestic workers, they could see my records... After my experience doing domestic work in these conditions, three years ago I decided to work for myself in prostitution... I decided that I can do it for myself, for my family, my children... In my country there was poverty, but I must be honest, it wasn't like a chronic sort of poverty. I went to school, I completed secondary school and I tried to go to university, to study law. I wanted to study but there

was no money for that... I recognise that I have a strong character, I'm a bit difficult, stubborn, so I wanted to give a better future to my children. This is why I thought I could find wealth in Europe, it's like a golden dream I had... the thing is... we could survive, but you can't just survive, you want to give education to your children, and in my country there is no public education, you still have to pay taxes... When I finished school I had my daughter, I was 17. So I could only do six months at university, but I had a child and I had to work to pay for studying, so it was difficult...

At the time when I came there was a lot of racism in Europe. South American people were considered like uneducated, uncivilised kind of people. They don't understand that migrant people can have an education, sometimes can be more educated than Europeans... (SW2, Catania)

Prostitution turned out to be the right work for someone who is 'stubborn' and determined to raise herself and her family to a higher social status. For this person in particular there was a high price to pay, because she was separated from all her children, and one of them died while she was in Europe. But in the end, she nonetheless stated that she felt she was making her dream come true. The contrast between these women's accounts and key actors' accounts suggests that Italian social protection programmes and society at large find it hard to accept that migrant prostitutes, and migrants in general, have the same aspirations as most people in market democracies to a dignified life which does not exclude luxury. They cannot accept that migrants may want big cars, big houses and expensive clothes, and that this is the reason why some of them come to Europe and opt for prostitution rather than domestic work. While migrant bodies, especially when they are exposed on the streets, are a target for the most brutal forms of racism, this does not mean that sex work on the street cannot be more appealing than domestic work in families, as the Colombian woman reported above explains:

I think... really domestic work is harder. It's easier to work with children, because they don't know what they're doing. With women, when women have power, we want to dominate, we are coward... In the street you get clients who are dirty, who smell, but with a man if you show a little kindness, if you smile at him, if you are friendly, he will fall at your feet like a baby, you understand? I speak from my experience, for what I see, what I feel... I mean I would like to work well, have another job, but I can't do it now, and I see that if I'm polite, if I'm kind to them (the clients), they are like sugar. But when I

go to work in a house for a woman... I can have patience and play with children, because they are beautiful, they have a special meaning to me... But women, out of ten women you get three who are nice, the rest only like to give you orders... (SW2, Catania)

Conclusions

Chapter 3 discussed a graphic image of the traditional discourse on slavery as implying both marginalisation, through ‘natal alienation’ and ‘social death’, in Patterson’s (1982) terms, and labour exploitation, through an intersection of two different polar oppositions: community belonging/exclusion, and free/unfree labour (see Figure 1 in chapter 3). Through an analysis of social and labour history, I argued that the two binary oppositions that traditionally explained slavery cannot account for the real conditions of slaves in most slave societies. The interview data I have explored in this chapter also indicate that the discourses on ‘slavery’ and ‘trafficking’ are inadequate in explaining the conditions of migrant women who engage in sex work in Italy. On the one hand, narratives provided by key actors working in social protection programmes attest to the validity of my initial hypothesis that they might reflect the same conception about ‘new slavery’ elaborated by Kevin Bales. This conception, I had argued, focuses on the ‘trafficking’/‘forced’ migration of people from poor countries to the rich/western regions, on the presence of criminal agents who deceive and exploit those who are ‘trafficked’, and on ‘prostitution’ as a favourite site of abuse and slavery-like practices whose victims are overwhelmingly women and girls. Furthermore, as I argued in chapter 3, this view is based on a fundamental dichotomy between rich/civilised/western/democratic/modern countries and poor/uncivilised/non-western/undemocratic/traditional countries. Field material on key actors’ views about ‘trafficking’, ‘slavery’, ‘exploitation’, ‘forced’ and ‘free’ prostitution, ‘debt’ and so on, reveal a similar interpretation of contemporary exploitation of migrant labour in terms of the above said dualisms.

Interview data from migrant women themselves gave a rather different picture. They suggest on the whole that migrant women do not experience their prostitution as ‘slavery’ in either an economic (labour exploitation) or social sense, or as ‘social death’, in Patterson’s (1982) sense. However, interview data suggests that migrant prostitute women are stigmatised socially as undocumented migrants, as ‘prostitutes’, and as individuals who are racialised as members of inferior cultures whose identity is often reduced to their bodies, considered as objects of exchange. At the end of this empirical and theoretical excursus, it seems clear that prostitution, far from being the central problem facing migrant women, is a means which in many cases, and sometimes at a high price, allows women (both those still in prostitution and those who exited it through social protection programmes – e.g. see interview with VoT4 in section 6.5) to change their material circumstances both in their destination country and back home, by opening opportunities for their children and themselves.

The question of ‘race’ and how ‘trafficking’ as a discursive paradigm is imbued with racist, as well as sexualised, images of migrant women moves my analysis of the metaphor of slavery back to colonial and post-colonial dualisms sustaining the notions of freedom and citizenship. I had already noted in chapter 4 how Foucault’s analysis in *The History of Sexuality* pointed to the ways in which racist language is the main vector by which control on bodies, lives and populations is exercised. Here I want to draw attention to Ann Stoler’s observation that racism is the consequence of the particular form in which power unfolds in Foucault’s analysis, and that is as a ‘knowledge-producing’ force, as a “proliferation of discourses on sexuality and their effects” (Stoler, 1995, p.22). More importantly, she strongly argues for the crucial importance of Foucault’s “oblique treatment of the issue of racism” in a time when Europe departed from any politics of race and where the histories of European racism

remained bracketed in specific histories: as a subtheme in the history of totalitarianism as in the influential work of Hannah Arendt, as a politically anesthetized, ahistorical field of “race relations” as in

Britain, and perhaps most notably as a history of the horror of recent Nazi memory (as in Leon Poliakov's *The Aryan Myth*) – a cordoned off history of archaic origins, a history to dispose of, a narrative of the past. (Stoler, 1995, p.24)

The link between technologies of sexuality and racism is pertinent and central to European colonial history and empire. Although Stoler questions Foucault's chronology which posits (state) racism as a by-product of earlier technologies of sex, and points out that discourses of race "did not have to await mid-nineteenth-century science for their verification" (1995, p.27), she nevertheless makes the point that in the nineteenth century

race becomes the organizing grammar of an imperial order in which modernity, the civilizing mission and the "measure of man" were framed. And with it, "culture" was harnessed to do more specific political work; not only to mark difference, but to rationalize the hierarchies of privilege and profit, to consolidate the labor regimes of expanding capitalism, to provide the psychological scaffolding for the exploitative structures of colonial rule. (Stoler, 1995, p.27).

Scientific, colonial racism, which Foucault describes as 'dynamic', "a racism of expansion" (cited in Stoler, 1995, p.29), and associated notions of degeneracy, were, as Stoler suggests, directed to both internal and external enemies of European expanding empires. As such, racism was the expression of both 'bourgeois empowerment' and of 'social anxiety', in that it was targeted not only at the colonized populations, but also at the "indigent, supposedly *décivilisé*, racially-hybrid members within the European community" (Stoler, 1995, p.32).

Chapter 4 showed how the Italian state fits within this type of racist discourse, what was its place within European imperialism as a minor and late colonial state, one which does not even figure within the specific histories mentioned by Stoler. It remains now to see how the Italian imperial and national history fits within the political and social movements known as 'feminism' and 'abolitionism'. Was there any continuity between European imperialism and the 'woman question'? And how is this continuity expressed in the particular Italian context? What kind of 'metaphor of freedom' came out of European anti-slavery and feminist

abolitionist propaganda? These are the questions which I will explore in the last part of this thesis, focusing on a feminist construction of freedom, as female ‘emancipation’, and the ‘freeing’ of slaves.

Chapter 7

Article 18, Abolitionism(s), Feminism(s): a historical perspective

Social protection programmes under Article 18 conceive the freedom of ‘trafficked’ prostitute women as a radical change of life and even identity, which must come from a voluntary decision to ‘leave the streets’. This process of radical change involves, among other things, integration into Italian ways, which is viewed of great importance for the better success of the programme. The path to freedom involved some internalisation of western culture, and interviews with key actors suggested that the more a woman was perceived as ‘similar to Italians’, the more her culture was seen as ‘our culture’, the greater was her chance of finding a job and of getting a residence permit quickly. Reference to skin colour was made often by my interviewees to indicate that, for example, East European women had better chances than African women because of their white skin, which made them look, unlike black women, more ‘like us’.

This chapter will look more in more depth into the question of what might be called the ‘colonial aspect’ of social protection programmes, namely the way Italian professionals look at migrant women who are Otherised because of their being constructed as ‘enslaved’, ‘sexual slaves’, ‘foreigners’, ‘clandestine’, coming from the third world. In considering the colonial aspects of social protection programmes, my aim is, however, to draw attention to the specific role of women and feminism in this conservative approach towards prostitution as slavery. For this reason interview data from female professionals working in social protection programmes will be the main focus of attention.

I will start with an analysis of the historical context in which feminism developed in Europe, particularly in Great Britain, which was at a time when colonialism gave middle-class western women a specific, imperialist approach to their struggle to combat first slavery, and then prostitution. I will then continue by focusing on the particular Italian context and the

specific development of feminism in Italy. This will allow me to understand the particular working of social protection programmes from both an institutional and a feminist point of view. The ‘domestic’ aspect of social protection programmes will emerge as central, based upon the fact that women who have access to them and complete them find opportunities only in the domestic sphere, either as domestic workers, as ‘care’ workers, or as ‘wives’.

7.1 Abolitionism and Imperial Feminism: a history repeating itself

Scholars agree that the move towards the abolition of slavery was the result of the combining factors of economic change, social conflict and Enlightenment culture, which, as Klein (1994) puts it, caused a ‘change in European consciousness’ (Klein, 1994, p. 201; see also Lovejoy, 2000; Blackburn, 1997). While intellectuals like Charles-Louis Montesquieu in France and economists like Adam Smith in Britain asserted the wrongness of slavery respectively on political and economic grounds, abolitionism was indisputably linked in Britain to the Evangelical revival, which gave protestant churches a lead in the movement on both sides of the Atlantic (Drescher, 1999; Klein, 1994; see also Hall, 1992; Midgley, 1992; Cohen, 1998). In accounting for the importance that class, gender and ethnicity had in the construction of English identity as opposite to the colonial, black Other, Catherine Midgley (1992) observes that religion provided the basic discursive terrain. As she points out,

religious belief provided a vocabulary of rights – the right to know and to speak that knowledge, with the moral power that was attached to the speaking of God’s word. One of the issues on which they spoke was what it meant to be English. (Hall, 1992, p. 207)

Since ‘what it meant to be English’ could not be established without reference to the identities of specific others such as slaves and freed blacks, it follows that English national identity “cannot be understood outside of England’s colonial dependence” (Hall, 1992, p. 209). At the peak of English bourgeois consciousness and imperial power, namely from the 1830s to the 1870s, colonial discourse became ‘abolitionist’ discourse, that is a knowledge

formation involving an ordering of society according to the specific places assigned to each member, so that, if the English aristocrats and the Jamaican planter represented the 'Old Corruption', the 'negroes' and the slaves were defined as brothers and sisters of a universal Christian family, but of an inferior stock, since, as 'sons of Africa', they were "children who must be led to freedom, which meant to adulthood" (Hall, 1992, pp. 209, 211, 237).

In linking abolitionism to religious values, particularly of the type pursued by the Quakers, Cohen (1998) argues that 'moral criticism', that is the alternative interpretation of moral norms which are given as a justification of particular social arrangements, led in the case of slavery to the expansion of the moral community, as slaves began to interpret 'white' moral norms to their own advantage (see Cohen, 1998). Cohen's discussion of moral criticism is useful for an understanding of the reciprocal influence that morally grounded anti-slavery discourse had not only for slaves, but also for other subjected people, such as British factory and mine workers and women in general, and he actually makes a point about the force that ethical explanations have not only for slavery, but also for sexual subordination and suffrage extension, which were the first battle grounds of the feminist and labour movements. While this observation points to the subversive aspect that abolitionism and anti-slavery had for the metropolitan social order, my concern here is to highlight the cultural supremacy from which white campaigners, both male and female, could articulate their arguments. These campaigners - missionaries, industrialists, liberal politicians and members of parliament, middle-class women and philanthropists of all kinds - engaged in a type of anti-slavery discourse and politics which, while promoting the emancipation of black slaves, considered it a matter of 'gradual amelioration' and assimilation to European Christian ways. While condemning the planters' system, it did not question imperial expansion as such, as long as expansion was understood as a means of civilising and Christianising heathen savages (Hall, 1992; Midgley, 1992; see also Drescher, 1999; Klein, 1994; Lovejoy, 2000).

Women had a special role in anti-slavery philanthropic and missionary work, as they could best express the Christian model of society, centred on the separation of spheres between men and women and the organisation of woman's life around domesticity (Hall, 1992). In early anti-slavery struggles English middle-class women could justify their engagement in the public sphere by focusing on specifically female issues, such as the suffering of enslaved women, the disruption of families under slavery, the problem of slave inheritance on innocent children, and so on (Midgley, 1992). Emancipation politics was, then, in many senses the withdrawing of slave women into the domestic sphere, their abandoning work in the fields as improper, and their separation from the sexually promiscuous environment of the plantation (Midgley, 1992; see also Hall, 1992). While, as Clare Midgley has documented so well, women, as members of the British Anti-Slavery Society (parent of Anti-Slavery International), were the first to articulate a policy of immediate emancipation against the hypocrisy of gradualism, they also used racist and gender stereotypes to address the problem of slavery as a specifically moral and religious problem (Midgley, 1992). Their information on the condition of female slaves and slaves in general came from missionary accounts and from publications of the Anti-Slavery Society, whereas almost none of them came directly from slave women (Midgley, 1992). This meant that, while reports on whippings and on sexual abuse gave, back in the metropolis, an image of slavery as something quite different from labour exploitation and factory work (see Drescher, 1999), these accounts provided the English public with a very distorted image of the real life and work conditions of women in slavery. In particular, they gave an image of slave women as helpless, passive victims (Midgley, 1992, p. 52). By contrast, in relation to the role of women in obtaining freedom through manumission, there is a vast literature which has revealed the importance of gender relations in slavery and the fact that black women were able to use white gender discourses and values to their own advantages (Cowling, 2005; Sweet, 2003; Libby and Paiva, 2000; Higgins, 1997). For example, in examining issues of slave agency, Cowling (2005)

notes that, while the 1870 Moret Law, the free womb law, and “particularly the 1880 *patronato* or apprenticeship law, led to a subtle shift in the balance of power, in which slaves were able substantially to influence the pace of abolition by negotiating with ambiguous legislation [...] the presence of large numbers of litigating women, bringing appeals on their own behalf or on that of families and friends” points to the specific role of ‘women of colour’ in the transition to free labour in Cuba (Cowling, 2005, pp. 377-78). While she raises the question of ‘voices’, namely the fact that women had to rely on the white male elite population (lawyers) when making petitions, she also observes that those petitions provide “glimpses of individual women’s aims, actions, and understandings of slavery, filtered through the lens of the (often gendered) attitudes towards slavery and emancipation of *sindicados* and of slave owners and their lawyers” (Cowling, 2005, p. 378).

To go back to the question of black women’s views of the slave experience, Joan Martin (1998) points to the importance of women’s writings in the Afro-American national consciousness, noting that less than twelve per cent of slavery accounts were produced directly by slave women (Martin, 1998). Like Midgley, she also observes that, once the experiences of slave women were documented through their own writings, stereotypes of black women’s passivity and helplessness were broken, and the multiplicity of ways in which women resisted and survived slavery was exposed (Midgley, 1992; Martin, 1998). What slave women have revealed through their own narratives is that the source of black women’s agency, power and status within their communities, was threatened by white women abolitionists’ promotion of British forms of marriage, family life and gender roles, by British moral codes and Christian beliefs and practices (Midgley, 1992; Martin, 1998; see also Hall, 1992; Saville, 1999). In particular, Martin reports that in the post-emancipation years from the end of the Civil War to 1944 writings by ex-slave women spoke about slave mothers, who were often the authors’ own mothers, and condemned the hypocrisy behind the parameters of

purity and feminine delicacy used by white people to judge Afro-American women (Martin, 1998).

It is in the links between abolitionism, feminism and religion that we can best find the tension between a conservative interpretation of anti-slavery discourse on the one hand, where Christian religion was used to justify first slavery, and then a gradual path to freedom according to a disciplinary conception of emancipation, and a radical, subversive interpretation on the other hand, calling for a change of social relations in the name of those very religious principles supported by paternalist masters and abolitionists alike. The religious impulse of anti-slavery discourse had revolutionary potentials, and it played a part both in the syncretism of Afro-American slave communities, where Christian elements and African elements were combined in a distinctive interpretation, and in the dualist systems pursued by Brazilian slaves, who simultaneously embraced both Yoruban cults and Christianity, resulting in so-called voodoo cults (Cohen, 1998). Religion and ethical motives were part of that silent process of resistance which played so great a role in turning abolitionist propaganda into a more radical view of social change and social justice (see Geary, 2004b). This view appealed to a variety of groups with different interests but equally animated by a vision of freedom achieved either through adherence to religious principles, as was the case with missionary and philanthropic men and women, or through political activism and alternative interpretations of industrial progress, as was the case with Owenite Socialists and Chartists in Britain (Midgley, 1992).

In the case of women, participation in anti-slavery campaigns gave them the opportunity to organize themselves as a distinct political movement with a wider vision of women's rights which extended not only to slave women in the colonies, but to other women in the metropolis (Midgley, 1992). From the battles to obtain equal political rights within the Anti-Slavery Society in the early 1860s to the formation of the first women's suffrage societies, women in the centre began to make parallels between themselves and slave women

and to question the ideology of separate spheres. By the time feminists like Josephine Butler organised the Ladies' National Association (LNA) in the late 1860s to campaign against the Contagious Diseases Acts (CDA), which forced prostitutes and women suspected of prostitution in England to submit to medical examination, middle-class women were confident enough to give 'voice' to working class women and prostitutes as unfortunate sisters in need of protection and rescue (Midgley, 1992; Doezeema, 2000; see also Agustin, 2005). Talking about "the rise of the social" during the nineteenth century, Laura Agustín observes that

[...] middle-class women were considered to have a "natural" duty to care for the poor, a "civilizing mission", which derived from the redefinition of the concept of virtue. (Agustin, 2005, p.74)

Similarly, Natalia Gerodetti and Sabin Bieri, writing about the social purity movement in Switzerland at turn of the 20th century, note that "the feminization and urbanization of domestic servants during the 19th century and the history of maids are inherently linked to the rise of the middle class" (Gerodetti and Bieri, 2006, p.78).

The movement for the repeal of the CDA was called by Butler 'New Abolitionism' to indicate that women from the LNA were a new generation of abolitionists fighting for the liberation of a "slave class of women" created for the "benefit of licentious men" (Midgley, 1992, p. 174).⁶¹ This movement was soon transformed into a campaign against the 'white slavery' of young innocent girls taken abroad by deception to be exploited in brothels (Doezeema, 2000, 2002). As pointed out by many authors, the anti-white slavery campaign, with the active support of the 'social purity' reformers, became a repressive movement which focused on the sexual discipline of young women from the working classes and aimed to restrain their freedom of movement as independent individuals (Walkowitz, 1980; Doezeema, 2000, 2002; D'Cunha, 1997). Thus, Gerodetti and Bieri (2006) note that middle class women

⁶¹To be sure, the CDA were not confined to England but they were also introduced in the British colonies in Africa and in India in order to discipline the sexuality of native women, and, as suggested by MCurdy and others, there was a link between the European scientific racism and the creation of dangerous sexual subjects, since "both African women and European prostitutes represented a dangerous sexuality" (MCurdy, 2001, p. 222; see also Amos and Parmar, 2005).

struggled to shift sexuality into the public arena, but in doing this, their approach was conservative, as they did not demand “more sexual freedom for women [...] Rather, they demanded more restraint and chastity from men” (Gerodetti and Bieri, 2006, p.78). Prostitutes, generally referred to as ‘fallen women’, needed to be re-educated to ‘good’ sexuality through marriage and to ‘honourable’ labour through domestic service (Gerodetti and Bieri, 2006, p.78). As many authors have noted, the very expression ‘white slavery’ denotes an opposition to ‘black slavery’, which in America in particular was downplayed (Doezema, 2000). More generally, the anti-white slavery and ‘social purity’ movements were the expression of a growing social anxiety, brought about by empire and the encounter with other people, concerning racial differences as well as sexual promiscuity. Behind many stories of young country girls kidnapped by foreign men there was a widespread hostility towards foreigners and immigrants, particularly Jews, as a cursory glimpse at writings of the time would indicate (e.g. Malvery and Willis, 1912; see Doezema, 2000; see also Amos and Parmar, 2005).

The subsequent evolution of feminism in Europe and the US was deeply influenced by the impact of these early battles pursued at a time when, as Amos and Parmar have pointed out, white feminism remained ‘pro-imperialist’ (Amos and Parmar, 2005). I have already said about more recent positions of US feminists in relation to the ‘trafficking’ definition and to prostitution as a form of ‘slavery’ or as ‘work’ when I discussed the Trafficking Protocol (see section 3.4). Here I would like to expand the arguments in relations to the imperial, Eurocentric, legacy affecting issues of feminist theoretical interest, such as sexuality and prostitution, namely the fact that they have been deeply influenced by the colonial experience and the kind of views that European countries, and in particular the European Left, developed with regard to their ex-colonies. Thus, writing about Britain, Amos and Parmar observe that, as far as sexual matters are concerned,

[...] some of the unquestioned assumptions inherent in contemporary feminist demands have remained the same as those of the 19th and early 20th-century feminists who in the main were pro-imperialist. One strand of early feminism in Britain has its roots in the radical liberal and social purity campaign work of Josephine Butler who drew on religious rhetoric with its notions of purity and impurity, virtue and vice and linked her analysis to aspects of contemporary theories of evolution. (Amos and Parmar, 2005, p. 55).

Abolitionism in Britain re-emerged in the late 1960s with law proposals to delete reference to ‘common prostitutes’ in the law and suggesting that the law against clients should be initiated (see Kantola and Squires, 2004). These initiatives were followed by the 1979-1982 campaigns against the imprisonment of prostitutes convicted of soliciting, leading to new legislation which abolished imprisonment for loitering and soliciting (Kantola and Squires, 2004). However, in a context of decline of women’s movements and their marginalisation in government policies, debates on prostitution in Britain were framed by a rhetoric about ‘public nuisance’ and community concerns expressed in terms of “the moral and environmental ‘pollution’ caused by kerb crawling” (Kantola and Squires, 2004, p.68; see also O’Connell Davidson, 1998). This moral focus was in accordance with the ideological approach adopted by influential feminists such as Liz Kelly and feminist NGOs such as Rape Crisis Federation (RCF) and Campaign to End Rape (CER), an approach centred on the idea that prostitution amounts to ‘sexual violence and abuse’ and ‘sexual domination’. Opposed to this conception was the ‘sex work’ approach adopted by the English Collective of Prostitutes (ECP), which was more concerned with the economic aspects of inequalities and conducted their campaign as part of the Wages for Housework struggle, but was marginalised in the policy-making process (Kantola and Squires, 2004; O’Connell Davidson, 1998). In the end, when the ‘trafficking’ debate emerged in the 2000 under the pressure of international and European legislation to combat criminal networks that ‘trade’ in women and children, the emphasis turned out to be on ‘child prostitution’ and the debate was framed “in terms of the moral and physical welfare of children rather than women and women’s rights” (Kantola and

Squires, 2004, p. 76). When a government consultation review group was formed after the coming to power of 'New Labour', it included, together with representatives of feminist NGOs, the Women's Unit and the Women's National Commission (WNC), a large number of representatives from children's charities (Kantola and Squires, 2004). The 'trafficking' debate, like the debate on prostitution during the 1980s and 1990s, is dominated by a moral concern, which ordinary women and female Labour MPs alike articulated in terms of protecting 'innocent women ... from the manifestations of conspicuous sexuality' in the case of prostitution (Kantola and Squires, 2004, p. 70), and in terms of 'child prostitution' as a form of 'modern slavery' in the case of 'trafficking' (see O'Connell Davidson, 2005). As Niki Adams (2003) from the ECP comments, as a result of the new legislation against 'trafficking' introduced by the UK government as part of the Nationality, Immigration and Asylum Bill in November 2002, a series of raids in Soho, London, led to mass arrests, detention and deportation of migrant sex workers by the police, who justified these operations by saying that "they were 'liberating victims of trafficking'" (Adams, 2003, pp.135-136).

In the US, feminists who campaigned against child pornography in the 1980s and against 'trafficking' in the late 1990s were animated by a similar emphasis on the "immorality of child sexual exploitation" (McBride Stetson, 2004, p.252) and on prostitution viewed as "sex exploitation that affects the status of all women" (p.259). As Weitzer (2005) remarks, feminist authors such as Andrea Dworkin, Catherine MacKinnon, Kathleen Barry, and Sheila Jeffreys, in viewing prostitution as "the epitome of male domination and exploitation of women irrespective of historical time period, societal context, or type of prostitution", adopt an extreme version of radical feminist theory, which is "absolutist, doctrinaire, and unscientific" (Weitzer, 2005, pp.934-935; see also Davies, 2004). The most apparent sign of the regressive and conservative evolution of feminist campaigning in the US at the peak of the 'trafficking' debate, is the decision of groups such as Equality Now, Feminist Majority and the Protection Project to ally with Chris Smith, a conservative Republican prominent in the

anti-abortion movement (McBride Stetson, 2004; Chapkis, 2005). When the Trafficking Victim Protection Act (TVPA) was passed in 2000, a two-tier definition of 'sex trafficking' was included, with *sex trafficking* defined as 'the recruitment, harbouring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act', and *severe sex trafficking* defined as 'a commercial sex act induced by force, fraud, or coercion or in which the person induced to perform such act has not attained eighteen years of age' (McBride Stetson, 2004, p.259). In line with the Clinton administration's intention to make 'trafficking' gender-neutral and to include other forms of labour exploitation in the definition of 'trafficking', however, "protections, sanctions and penalties of the new law applied only to *severe sex trafficking*" (McBride Stetson, 2004, p.259). This means that the old distinction between 'innocent victims' and 'guilty sex workers' was applied in US anti-trafficking policy, which in practice does nothing to improve the conditions of the majority of migrant sex workers, nor does it protect the rights of those who are abused (see Chapkis, 2005). In the end, US radical feminists, via the international channel of the UN Trafficking Protocol, succeeded in maintaining a definition of 'trafficking' and 'victimhood' which did not separate coerced from 'voluntary' prostitution. As we saw in chapter 3, in the UN Protocol, consent of the victim is irrelevant to the definition of sex trafficking and this was considered by groups such as CATW as a 'victory' of the abolitionist cause (Raymond, 2002; see also Sullivan, 2003; McBride Stetson, 2004). As for the US anti-trafficking policy, its imperialist approach may be detected in the authority the TVPA gives to the president "to impose sanctions on governments in countries of origin, transit or destination who fail to meet minimum standards in combating trade" (McBride Stetson, 2004, p.259), a move which in itself allows the US government to pursue wider interests of foreign policy nature which have little to do with human rights concern.

To summarise, feminist abolitionism in matters concerning 'trafficking' and prostitution has always been infused with moralising principles concerning the sexual

exploitation of ‘innocent’ girls and women, and recent feminist groups and activists who defend the abolitionist principle in the laws on ‘trafficking’ and prostitution have, like those in the past, resorted to the same rhetoric about ‘slavery’ as the human rights violation occurring in both ‘trafficking’ and prostitution.

I will next look briefly at the Italian evolution of feminist thought, and discuss it in relation to sexuality, the family, and domestic work, as the three issues which mobilised Italian feminists in past and recent history. Particular attention will be paid to the role of the Church in shaping policies affecting women and to the ‘race’/ethnic question within Italian feminism.

7.2 Women and the limits of freedom: Italian feminism

In Italy abolitionism of the type pursued by the LNA had great resonance and influence and engendered a debate around free and forced prostitution, which, while gaining consensus in national and international law around the notion that prostitution was against ‘human dignity’, also stigmatized prostitutes as either ‘fallen’ women who did not need protection from the state, or as ‘innocent’ in need of protection and discipline.

Mary Gibson (1986, 1987), like Judith Walkowitz (1980) in Britain, has demonstrated that the regulation of prostitution in Italian society through the Cavour Laws introduced soon after the unification in 1861 and subsequent laws, had generated a ‘dangerous class’ of women as diametrically in opposition to the class of ‘normal’ women.

Registration made public a status many of them did not consider basic to their identity but which became, as a consequence, harder to shed. To a great extent, the widespread resistance of prostitutes to police was a resistance to the rigidification of their status that lessened their opportunity to move on later to a new job or to combine prostitution with the role of wife and mother. (Gibson, 1986, p.126)

While the regulation laws before the introduction of the Merlin law tried to keep a balance between toleration and restriction of prostitution, and were preoccupied with aspects

of public order, morality and, above all, health, it was during the fascist period that regulation in Italy reached its peak, with the establishment of state brothels or 'toleration houses'.⁶² Under the fascist regime, the penal code (Articles 531-538) and other laws passed in 1926, 1931 and 1944, punished procuring, exploitation of the prostitution of others and the traffic in women and children.⁶³

As in Britain, abolitionism, and successively the 'white slave trade', were the themes around which the first feminist struggles began in Italy. The movement, led by middle-class feminists like Anna Maria Mozzoni and supported by workers' organizations and even working-class women, took up European, particularly English, abolitionist slavery rhetoric. With regard to the views of some of its representatives, Gibson observes that, in their eyes,

It was hypocritical for the Italian state to proclaim the inviolability of civil rights and at the same time sanction the slavery of a special class of women in order to meet the "natural" sexual needs of men. Mozzoni took up the theme of hypocrisy when she pointed out that the horror of her countrymen at American slavery, the oppression of Christians by Turks, and the African slave trade did not often extend to the regulation of prostitution. (Gibson, 1986, p. 46-47).

It is important to remember here that Italian abolitionist women, unlike their British sisters, had never experienced anti-slavery activism within the Italian Antislavery Society, since this was an affair involving mainly the clergy, the aristocracy and some politicians, and membership remained almost exclusively male (Ribi, 2006). Having said that, nineteenth century abolitionist women in Italy, as elsewhere in Europe, never distanced themselves from conservative values related to sexual purity and the family, nor from a nationalist sentiment encapsulated in the idea of the 'Fatherland' and the culture of *Risorgimento* (Gibson, 1986; see also Soldani, 2002). The campaign against the traffic in women in the first fifteen years of

⁶² See S. Scioli, 2006, 'Uno studio sulla prostituzione nell'Italia positivista. C. Lombroso – G. Ferrero, *La Donna Delinquente, La Prostituta e la Donna Normale*, Torino, Roux, 1893', *Bibliomanie. Ricerca umanistica e orientamento bibliografico*, n. 4 (Gennaio-Marzo 2006). University of Bologna.

⁶³ See S. Oriano, 'Il quadro legislativo e le proposte di modifica in discussione in parlamento', in Maria Gigliola Toniollo ed. *Una riflessione in tema di prostituzione* (Seminario CGIL nazionale, Roma, 10 novembre 1994, Dipartimento Diritti di Cittadinanza e Politiche dello Stato). http://www.cgil.it/org.diritti/documenti/sessualita_0008.doc

the twentieth century retained all these elements and Mary Gibson documents the alliance made by abolitionists with Catholic institutions which took the anti-white slavery cause as a moral duty and considered prostitutes as women who “did not deserve liberty but required redemption” (Gibson, 1986, p. 61). In reality, by the time the white slavery campaign was launched in Italy, the Italian feminist movement had shifted from the more radical and progressive critique of sex and class privileges made by early individual feminists like Jesse White Mario and Mozzoni, and this shift is summarized by Gibson as one from nineteenth century ‘emancipation’ to twentieth century ‘feminism’ (see Gibson, 1986, p. 63). While prostitution was identified as a women’s issue by Italian feminists, the anti-white slavery campaign, in alliance with Catholic women, pushed the issue from economic and political analysis to arguments about immorality as the main cause of prostitution. In so doing they attracted more support from regulationists, who argued that it was more appropriate for abolitionist women to “create female reformatories, rather than mix themselves up in politics” (Gibson, 1986, p. 70-71). The focus on the international white slave traffic also diverted attention from the question of the tolerated brothels, which in Italy remained legal and State regulated until 1958. The signing of the 1904 and the 1910 conventions against ‘white slavery’ did not involve for the Italian state an endorsement of abolitionist policy, since, as pointed out by Doezenia (2002), these two conventions “were limited to the traffic in ‘unwilling’ women, and covered only recruitment, not conditions in prostitution workplaces” (Doezenia, 2002, p.23). They therefore left individual governments free to deal with prostitution at home as they chose. With the signing of the International Convention for the Suppression of the Traffic in Women in 1949, however, the abolitionist philosophy became a model for all signing states, and Italy, as one of the signing parties, was now under pressure to get rid of its regulation system, since, as pointed out by Reanda (1991), this convention made no distinction ‘between national and international traffic and made brothel-keeping and similar practices punishable’ (Reanda, 1991, p.209). The passing of the Merlin Law in 1958

introduced the basic abolitionist principles in Italy: 1) closing down of state brothels and prohibition of using private houses or locales for prostitution purposes, 2) abolition of imposed medical and police control on prostitutes, including registration, 3) punishment of third party involvement in prostitution and of exploitation of prostitution of others through the 'procuring' offence. While this law, as most abolitionist measures, does not punish prostitution in itself, it punishes the exploitation of prostitution and other prostitution-related offences, such as disturbance of public order and indecent behaviour in public spaces. As pointed out by Danna (2004b), the object of the Merlin law is the protection of 'public morality' and decency, and justifies restrictions on prostitution on the basis that it is an activity which endangers the social order and is responsible for the spreading of sexually transmitted diseases (p. 6).

In spite of this limitations, the Merlin law was supported by all the main parties who had signed the Constitution in 1948, because it represented for Italy a step towards being accepted by the international community as a credible and reliable democratic country (Gibson, 1986). For Italian feminists, the Merlin Law represented a victory in a battle that had lasted one hundred years, but Italian feminism did not overcome its contradictions and weaknesses in matters concerning women's role in society, the family, and the separation of public and private spheres, as the post-war period amply demonstrated.

As Andall (2000) observes, from the beginning of the Republic, women found it extremely difficult to oppose a Catholic tradition which considered them essentially in their maternal role, as enshrined in Article 37 of the Constitution, according to which "[...] Working conditions must allow them [women] to fulfil their essential family function and ensure a special and adequate protection for mothers and children" (cited in Andall, 2000, p. 24, my square brackets). While this protection in reality is applied only for a small percentage of women working full-time in the public sectors, leaving the great bulk of the part-time female workers with no protection in terms of maternity leave and pregnancy, the Article

reflects an acceptance on the part of Catholic and non-Catholic women alike of their family and maternal role for most of the post-war period. It was in the peak years of the Italian women's movement, when women won the referendum to legalise divorce in 1974 and especially the one to legalise abortion in 1979, that the maternal and family role was really put into question, and Italian women even refused motherhood as a gesture of collective solidarity with all other women (Andall, 2000). But, as Andall and others have pointed out, the evolution of Italian feminism must be measured with the ways and degree in which Italian women included race and ethnicity as part of their theoretical constructions (Andall, 2000, 2004; see also Scrinzi, 2004). One way to do this is to consider the ways in which Italian feminists coupled their analysis of sexual and family roles with paid and unpaid domestic work as another central theme of feminist concern. With this regard Andall notes that, at the time when migrant women were already working as domestic workers in Italian families and were struggling to be recognised as mothers within their own nuclear families, Italian women were engaged in their battle to have their right '*not to be mothers*' recognized (Andall, 2000, p. 36-7, original emphasis). Moreover, if we consider the second wave of Italian feminism during the 1980s and 1990s, Italian feminists embraced the philosophy of 'difference' in an attempt to reconcile their roles as mothers with their careers outside the family, but, as Andall (2000, 2004) points out, the politics of difference was based on the idea of solidarity among women which would justify the employment of other women from the lower classes and from the migrant community as paid domestic workers and so replace them in their roles as housewives and mothers. Even the Acli-Colf organization which had struggled for the recognition of domestic work as 'work' and not just an extension of women's roles within the family, and for the recognition of the rights of domestic workers as part of the battle for women's 'liberation' and for the re-distribution of the roles within the family, did not include migrant women in their analysis of structural inequalities (Andall, 2004). Even when migrant women began to be included in the debate within the organisation, it was on the premises that

their disadvantage was not linked to specific racial and ethnic discriminations but to a wider class question (Andall, 2004).

As noted by Scrinzi, while over the 1990s some extreme forms of exploitation of domestic labour done by migrant women were presented in the European press as part of the 'new slavery', particularly in France through the *Comité contre l'esclavage moderne*, and in Britain through Antislavery International, in Italy the figure of the live-in domestic servant was resurrected and became available across a wide range of social classes (Scrinzi, 2004; Degiuli, 2007). Moreover, the presence of migrant women within Italian families as live-in care and domestic workers, was presented by feminist researchers as a consequence of the structural changes taking place within the family, with the presence of one-parent families and the fact that Italian women, even when not pressured by economic necessity, preferred to work outside the family (Alemanni, 2004). There was a general tendency to see the employer-employee relations in the domestic field not in terms of the asymmetry of power between Italian employers and their employees, but in terms of an increasing 'solidarity' between women who are united by their gender roles, thus ignoring the abuses linked to migrant women's specific ethnic and racial identities and to the fact that they are usually stereotyped either as ('good') domestic workers or as ('bad') prostitutes (Andall, 2004; Scrinzi, 2004; Maluccelli, 2002). Even when some research emerged about the exploitation and abuses of migrant women employed as domestics, they were linked to extreme cases of cruelty and sadism on the part of a few employers, rather than as a normal everyday labour arrangement based on the asymmetry of legal, economic and political power between employers and their employees in a field generally characterized by the informal, private and personal profile of relationships (Scrinzi, 2004; see also Dal Lago and Quadrelli, 2003; Vicarelli, 1994; Morini, 2001; Anderson, 2001; Zontini, 2001, 2002).

In reality, the rhetoric over the 'new slavery' was never really applied to domestic work in Italy in the same way in which it was used by Italian catholic and feminist

associations to describe migrant prostitutes, and this, as we saw, was also confirmed by my interviewees. Issues over the 'domestic slavery' of migrant women were not part of the discursive framework of Italian feminism, which continued to assume a category of 'woman' in Eurocentric terms and a gender model that excluded issues of 'race', colour and migrant status (Andall, 2000, 2004; Scrinzi, 2004; see also Frias, 2001). This Eurocentric approach to gender politics, as noted by many, has made Italian feminism and research on gender weak (Scrinzi, 2004; Andall, 2000, 2004; Frias, 2001), not only because it has excluded other women who suffer multiple forms of discrimination and exclusion, but also because it reflects Italian women's non engagement in a strong critique of the family structure and the distribution of gender roles within the domestic sphere, as the high presence of live-in domestic workers reveals. As Frias points out, the absence of recognition of rights for migrant women can be a reflection of the vulnerability of spaces gained by Italian women through their long struggles for social, economic, and cultural emancipation (Frias, 2001). It also reflects the unresolved question of reconciling Italian women's productive and reproductive roles, since, as Degiuli (2007) observes, "Regardless of women's increased participation in the labor market, in Italy the domestic world still remains 'a woman's domain'" (p. 194; also Alemani, 2004).

Next I will look at the way in which these weaknesses of Italian feminism are translated in social protection programmes, particularly as to the ways in which women's rights groups and agencies took part in the debates and policy-making process leading to Article 18, and then the ways in which their conceptions of 'trafficking' and 'protection' are articulated in interviews with women working in protection programmes.

7.3 Women's rights and protection programmes.

Although Article 18 of the immigration law was a gender-neutral piece of law (Danna, 2004a), in practice its implementation became influenced by the demands expressed

by the various groups which participated in the discussions, in particular women's rights groups. So, we could say that social protection programmes are the result of a 'gendering' of policy debates in the sense described by Joyce Outshoorn (2004) with regard to the politics of prostitution in western democracies, that is the ability on the part of "women's policy agencies [...] to bring gender ideas into the policy definitions", where 'gender' is used "to refer to meaning or ideas that people attach to biological [i.e. sex] and demographic [i.e. women] differences between them" (pp.2-3, my square brackets). However, as Outshoorn has suggested, the fact that gender meanings are introduced into a given debate, does not necessarily mean that the policy outcome will favour women's demands or that "women's movement actors are accepted as legitimate representatives for movement interests" (Outshoorn, 2004, pp.15-16). Indeed, the risk of *co-option* occurs "when the state accepts women and women's groups into the process but does not give policy satisfaction" (Outshoorn, 2004, p.16).

Returning to the Italian context and to social protection programmes, the first politician who in the early 1990s began to promote new measures to combat trafficking and assist foreign women escaping forced prostitution was Maria Paola Colombo Svevo, a female MEP from the centre-right Catholic party Partito Popolare Italiano (PPI, Italian People's Party), (Danna, 2004a). She was also president of the NGO 'Irene', based in Milan, and her approach to prostitution was, as Danna (2004a, p.170) puts it, "quietly [but] strict[ly] abolitionist [...] disseminating information that equates prostitution with violence against women" (my square brackets), although she was "apparently reluctant to launch press campaigns with these contents" (p.170).

As we saw in chapter 4 (section 4.4), other powerful Catholic groups were involved in the anti-trafficking campaign, such as Caritas and the Comunità Giovanni XXIII, as well as 'lay' NGOs, including feminist ones (Danna, 2004a). As with the last types of organisations, which are the focus of this chapter, we can list, on the institutional level, the Department for

Equal Opportunities led at the time of debates by the feminist Anna Finocchiaro from the centre-left party *Democratici di Sinistra* (DS, Democrats of the Left). Other female politicians active in anti-trafficking policy were Laura Balbo, a feminist sociologist and member of the ecologist movement within the Left, Minister of the Equal Opportunities Department from 1998 to 2000, Livia Turco, Minister of the Social Affairs and Secretariat member of the DS, and Rosa Russo Jervolino, Minister of Home Affairs (PPI) (Danna, 2004a). When the Interministerial Table for the Fight against Trafficking was established by Anna Finocchiaro in March 1999, she declared that “trafficking in women is a new and very serious problem, that we have to combat primarily with the punishment for reduction into slavery, instead of using the Merlin law” (Danna, 2004a, p.172). The rhetoric of migrant street prostitution as ‘slavery’ was continued by the subsequent right-wing Minister of Equal Opportunities, Stefania Prestigiacomo from Berlusconi’s *Forza Italia* (FI), who, in discussing in Parliament one of the many proposals to change the law on prostitution, states that “to tackle the problem of prostitution today means in the first place to face the reality of the tens of thousands of slave women who work in the streets. This is the starting point, the new fact which we did not have in 1958 [when the Merlin law was passed], and which must be considered by the legislator, with the awareness that this is a real emergency” (Prestigiacomo, Camera dei Deputati, 10 April 2002, my square brackets). In her speech, which aimed to propose the prohibition of prostitution in public space (i.e. street prostitution), the rhetoric of ‘environmental pollution’ and ‘degradation’, which legitimise hostility from residents is coupled with the rhetoric of ‘slave’ prostitutes who represent the majority of the prostitution phenomenon in Italy. Abolitionism was to be maintained, but only for ‘free’ prostitution, which involved a small minority of Italian women, according to Prestigiacomo, while for street (read migrant) prostitution, a prohibitionist and repressive approach was justified.

On the progressive side, apart from what Danna (2004a) calls the ‘ecumenical’ women’s policy agencies which opted for a ‘compassionate’ anti-trafficking policy, there was

also the women's movement, constituted by feminist grass-roots organisations, such as the Centri Antiviolenza (Anti-Violence Centres) and intellectuals operating outside the institutions. Their views on the Merlin law was on the whole positive, but, as pointed out by Danna, they give only middle-level priority to the issue and remain ambivalent towards prostitution, viewed as 'oppression' (Danna, 2004a, p.174). More radical groups and feminists who favour a normalisation of the sex trade are represented by the journalist Roberta Tatafiore, chief editor of the feminist magazine *Noidonne*, and groups such as the Comitato and the movement for the identity of transsexual people MIT. The former, author of *Sesso al lavoro* (1994), in the 1980s was active in a campaign to stop violence against sex workers and to promote the latter's civil rights, together with the two founders of the Comitato, Carla Corso and Pia Covre. Although for Tatafiore (1994) commercial sex is dominated by the same rules of demand and supply applying to all markets, she acknowledges the basic asymmetries in the exchange between prostitutes and clients, where the latter gets sexual and emotional gratification, the former turn their sexuality into 'sexual technique' (p.11). The Comitato, on the other hand, has never considered the treatment of prostitution as 'work' a priority in its campaigns, and, as mentioned in chapter 4 (section 4.4), has fought mainly for the abolition of the law which punishes aiding and abetting and for the right of prostitutes to work independently in small groups indoors (see Danna, 2004a). With this respect, then, we can say that its position does not contrast with that of some right-wing representatives, like the Prestigiacomo above, in the sense that, for that (minimal) part of prostitution which is 'free', it is possible to open the possibility for sex workers to aid each other in small business. For 'forced' prostitution, however, matters are different. The Comitato is part of the national and European anti-trafficking networks (through the Commission's Europap and Stop programmes) and gets funds from the Equal Opportunities Department to carry out social protection programmes under Article 18. Within this more 'institutional' role, the Comitato's president, Pia Covre, adopts the same rhetoric about 'trafficking' and 'enslaved' prostitutes

used by even the most outspoken representatives of religious groups. Consider what she says to a journalist from *La Repubblica* in the wake of the punitive measures used by some city mayors against clients, in summer 1998:

‘Public order’ is not our problem. ‘Public order’ means the criminal racket which imports women in Italy and forces them to work as prostitutes [...] The new law on immigration is an excellent instrument, where it provides that residence permits and work opportunities are granted to undocumented women who denounce their exploiters. These women must be protected and assisted. With the presence of undocumented women any effort to regulate prostitution is doomed to fail [...] The idea of self-help among independent prostitutes applies at the most to 10 per cent of the sex market. It is necessary to protect and help exploited women, that is the 90 per cent of undocumented prostitutes, which is altogether erroneous to define prostitutes. Because a prostitute is a woman who has chosen this profession, whereas undocumented women work in the streets out of hunger, or because they are forced by the racket. (My translation)⁶⁴

She continues by saying that those who are forced by poverty or criminal organisations lack ‘professionalism’ and so endanger the achievements made by professional (i.e. Italian) sex workers in terms of health, safety, and the ability to negotiate with clients. Whether Pia Covre made these statements in a calculated way, to keep favour with those distributing Article 18 funds, is irrelevant here. What is relevant, instead, is that the above quote disqualifies the claim advanced by some commentators, namely that the ‘trafficking’ debate suffers from an endemic absence of sex workers’ voices and an excessive predominance of intellectuals, who therefore have a ‘privileged’ position in the debate (see for example Garofalo, 2007). While I agree that the ‘trafficking’ debate must include more voices from those involved in the sex trade, including clients’ and even ‘traffickers’, I do not agree with Garofalo’s assumption that, in order to understand prostitution from the perspective of the many sexual exchanges occurring in contexts of social relations other than prostitution (including marriage), one has to bring the voices of sex workers back to the centre of the ‘trafficking’ debate, because only sex workers can see from that viewpoint. Certainly this

⁶⁴ Interview with Pia Covre. *La Repubblica* 22 August 1998.

assumption does not consider the fact that sex workers might have many, diverse, voices, and that some of these voices, such as Covre's, a sex worker, activist (and a feminist we may add, but this should not position her at the 'margin' according to Garofalo's arguments), already occupy a 'central' position within the 'trafficking' debate and policy (the Comitato was part of the Interministerial Table for the Fight against Trafficking), a position which allows her to 'speak' for all undocumented women as 'unprofessional' prostitutes and as 'slaves'.

To summarise, although 'progressive' feminists and politicians and more radical groups participated in the debate and policy-making process which led to Article 18, the predominant understanding of 'trafficking' was influenced by the militant role of powerful and well funded Catholic groups and agencies, including some Catholic parties. Although we cannot speak of a formal alliance between feminists and religious groups in Italy, we may speak of an 'informal', unspoken, alliance between them, as in the end all participants in the debate defined the problem as one involving young girls abducted and sold, a problem that could not be treated in terms of sex workers' rights and self-help, but only in terms of 'freeing' slaves. Anti-trafficking campaigners of different stripes adopted a moral approach to the anti-trafficking cause, and implicitly accepted the old Catholic belief that prostitutes "did not deserve liberty but required redemption" (Gibson, 1986, p.61), this time applying it to street sex workers.

In the light of what has been said above, I will next explore the way in which women working in social protection programmes articulated their interpretation of 'trafficking', prostitution, migrant prostitution, migrant women, and what is the meaning of 'freedom' within social protection programmes.

7.4 Women's rights and the return to domesticity

I have already explained that a 'flexible' interpretation of social protection which did not consider denouncement as an essential requirement for getting a residence permit under

Article 18 was gradually substituted with a more rigid one, which viewed Article 18 merely as an instrument to ‘catch’ traffickers, and so as an exchange between the state and the migrant woman, whereby the former obtained useful information and the latter gained some citizenship rights in the form of residence and work permits. This means that in practice we have a situation where women’s rights groups, which had pressed for a ‘social’ approach to protection, were increasingly marginalised at the advantage of an institutional approach which privileged the demands of judicial authorities, which, as we have seen in chapter 5 (sections 5.2, 5.3, 5.4), often collaborated with religious groups. The latter, as it was the case in Catania and Lecce in particular, proved to be more efficient in the eyes of the police and judges, to gain information about ‘traffickers’ and at the same time were more ideologically inclined to wish to ‘clean’ the streets from the ‘shame’ of prostitution. We can understand in this sense the disappointment expressed by some women working in social protection programmes, and also their eagerness in describing their projects as centred around the rights of the women towards whom they were targeted:

Our basic principle is that the woman has to decide about her life, so she has to decide whether to report or not ...whether to access programmes or not ...we never use words like ‘rehabilitation’ or ‘salvation’ ...freedom and self-determination are our two principles.
(Female psychologist1, Lecce)

In the same way that women present their projects as characterised by a philosophy of ‘emancipation’ and ‘self-determination’ and in opposition to any logic of ‘salvation’ and ‘rehabilitation’, they also lament the strict rules of social protection programmes, which link regularisation to the decision to abandon the streets and which make the residence permit under Article 18 subject to revocation ‘if the woman undertakes an inappropriate behaviour’ (read goes back to prostitution):

With regard to what is considered as inappropriate behaviour, that is when the police finds a girl working in the street. Well, I think this is unconstitutional, if something like that happened to our association our lawyer is a passionate woman who would fight in court in an event

like this ... the law doesn't prohibit the exercise of prostitution in itself... (Female project coordinator1, non religious group, Catania)

Women professionals working in non-religious projects tend to defend, in their narratives, migrant women's right to work as prostitutes if they so decide, and so they often blame the institutions for treating protection programmes as a kind of disciplining machine within which they are constrained to operate:

I think that there is certainly a gap between the political intention behind Article 18 and its real application ... I participated in conferences and meetings with women engaged around Article 18, and the idea behind was not certainly a moral one ...

What is clear is that Article 18 is being applied to satisfy security demands on the part of the population, to fight criminality, but not really to protect the rights of women...I know of some women prosecutors who had the intention of helping the women and who wanted to apply Article 18 in this sense, but they were operating within a legal machine which forced them to ask questions like that ('how many sexual relations? With how many men?', see chapter 6) , because the defendants' lawyers who were present wanted to hear those questions... it's like they want to make sure that the woman was not really guilty ... (Female flight house coordinator1, non-religious group, Rome)

Behind these women's arguments about migrant women's right to work as prostitutes there is the awareness, not only on their part but also on the part of other male professionals working in social protection programmes, that it is often difficult for migrant women to stop working in prostitution because in many cases it allows for higher income, and sometimes, as we saw in interviews with migrant women, for better treatment when comparison was made with domestic work. Thus, the interview extract below with a lawyer in Catania, expresses this problem well:

Religious groups interpret Article 18 in a sort of extreme way linked to the concept of sin, purification, redemption and resurrection etc. In opposition to this we can then consider another way of interpreting it based on the concept of freedom, freedom to prostitute as a free choice. I think that Article 18 should be seen as an instrument to give a person the opportunity to choose what she wants. To work in prostitution, however, is considered as incompatible with the protection programme under Article 18. Technically speaking, it is correct to withdraw a residence permit if a person is found in the

streets, in that this behaviour is contrary to the protection programme. But generally speaking we have to consider also that there are many people who are not able to find a job, are not given adequate pay and their only possibility is to work in prostitution. In this case there is no contradiction in the fact that the person works as a prostitute, but it is still in conflict with the law. A person who accept a social protection programme can't be found to work in prostitution contexts. If a person states that she is in danger and that she wants to be socially integrated, prostitution is not a form of social integration.(Male lawyer1, Catania)

This lawyer, in expressing the contradiction between the freedom to prostitute oneself and the unacceptability of prostitution as a form of work and therefore as a form of social integration, is expressing the contradiction of abolitionism in general as a prostitution policy. However, the uneasiness about prostitution as a form of work for migrant women is also expressed by women working in non-religious projects, although they do it by offering arguments about migrant women's specificities as a disadvantaged group. Thus, sometimes the same women who profess a commitment to women's rights to self-determination find it difficult to accept that migrant women might have chosen to work as prostitutes:

It's stigmatising for the woman to be treated like one who knew she was going to prostitute ... if she is in a situation of violence, exploitation, she is trafficked ... Of course even some Italian women used to work in the streets and had to give money to someone, but if there is an organisation involved ... also the fact that at one point the woman herself says 'no, I want to stop this', this is indicative of a situation of trafficking as well...(Female psychologist1, non-religious project, Lecce)

Even when these female representatives of non-religious groups recognize that migrant women 'choose' to work as prostitutes because of the economic advantages linked to sex work, they maintain that their choice was not genuine, because the context in which it was made did not leave them with any other option. They can thus end up by using the slavery rhetoric to draw a line between what would constitute self-conscious prostitution and what is from their point of view 'slavery', even when the woman concerned is earning good money:

In our experience all the women who didn't want to enter protection programmes did so because they wouldn't be allowed to work as prostitutes once in the programmes. So these women would just inform us that they would soon finish paying off their debt and therefore be able to work independently...

There is also the economic aspect to consider ... They know that with protection programmes we wouldn't be able to offer them anything better than domestic work with a maximum of 1,000 Euro per month ... With prostitution they earn 10-20 times this amount, they manage to support their family and themselves, so what can you say to them? I can only tell them to contact the people who will be able to tell them how to do this job in a safe and independent way...

... When we speak about people like Carla Corso, they start from a condition where they have their basic needs satisfied, they are in a country where there are opportunities ... Women in Hungary, they start from a condition where they don't have enough to eat ... it's a situation of weakness from the start. Women in Budapest don't have any other alternative ... No, I don't see a sign of emancipation here, because there are no other options ... you see, the women I'm talking about (Italian women like Carla Corso) could have chosen the same jobs that we do, they could have gone to university or get a diploma and work in a firm or whatever ... they chose something different. But, women in Budapest, if they don't work in hotels, what would they do?

I don't deny that there are women, I mean migrant women, who also choose to work in the street, and they told me clearly that they intend to continue to do this job for a certain time ... (Female psychologist1, non-religious project, Lecce)

This is not something we invent. Prostitution of migrant women and prostitution of Italian women are two totally different things...

I was lately in a conference on Nigerian prostitution where a member of the Committee for the Civil Rights of Prostitutes was present ... Pia Covre claims in favour of the right to freedom of prostitution for a woman who freely chooses it as a job ... I mean I would argue that a person's freedom to prostitute is always limited ... up to what point are you free to choose to prostitute? Anyway I respect this personal freedom up to a point. But it's different for an Italian woman who can choose between working as a secretary or as a public employee or whatever, and a Nigerian woman, it's really abysmal ... you can't talk about freedom of choice in this case...

For me these women are slaves, women who've gone through five voodoo rituals ... I mean there are really moral consequences. (Female psychologist1, non-religious group, Rome)

The above narratives reveal a clear cultural differentiation between western/Italian prostitutes. These interviewees, as much as police and religious key actors, reproduce stereotypes about migrant women's – especially Nigerians' – incapacity to contract.

My research on protection programmes suggests, however, that the real problem with them is that, after allowing for a residence permit on the condition that a woman does not go back to prostitution, they do not offer a realistic ‘integration’ through a range of job opportunities. What is even more problematic from a feminist point of view, is the fact that what social protection programmes offer in the end is very often a job as a domestic in a family, as data from the Equal Opportunities Department (Figure 7, chapter 5) and my own interview data show clearly. The fact is that 35 per cent of those who access social protection programmes in Italy end up by being employed as domestic workers, a sector characterised by exploitation, abuse and lack of security since it is always the employer who decides whether to maintain the contract or not. In a context where, as Scrinzi (2004) has documented so well, the qualities of the potential workers in this field are inextricably tied to the ‘cultural authenticity’ of the person, in itself implying the construction of stereotypes about Filipino women as ‘good domestic workers’ and African women as ‘bad domestic workers’/‘prostitutes’, women who come out from social protection programmes are doubly exposed to the employer’s position of power. Moreover, there is always the risk that the woman’s privacy and her past engagement in prostitution will come out in spite of the protection offered by project professionals. The precarious status to which migrant domestic workers are subject is thus summarised by Scrinzi:

The professional ability of the colf [domestic worker] is constructed as availability, personal and at the same time ‘ethnic’ quality. In this framework, the success or failure of migration depends on women’s ability to maintain their assumed cultural identity. Migration is presented as a problem, a source of moral disorder, as a condition which risks getting into criminality for men and prostitution for women (Scrinzi, 2004, p. 127, my translation, my square brackets)

Some women working in social protection programmes recognise the cultural prejudice that migrant women have to face once they finish the programmes and enter the

labour market. Thus, to the question whether migrant women who complete protection programmes do gain real citizenship rights, two women are quite explicit:

It would be too simplistic to say yes ... I know only the first part of their integration process, but when they get integrated what type of job they do and the quality of life they have is quite another matter, but this probably doesn't depend on Article 18, but on society in general ... It depends on the place, on the local community ... Rome is quite open, at least more open than other places ...

Black women have more difficulties, they are stigmatised for having been prostitutes, they are recognised by people, they are objects of men's fantasies ... They are discriminated against because they have black hands, and so in hotels they don't want them because they would touch bed sheets with their black hands ... this is the reality. The girls who have recently left the flight house tell us this, that people look at their bottom ... they would probably do it with white girls as well, but black girls inspire another type of fantasy. I think this is a colonialist cultural legacy, how would you otherwise explain that a girl can't do the beds because she has black hands? (Female flight house coordinator1, non-religious group, Rome)

There is a certain openness with Romanian women, may be because they are white ... there are in Rome private firms with some experience in employing women from Romania ... so there is some openness with white women ...

It's just that people in general think that some women, like black women, are prostitutes, because they normally see them in the streets ... so they always get identified that way, even women who've never been prostitutes ...

For East European women it's different because they work in families, doing care or domestic work, so they have a familiar kind of connotation... they are domestics. We could also read it by saying that black is more disturbing than white in general, it's more frightening ... (Female project coordinator1, Rome council)

We have already said about the tendency of narratives of professionals working in social protection programmes shifting from the rhetoric of victimhood to the rhetoric of laziness and ingratitude. I would now like to link this ambivalence with women professionals' failure to see the experiences of migrant women beyond simplistic stereotypes, and also their failure to operate outside the logic of 'helping' unfortunate others from whom they would expect gratitude. This 'expectation' element is more accentuated in women working in religious projects, who, when faced with migrant women who do not behave in the expected

way, for example do not learn how to be a good domestic worker, express a sense of frustration:

In the house they have to learn how to use time, how to do tasks, how to care about their things ... They used to sleep during the day because they were working during the night. You know, there are very simple things that they have to learn how to do, for example domestic chores ... it's very tiring to teach them, because they don't want to follow instructions, to be subjected to common rules ... like you have to clean the floor in a certain way, otherwise you can't go to work in a family... Domestic work is the job option they have, but they must do it properly, instead they say 'no, we can do it our way, we are good. We don't need that you teach us'. So this is the kind of difficulties we have in the house... another example, to get them to understand that they have to have breakfast at a certain time because then the kitchen must be cleaned ... These are very simple things, but we find difficulties... (Female psychologist2, religious group, Rome)

We had to get the idea that we were helping them out of our head. For them we were not helping them, we disappointed them, just like their exploiters disappointed them. You must know that when they decide to come to Italy it's not because they are hungry, they come from poverty, but they don't just want to get basic things, what they want is luxury, and we can't give them luxury. When you offer them a work with 400 Euro wage per month that would allow them to send some money back home and improve their life a bit here, for them you are not helping them, because the money will not be enough to meet their expectations, which consist in buying expensive wrist watches, spend a lot for wedding and funeral ceremonies back home. The money they earn with the jobs we offer is not enough to pay for all this things. Nigerian girls don't come to Italy because they are hungry, have you ever seen a Nigerian girl with anorexia? They come here because they want to earn a lot of money (Female psychologist1, religious project, Palermo)

This 'expectation' element also emerges from narratives provided by women working in 'progressive', women's rights oriented, projects. In this case, however, the disappointment at not feeling properly rewarded as women who were helping other more unfortunate women is concealed by arguments about cultural differences between western and non-western women:

Well, it's not easy for some women to accept that they have been exploited and to perceive themselves as victims ... I mean we are western women who tell them 'look, you've been exploited' from our viewpoint. But in some cultures there is often some degree of suffering which is accepted as natural ... there are women who say 'well, yes you are right, but I accepted all this because in my country my husband would get drunk and beat me up anyway, it's normal'. They don't understand why we western women do all this, like offering them a place to stay, helping them to find a job, to learn Italian, etc. They ask 'why do you do all this?'.

It's a different position they have, it's as if they say 'if you are a woman you have to take it into account some amount of suffering' ... So for them it's as simple as that. This is why cultural mediation is so important, because it helps us to decode some language, to understand their values.

(Female psychologist1, non-religious group, Rome)

It is worth remembering that the accent on cultural differences has prompted in Italy a whole sector of jobs in the field of cultural mediation and a number of inter-cultural associations have tried to compensate for the aforesaid absence of a 'race' perspective in Italian feminism. In this field migrant and Italian women cooperate in project-making for the creation of public services for migrant women, providing training opportunities, as well as a range of cultural events and antiracist educational projects. However, as pointed out by Frias (2001), these associations, which function mainly through EU funds, are still characterised by conflicts determined by the different socio-economic and cultural positions occupied by Italian and migrant women and for the different perspectives from which they operate. They represent a weak example of 'black women' politics, since, while giving many migrant women the opportunity to come out of their isolation in the domestic sphere and to acquire a more collective subjectivity, they are still constrained by their dependence upon EU financing of projects which never go beyond the creation of income-generating activities based on domestic work and care cooperatives, more rarely on self-employment in the catering and tailoring sectors (Frias, 2001; see also Andall, 2000, 2004). This institutional inadequacy in terms of creating real job opportunities for migrant women is also present within social protection programmes, as one of my interviewees explains:

The whole Roxanne project aims to allow women, wherever possible, to find work solutions which are not the usual migrant work niches, like domestic work or care work ... we try to avoid them getting trapped in another exploitation circuit.

We can follow more closely the women in the flight houses, however we don't have a lot of training bursaries, only ten per year, so we have to select within a limited number, those who can give the best results.

For the others we have to resort to informal contacts ... in Rome you don't have big firms, it's only small-medium size firms, or family groups. Sometimes we had some contracts with the local movie rental shop, or with supermarkets... So these are the best work options we can find, alternative to domestic work.

The other gap we have is contacts with trade unions and the various confederations for commerce and industry. The Equal Opportunities Department which funds the various bursaries and article 18 programmes, has not made any move to include these economic actors in the various meetings. It's only the single project operators who, by their own initiative, contact these actors, but it's not their job really ... more importantly, trade unions have not been involved in these projects, we solicited their intervention, but they were absent. This lack of trade unions involvement leaves a lot of rooms for risks of labour exploitation. There is no general institutional framework within which work integration takes place in other words.

This is a pity really, because there are a lot of women who are willing to invest their potentiality in Italy, they could give an economic contribution, but they are not helped, they don't get proper support from the institutions ... (Female psychologist1, non-religious group, Rome)

This and other extracts point to women professionals' uneasiness about the constraints within which protection programmes operate, and express their doubts about the validity of these programmes as instruments for socio-economic advancement. Women working in protection programmes rightly identify an unwillingness of the traditional left and trade unions (still fairly patriarchal and conservative as elsewhere in Europe) to engage with efforts to protect migrant women's rights. However, they are nevertheless in a position of power vis-à-vis migrant women, and they often use their power to the advantage of the organization they represent and from which they get an income. As this interviewee commented:

I don't believe in the good intentions of these organisations. They get money out of this, so they are not voluntary in the real sense. If a

professional like a lawyer does voluntary work it is really voluntary, but if someone sets up an organisation and gets an income out of it, it is not voluntary work. I have seen behaviours on the part of these organisations that are not humane, like people, say children, being thrown out from shelters because they needed an extra place for their project.

(Male lawyer1, Catania)

More generally, Italian women have acquired a prominent role in the voluntary sector and in the inter-cultural field, which represents the only arena where migrant issues and policies are elaborated and addressed, and this confines ‘black’ politics in Italy to the private sector, with government playing only a regulatory role and not being directly engaged (see Però, 2005a; 2001; 2002).

It is within this framework, then, that we must read social protection programmes for ‘trafficked’ prostitutes, and consider them in the light of women’s acquisition of power in the social field (see Agustin, 2005), and in what Tamar Pitch sees as a process of ‘social control’ characterised by the shift from repressive to creative mechanisms of conflict solving and identity formation which, in the case of women, have centred around the notion of sexuality and its management in relation to gender identity (Pitch, 1987). Pitch observes how in the course of the legitimization of a feminist discourse in Italy, which has problematized themes like madness, prostitution and crime as products of subjection, women engaged in this discourse have also in their practice contributed to “*produce social control*” (Pitch, 1987, p.10, original emphasis). During the 1970s, she continues, Italian feminists who were engaged in the political battle for psychiatric reform, schooling, housing and health provisions, at the same time in which they called for an extension of the public control of the private sphere, were also producing ‘norms, discipline and repression’, so that “sexual violence, domestic violence, violence against children, pornography, have become social problems” (Pitch, 1987, p.10). What is instructive about this production of social control by women over women is the fact that, while feminists in the beginning had refused any discourse on sexuality “as a

discourse made by others for others” (Pitch, 1987, p. 9, her emphasis), they ended up by producing a discourse on sexuality which, as my interviews amply show, was being imposed upon migrant women with the help of a range of institutional actors who did not hesitate occasionally to use overt repressive attitudes towards them. In explaining the effects of social legislation in the field of domestic violence, Pitch, citing from the work by Stark, Flitcraft and Frazier, writes:

[...] social services inherit [also] the authoritative character of the patriarchal family and so make meaningless those ideals they are in theory called to socialize. As the role of medicine in the field of domestic violence suggests, the private sphere is reproduced in the services not like a space where autonomy can be apprehended and developed, but where it can be denounced, managed, and even eliminated [...] In socialising the previously private functions of health, protection and assistance, social services apparently satisfy traditional feminist demands [...] But this benign side is only a mask behind which services assume the traditional patriarchal task of guaranteeing women’s labour in the family. (cited in Pitch, 1987, p.11, my translation, original square brackets)

Women working in social protection programmes have come to realise that the whole institutional machine within which they work functions in such a way as to re-orientate migrant women’s labour and role back to the domestic/private world of relations where ‘work’ becomes indistinguishable from their identity as ‘women’, ‘migrant’, ‘undocumented’, ‘ex-prostitutes’, and where migrant women’s dependence on their employers renders their situation very unstable and precarious. Moreover, since it is clear that migrant women aspire not just to work but also to citizenship rights, it is not surprising that they often prefer a ‘good’ marriage with an Italian citizen as a better option, because it allows better access simultaneously to economic, social and legal rights.

Our project aims to give them a work independence, but there are some of them who decide to get married and get a little job, or no job at all. However, we give them the necessary tools to put them in the condition to find a job if they want to. (Female project coordinator¹, Rome council)

It is worth noting here that, although professional women recognized that there was excessive attention given towards prostitutes within protection programmes, and that exploitation in other fields was overlooked, they never explicitly mentioned domestic work and the family as a site of exploitation. This should not surprise us if we consider that to do so would force them to recognize their own position of power as, in most cases, employers of migrant domestic workers who replaced them as reproductive labourers in their own houses. The excessive focus on prostitutes and their bodies within social protection programmes was on the whole accepted and even approved, as we saw, by most women's rights activists and feminist and non-feminist, religious and non-religious, right-wing and left-wing, female politicians, and this indicates a failure on their part to analyse migration and sex work from the point of view of gender and subsistence economy (see Mingione and Redclift, 1985). This in turn suggests that it is more useful to think of migrant women's prostitution in terms of a strategy falling in a continuum of possible sexual relations involving exchange, including marriage at the other extreme. As Paola Tabet observes, the rigid separation between honest women and whores which came out from abolitionism, was so "ideologically marked" and so meaningful from a moral point of view, that prostitution could only be treated as "a form of slavery, in a real and not metaphorical sense", since no woman would want to find herself in that category (Tabet, 1986, p. 101). Yet, as Tabet found in her anthropological study of sexual relations involving exchanges going 'from gifts to fees' across different western and non western societies, these relations can take many forms both within marriage and outside marriage, in nineteenth century Europe, where working-class women could engage in cohabitation outside wedlock, part-time prostitution and marriage (Tabet, 1986; Walkowitz, 1980; Gibson, 1986), as well as in twentieth century African societies, where women engaged in a wide range of sexual relations from which they gained material and social advantages (Tabet, 1986; see also Hodgson et al 2001). Thus, in Nigerian societies the institution called *kuruwanci* is a temporary condition which allows a previously married woman to live in a

house together with other women in her condition (*karuwai*) and earn a living through sexual relations with men until she finds a good marriage option or acquires economic independence (Tabet, 1986; Cooper, 2001). As Cooper notes, the study of *kuruwanci* revealed that women in those societies where it is practiced “treat movement into and out of marriages as career moves, with *kuruwanci* serving simply as one ‘career’ option among several”. (Cooper, 2001, p.257). Nor is this institution stigmatised as ‘prostitution’, and the relative permanence of the sexual relationships involved and the courtships they entail, make for them the word ‘courtesanship’ more appropriate than ‘prostitution’ (Cooper, 2001).

The temporary character of prostitution is also highlighted by those doing prevention work and research on migrant prostitution in contemporary Europe (see Brussa, 1998). If, as Tabet argues, in many social contexts equally informed by patriarchal gender roles, women’s sexuality is reduced to a mere ‘service’, then the exchange of sex for money implied by prostitution and similar institutions across societies, acquires an extremely negative connotation because, through this exchange, women transgress the universal rules pertaining to “*the property of the persons of women in different societies*” (Tabet, 1986, p.127, original emphasis), and for this reason they “deserve to be punished” (Doezema, 1998, p. 42). From this inverted perspective, prostitution acquires the character of taboo because through the sex-money exchange women manage to escape the rules that want them to be objects of exchange between men, and become ‘subjects’ of exchange in their own rights (see Tabet, 1986). Although it is true that sexual services have always been contiguous with domestic services (see Agustin, 2005), there has also been evidence that in many cases women who chose prostitution often escaped domesticity and dependence on men or boring work in the factory (Corso and Landi, 1991; see also O’Connell Davidson, 1998). Italian female professionals working in social protection programmes should recognize this aspect of sex work across cultures, rather than simply distinguishing between ‘emancipated’ western prostitution and ‘slave’ migrant prostitution. If they did so, they would find that while most prostitution is the

outcome of an extremely limited number of options in western and non-western societies, it is also an income-generating activity which has helped many women, and even more so migrant women, to gain economic independence.

Let us now draw some conclusions from this chapter.

Conclusions

From this historical excursus we have seen that the free/unfree prostitution debate which shaped abolitionist campaigns both in the past and in more recent times, never spoke to the reality of women prostitutes who, at the turn of the twentieth century just as at the turn of the twenty-first century, found themselves caught in times of economic crisis and involved in massive migration flows as a consequence of increasing impoverishment and social pressure in their communities. Then as now, the introduction of regimes of police and social control was paralleled by a proliferation of knowledge which, while constructing prostitutes as either passive victims or as ‘fallen’ women, as ‘innocent’ or as ‘whores’, was never in touch with the social, cultural and economic realities surrounding both prostitution and prostitute use. Scientific research on the subject still relies too much on the language of NGOs who have often vested interests in reporting horror stories about prostitutes enslaved and exploited by ‘lovers’, ‘madams’ and ‘traffickers’. We have also seen that sex workers’ rights groups such as the Comitato also take part in using the metaphor of slavery, as members of the anti-trafficking network and actors involved in Article 18 programmes.

Ultimately, yesterday as today, albeit through different argumentations, ‘trafficking’ relies on a discourse which exploits social tensions and anxieties about sexual norms and behaviour as well as racial order. We saw in chapter 4 how contemporary discourse about trafficking in Italy has developed in a context of social fears about immigration which allows politicians to speak about the dangers of *meticcio* (race-hybridism) and of European

Christian cultures being enmeshed with non-Christian (read backward, undemocratic, barbaric, Muslim) cultures.

This notion of social control which feminist movements contributed to producing is linked not only to a discourse around the domestic sphere, but also to a discourse around the body as a site where strategies of domination are created through laws and practices over reproduction, health, and sexuality (Pitch, 1987; see also Virgilio, 2001). An extract from an interview with a male psychologist neatly sums up the kind of social control implied by social protection programmes:

NGO doing protection programmes present the victims with the best possible place, which is their idea of how they should live, the kind of work they should do etc. The problem then with Article 18 is that it formalises what is good behaviour, and the people who access to it automatically adapt to this formalisation of behaviour... I will make a parallel between protection programmes and Inquisition trials... In Inquisition trials it happens that the accused is progressively pushed through torture to say that they were allied with the devil, so women who took part in old pagan rituals were turned into witches as a result of these methods ...I don't want to suggest that NGO and organisations are like the Inquisition of course, but they create the language and the instruments through which people become fixed within a specific identity. (Male psychologist1, local Health Unit, Catania)

Where does this leave social protection programmes and the absorption of migrant women's labour within the domestic sector? I will address these and other questions that emerged in the course of this thesis in the next and final chapter.

Chapter 8

Conclusions

This thesis has explored the concept of slavery in its connections to both labour and to specific identity and cultural constructions linked to social exclusion and belonging. We saw from the analysis of the literature on slavery that both slavery as the opposite of free wage labour and as the opposite of belonging were social constructions which did not speak to the reality of slave societies and slave-master relations as they occurred in history. Our analysis of the academic debate on slavery showed that the very term free wage labour was the product of very specific philosophical assumptions about the human nature and civic society, human freedom and the political community. This philosophical tradition, known as liberalism and linked to seventeenth century Enlightenment culture, imagined that labour could be like a commodity to be freely exchanged in the marketplace by free individuals. The market was assumed to be regulated by natural laws where people act unhindered by social or material constraints, as if equally endowed with freedom of choice. This was a narrative which, while celebrating a specific conception of government and society as though created by a ‘pact’ contracted by free individuals, concealed a system of production which did not protect free workers from the abuse and overexploitation associated with industrial capitalism. On the other hand, this narrative was also based on a separation between those who belonged to the imagined political community and those who did not. Thus, the system of slavery created in the colonies was linked to the idea that some humanity could be defined as ‘civilised’ and some as made up by ‘inferior creatures’ who inhabited a world dominated by lawlessness and barbarity. In this narrative both wage labour and slavery were tied to some fixed, abstract conceptions of ‘Man’, human freedom, and consent, rather than to specific labour relations linked to a given historical moment and context.

My data has shown that these assumptions about slavery and freedom, uprooted from the history of labour relations, still play an important part in the way in which interviewees construct narratives about ‘new slavery’, imagined according not just to concepts of labour exploitation, but also according to representations of particular groups of people who occupy a particular position within the ‘imagined’ community, as ‘immigrant’, ‘woman’, ‘prostitute’, racialised Others, etc. In other words, key actors working in social protection programmes in Italy share the same narrative about ‘new slavery’ elaborated by Kevin Bales and other antislavery activists. Data confirmed that the term ‘new slavery’ is used not to denote some new trends in global labour and societal relations characterised by instances of inequality and exploitation, but rather to denote the division between a ‘developed’ and an ‘underdeveloped’ world, in a postcolonial fashion. It is a vision of the world which, as I indicated in the beginning of this thesis, is conservative. Moreover, insofar as it relies on an international humanitarian rhetoric based on the principle of ‘human rights’ conceived as a barrier to state abuses of individual rights, I agree with some International Relations analysts that this kind of humanitarianism, which is so cherished by contemporary anti-slavery activists such as Bales, is a type of ‘cultural imperialism’ (Barkin, 1998) which, while using the language of ‘horror’ and creating a symbolic state of ‘war’ and emergency, also uses the niceties of universal human rights and solidarities to transform the ‘Herd of Inferior Creatures’ into ‘domesticated’ consumers and cheap workers, who still remain potential ‘enemies’ within the great community of European citizenry. The citizenship of these Other people, however, remains an abstract principle of being ‘not harmed’, as David Campbell (1998) would put it, since this type of humanitarianism does not rest on a conception of human being as ‘being human’, in Campbell’s sense of being a subject of freedom and a subject of power:

Problematizing humanitarianism so that it is better attuned to the *humanitas* of man involves [...] rethinking the principle of humanity and recasting the subjectivity of victimhood. [...] The *humanitas* of man refers not to a notion of human being, but a conception of being human. It signifies an economy of humanity, within which various

renderings of human being distil and differentially value being human. (p. 506)

The humanitarian language of anti-slavery activism, of abolitionism, and of social protection programmes reflect an uneasiness with ‘recasting the subjectivity of victimhood’ and so migrant women’s identity remains fixed as “victims, incapable of acting without intervention, through the primacy of the concern with [their] oppress[ion] and devastat[ion]” (Campbell, 1998, p.506, my square brackets), and no concern whatsoever with their agency and resistance. The inherent conservatism of this humanitarianism is encapsulated in the fact that it is the same principle which, as Barkin (1998) points out, legitimises state’s use of border control as a ‘security’ practice (Barkin, 1998; see also Darley, 2006). It is also imperialist. Thus, the US approach to anti-trafficking policy gives the government, via the annual ‘Reports on Trafficking in Persons’, the authority to divide the world between ‘good’ and ‘bad’ countries and impose sanctions to the latter.

Social protection programmes under Article 18 underscore this kind of humanitarian ‘political realism’ which represents migrant groups of all kinds as an ‘existential threat’ which keeps migration policies in Europe, even those under the heading of ‘Humanitarian Provisions’ like Article 18, within the confines of a ‘Aesthetics of Horror’ (Huysmans, 1998). Next I want to explore where the metaphor of slavery as applied to prostitution and to social protection programmes fits within this ‘aesthetics of horror’, and I will do this in the light of what I found were contradictions between the metaphor of slavery and reality.

8.1 Slavery, prostitution, agency and the ‘domestic’ question

Slavery fits well in the ‘aesthetics of horror’ mentioned above, and it also serves well to highlight both non-government/NGO indignation and government action. However, as my data have shown, behind the anti-slavery rhetoric of both NGOs and the state, the assumption remains that those who have gone through social protection programmes are ‘ex-prostitutes’,

and so they are liable to 'fall back' to the other side of the limit (intended here in Huysmans' (1998) sense of 'passage to the limit' as the 'emergency' situation created by the 'unfamiliar'). What social protection programmes offer ultimately is not the end of the Hobbesian, mythical war in the state of nature, which the immigration emergency seems to have re-enacted, but merely a 'truce', involving the incorporation of the 'enemy' within the community, but on condition that she will stay 'in her place'. It is a truce premised upon the acceptance of a citizenship that is always subject to revocation, since the type of residence permit obtained by migrant women is subject to immediate revocation (if the woman is caught in prostitution again) and is tied to a work contract which in most cases concerns, as we have seen, domestic work and so is subject to the willingness of employers to renew it after two years (see Pepino, 2002). Indeed, Bridget Anderson (2007) explains the kind of power exercised by employers in this field through the use of Patterson's concepts of 'personalistic' and 'materialistic' powers, since this power is

[...] not hedged by protection of contract or other legal safety nets. The worker may have the power to withdraw their labour, but other response to abuse or exploitation may be very limited. For migrants this power is particularly brutal. (p. 255).

Moreover, she also observes that the 'unbridgeable' gap in personal wealth between employer and worker is often explained by the former in terms of the 'foreignness' and racial difference of the latter, not least because "foreignness can help employers and host families manage their deep discomfort around the introduction of market relations into the home" (p. 254). An alternative to domestic work seems marriage, again implying a partial form of citizenship involving incorporation into the private sphere as a subordinate, gendered and sexualised being.

Both the traditional literature on slavery and my data on key actors' construction of migrant prostitutes as 'slaves' are based on a concept of power relations simply as domination, and feminist theoretical constructions about patriarchy and about prostitution have proposed

the same paradigm of power relations, with a consequent neglect of agency. We saw that the last generations of historians on slavery and gender have tried to challenge this flat conception of slave-master relations and have proposed a more complex analysis which looks at specific gender relations in slavery and the role of women in the struggle for emancipation. A socio-historical and anthropological account of prostitution elaborated by authors such as Walkowitz (1980), Gibson (1986), Tabet (1986, 2004), Cooper (2001) and others, also suggest that prostitution in many societies across modern history for many women has been neither a 'slavery' in which they were forced by domineering men, nor was it a profession for life which excluded them from other experiences in the job market or in other fields of human relations as mothers, wives, companions and lovers. Moreover, sexual relations occurring in sectors other than prostitution, including marriage, are also affected by an 'exchange' which reduces female sexuality to a service for the satisfaction of male sexuality, even if the exchange is not, as in prostitution, explicit and does not involve money but other material and emotional advantages (Tabet, 1986, 2004; see also O'Connell Davidson, 1998; Garofalo, 2007). Indeed, Paola Tabet (2004) observes that prostitution as sexual service is part and parcel of domestic work, since they both constitute reproductive labour:

[...] domestic work [...] is part of the history of prostitution, or some histories at least. [...] Luise White [...]proposes to consider prostitution as domestic work in the specific sense of work necessary to the daily reproduction of labour. (p. 18, my translation)

And further elaborates by saying that "bodily (sexual and reproductive) work and domestic work (carried out as a wife, a prostitute or servant), [are] a form of *division of labour specific and internal to women as a social class*" (2004, p. 71, original emphasis). Marriage, as the institution where women's sexuality and labour are incorporated within one package of services pertaining to the domestic sphere, constitutes an important moment in the continuum of sexual-economic exchanges described by Tabet. However, as I have already mentioned, it is equally the case that, while sexual service has always been contiguous or even coincided

with domestic service, very often women have chosen prostitution as a way to disengage from the domestic/private context of power relations between men and women and to gain economic independence from men (Corso and Landi, 1991; O'Connell Davidson, 1998). And yet, much contemporary feminist theory and activism, especially of the type falling under the 'violence against women' rubric, adopts a theoretical paradigm of power relations which explains both prostitution and gender relations within the domestic sphere in terms of sexual exploitation and patriarchy. This model of power relations excludes agency and is centred around the dichotomy of female 'victim' and male 'oppressor', and it is this approach to power and gender relations that has led feminists in the US to forge alliances with the Christian Right. These alliances were also reflected implicitly in many 'protection' projects for women VoTs in Italy, in spite of tensions and an uneasiness expressed by some professional women working in them.

My data showed that there were tensions and gaps between the discourse of violence promulgated by key actors working in social protection programmes and the more complex picture which came out of women's own migration and prostitution stories, which highlighted the ability of women to make choices in the most unfavourable of circumstances, and sometimes even indicated a clear preference on the part of adult women for prostitution as opposed to the drudgery of domestic work in a family and the racist abuses that often accompany it. And yet, as some progressive female professionals recognise, in encouraging VoTs to take up domestic work, social protection programmes are implementing a kind of policy which in practice, especially with the help of religious organisations, is orienting migrant women towards what they have been expected to do in Italy for the last thirty or so years, namely domestic work in Italian families. The discomfort of some women working in protection projects is linked to awareness of their being an active part in this process of reifying often abusive and always asymmetrical power relations between Italian women of all classes who usually employ migrant women, asking them in an unproblematic way to occupy

what used to be their role in the reproductive and domestic sphere, and migrant women themselves.

8.2 From slavery to freedom or from 'slave' to 'freed'?

Contemporary servile labour cannot be accounted for by reference to a 'new slavery' as something affecting specific individuals and countries, in which western, modern societies play the role of 'saviours' of universal human rights. With this respect, Robin Blackburn has suggested there are continuities between our unequal world, with its specific discrimination and racialisation, and the world built by planters in slave plantation systems (Blackburn, 1997). It is not known yet whether today's 'global' political culture, with its emphasis on the values of transnationalism and human rights, so cherished by Bales, is a propitious setting in which to challenge extreme forms of labour exploitation. But, there is much to suggest that contemporary western civil society, for all its human rights politics and liberating potentials, is still liable to have the same destructive impact on human history as the civic society built by planters in seventeenth and eighteenth century America (Blackburn, 1997).

The labour exploitation and abuse occurring in sectors other than prostitution, particularly domestic work, is an important aspect of a much broader trend of late capitalist, globalised, society, and Italian society in particular, and, despite the fact that it was rarely mentioned by male and female professionals working in social protection programmes, domestic work provides a good example of the conservative and postcolonial aspects of social protection programmes, which can be viewed as spaces of 'new cultural encounters' (King, 2001).

Social protection programmes have helped to erect boundaries between those who can be admitted into the majority society, albeit in the lower ranks as servants, and those who cannot hope to be accepted, even as second-class citizens, because they are too different to

even hope to integrate. This, on the one hand, shows the nature of social protection programmes as socio-legal processes which simultaneously include and exclude. However, insofar as those who are included remain second-class citizens, because their incorporation into society is premised upon abandoning prostitution as an option even if chosen independently as a way to earn good money (which is what often happens even in so-called ‘trafficking’ contexts) and because domestic work is the most frequent option, we can also say that social protection programmes tie migrant women’s citizenship rights to their gender, sexuality, and their ‘ethnic’ qualities as domestic and care workers (Scrinzi, 2004; Anderson, 2000, 2006, 2007).

The passage from prostitution to domestic work within social protection programmes can also be expressed as a passage from a metaphor of slavery which constructs specific racialized, gendered, and sexualized subjects as slaves, to a metaphor of freedom which, to put it in Tabet’s terms, aims “to produce a [...] profound domestication” (2004, p. 49) of women’s sexuality and labour.

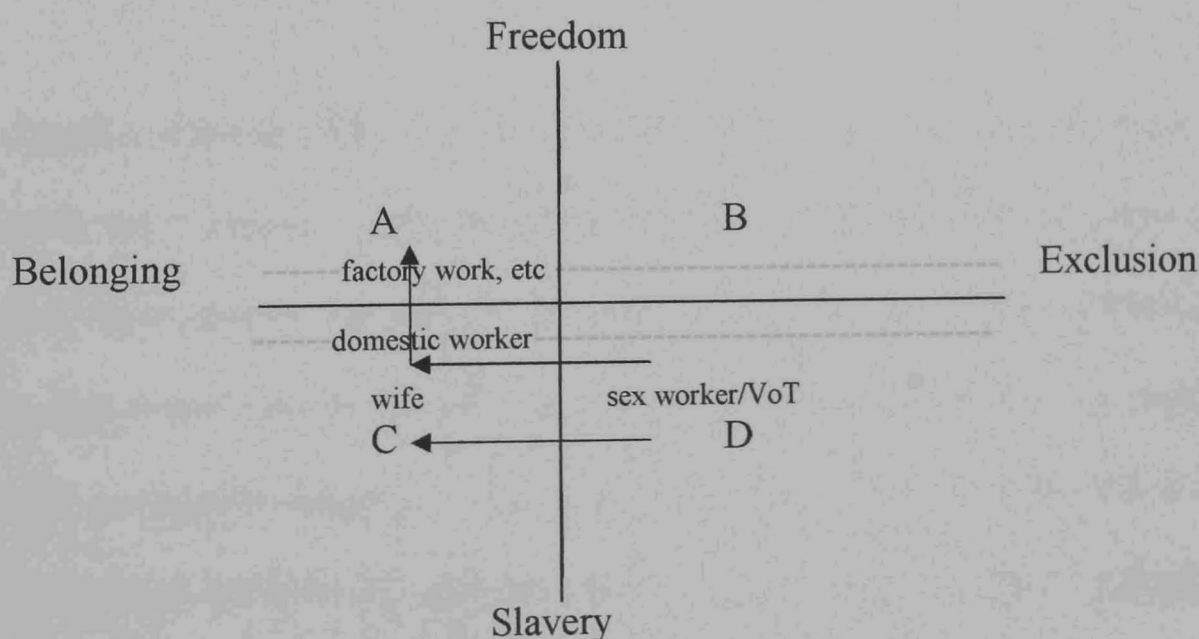
We have therefore come to the paradox of having the reverse of that process of resistance described by Tabet (2004) whereby women worldwide ‘break’ their marriage contract and undertake various forms of commercial sexual relations as a way to become “*subject* of sexuality or even subject and not object of economic transaction” (p. 56 emphasis original). As she observes, even with regard to ‘trafficked’ women in the sex sector,

[...] there is a risk to deny the aspect of revolt and choice that there can be at the origin of migration, and instead of supporting their struggle and protecting anyway their rights, we risk to play the game of repression which tries to hit them and which is after all the most frequent state policy. (2004, p.146, my translation)

Social protection programmes seem to have realised what Tabet anticipated as a risk. Moreover, the repressive aspect of anti-trafficking campaigns and policies has been accepted by those women who have used the trafficking and slavery rhetoric in their role as policy makers and social actors within protection projects. These women have contributed to produce

a 'new victim', in Nandita Sharma's sense that, since "In the 1980s [...] it became increasingly difficult for feminists sharing a victimization perspective of sex work to impose their view on women from the Global North. [...] A new victim was produced: the third-world woman migrant" (2005, p.102). Women operating within protection programmes have thus opted for a kind of emancipation whereby, as Andrijasevic has already noted for Italy, "helping victims means 'rehabilitating' sex workers" (cited in Sharma, 2005, p. 103). If we return to Figure 1 (chapter 3), the rehabilitation realised by protection programmes can be graphically represented as in Figure 11.

Figure 11
Movements of VoTs within the continuums Slavery/Freedom, Belonging/Exclusion



The passage from a 'slavery' status (as undocumented sex workers) to a post-Article 18 status is not represented by the move from D to A, that is a passage to a full (socio-economic and political) citizenship status, but rather by the move from D to C for those who end up as wives dependent on their husbands, or from D to boundaries between A and C as domestic and care worker or other poorly paid work such as work in factory, in agriculture, etc. In any case it is a passage to a partial and revocable citizenship status. Migrant women's position in C or in areas between C and A is affected by a mix of politico-legal factors

concerning immigration rules and the construction of migrants as ‘illegal’, and economic factors concerning the labour market and its segregation by gender and race. In other words, we have come back to Laura Brace’s (2004) argument that issues of labour and belonging must not be treated separately, but as connected with each other and, crucially, with gender and race. The dichotomy between private and public spheres remains of central importance for the ways in which (migrant) women’s labour may be constructed as either productive (i.e. factory work) or unproductive (i.e. domestic work). To reiterate Brace’s (2004, 2006) discussion about slavery and self-ownership, until women’s work is viewed as ‘drudgery’ or as an ‘economy of makeshifts’, their labour activity either in the home or outside it in the lowest ladders of the labour market hierarchy will be viewed not as slavery ‘proper’, but still as laying outside the self-ownership model constructed by the liberal theories of free wage labour.

Finally, rehabilitation as a partial incorporation into society resembles a form of manumission from slavery. Manumission is in fact an institute often defined in terms of ‘redemption’ from slavery (and from marriage as a form of slavery) and is often gained, both in modern and in pre-modern societies, by female slaves (or wives) who, through the sale of their sexual services manage to ‘buy’ freedom, that is release from marriage/domestic slavery.⁶⁵ It is also an institute through which ex-slaves acquire a form of legal citizenship which gives them a civil status as ‘freed’ or *liberti*, but this status is in practice one of second class-citizens (Patterson, 1982).

Manumission within protection programmes takes place according to a process which is opposite to that occurring in slave societies, where slave women, through the selling of sexual services manage to ‘buy’ their own freedom, and to that described by Tabet for

⁶⁵ Tabet (2004) describes divorce in some African societies as “a form of manumission. *Realised through the sale of one’s own sexual services*” (p. 22 original emphasis). Patterson (1982) observes that “in nearly all slaveholding societies female slaves were manumitted at a higher rate than males, whatever the overall manumission rate, primarily because of their frequent sexual relations with the master or with other free males. Prostitution was also an important source of income for slaves, and in many cases for owners, and a path to manumission” (p. 263).

migrant women in the contemporary world. While these women attempt to escape the oppression experienced in their countries as daughters and wives or as single mothers with no access to job markets and resources by selling their services in the sex sector, within protection programmes these same women are restored to the domestic sphere of social relations characterised by dependency and ‘personalistic’, in Patterson’s sense, power relations.

Migrant women who go through protection programmes under Article 18 remain, like manumitted slaves, in a status of second-class, ‘freed’ citizens because their citizenship rights depend upon ‘proper’ sexuality and is often linked to an employment contract as care and domestic worker in Italian families. The Italian State, as the grantor of freedom, can thus be compared to the ‘good master’ who, by rule of law, will protect the ‘freed’ woman, as long as she will conform to gender, sexual, labour, and racial rules which regulate contemporary Italian society. This role of the State as manumitter in some ways fits within an immigration regime which, as Nandita Sharma points out, has created “a global apartheid whereby differential legal regimes are organized within nationalized space: one for ‘citizens’ and another far more regressive one for those, such as people categorized as ‘illegal, who are denied a permanent legal status within the nation space” (p. 89).

But to be ‘freed’, rather than free, in this social order means that freedom, like slavery, remains an abstract category, a metaphor which serves to define many social protection projects through liberating terms and language, but not to substantiate the social and economic citizenship of those who have gone through them and who have in this way been regularised.

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APPENDIXES

Research presentation to key actors

Over the last ten years or so there has been much media and government attention and concern about what is usually termed as “trafficking”, “slavery”, and “sexual slavery”.

Italy has also been very active in legislation aimed to combat trafficking and slavery. Article 18 of the immigration law, which provides for the granting of a residence permit for reasons of social protection in those cases where migrant people are found victims of the above offences, is an example of such laws.

On the other hand, there has also been confusion on the meaning of the terms “trafficking”, “slavery”, and “sexual slavery”.

My doctoral research, focusing on these phenomena, aims to make some clarity just on the meaning of those terms. It is in fact only through a clear definition and understanding of trafficking and sexual slavery as a form of new slavery that we can develop the best policies to combat them.

This is why I am trying to find out how experts who work in the field define and operationalise these terms.

The interview will take approximately 1-1 and 1/2 hour. Data will be collected and used for a doctoral thesis and for academic research purposes within the University of Nottingham.

Interview schedule

1) Can you describe your organisation's work with victims of trafficking?

Prompts?

- For how long have you been involved with protection programmes for VoTs?
- Does your organisation deal with other issues different from trafficking?
- How is work with VoTs organised? E.g. use of street units? Types of professions employed in them? use of harm reduction approaches?
- Do potential victims come by themselves to your service and tell about their story?
- Do third parties, e.g. clients, report on trafficked persons to your organisation?

2) Once you have a case of a potential trafficked person, is it immediately important that she reports the names of her traffickers in order to accept her into a protection programme?

Prompts:

- Is there a gap between what the law says (i.e. that full report is not necessary) and the practice of protection programmes for victims?
- Do victims feel put off by the fact that they are required to report names?
- Do you report the case to the police immediately, or do you wait that the victim is ready to face police questions?
- Are victims encouraged to tell a particular story where they can clearly come out as "victims" in order that the story is accepted by the police?
- Are psychologists normally employed from the first stage of protection programmes?
- Are there co-operative relationships with the police? i.e. do they try to obtain trust from the victim, rather than putting her under pressure to tell names of traffickers?

3) How can you distinguish a real victim from a fake one?

Prompts:

- Do you look at particular elements, such as nationality, signs of violence, young age or particular distressed look?
- Is there a risk or a fear on the part of the authorities that there might be a flood of residence permits under art. 18?
- Is there a tendency for programmes to be used only by certain groups? Why?

5) Do you think that most prostitution today is linked with trafficking?

Prompts:

- Have most people who work as prostitutes today been forced into it?
- The term trafficking is mostly used in relation to the sex industry, but do you think it can also be applied to people brought to work in other sectors? If so, which other sectors are associated with trafficking?
- Do you think that prostitution today is necessarily linked with trafficking and that people who work as prostitutes are coerced/forced into prostitution?
- Can Italian prostitutes be found in similar conditions of violence and coercion?

APPENDIX 1

- 6) Do you think that protection programmes are like a kind of exchange between the state and the victims, whereby the victim obtains freedom/citizenship and the state obtains a way to reduce street prostitution, which causes so much concern among public opinion?**

Prompts:

- Is there a moral content within art. 18 (i.e. fighting immoral behaviour in public spaces)?
- Is it possible to become a full citizen after completing a social protection programme?
- Is it possible for an ex-victim to find a permanent job after a protection programme is completed?
- Is it possible for an ex-victim to be fully accepted by society?
- Will she be stigmatised by having a residence permit which contains the words “under article 18”?

- 7) The new law on trafficking has tried to broaden the concept of slavery by introducing the term “servitude”, so that foreign women who have been trafficked into prostitution can be treated as cases of “slavery”. What do you think about this?**

Prompts:

- Is the use of the word “slavery” appropriate or useful to address real cases of trafficking?
- Do you think there is too much confusion in the law and in the media between concepts like “trafficking”, “trade in human beings”, “servitude”, “slavery”, “exploitation”, “sexual exploitation”?
- Is there such a thing as new slavery? How does it differ from old slavery?
- Is violence a constant element in slavery?

- 8) Is contemporary prostitution a form of slavery?**

Prompts:

- What is sexual slavery (i.e. is it all exchange that involves sexual services? Is it rape?)
- Is all contemporary prostitution a form of exploitation/violence/slavery?
- Has prostitution always been sexual slavery?
- Can a migrant woman consent to work as a prostitute?

- 9) Has art. 18 been an effective instrument to find and punish real traffickers?**

Prompts:

- Who are the real traffickers?
- Is it the case that people who get convicted are less important criminals?
- Is it actually difficult to get the real criminals responsible for trafficking in persons?
- Is the difficulty in finding the real criminals due to the fact that there are ambivalent relationships between the victim and the trafficker, i.e. they are married, relatives, have other kinds of affective relationship?

APPENDIX 2

QUESTIONNAIRE FOR ALL KEY ACTORS IN PROTECTION PROGRAMMES

Q1. WHAT DO YOU UNDERSTAND BY “TRAFFICKING IN HUMAN BEINGS”?

Tick one or more lines

Illegal migration
Exploitation of undocumented migrant people
Migration of people through violence, deception or threat for purpose of exploitation
Prostitution of migrant women
Illegal migration of asylum seekers
International trade of children for adoption purposes
International trade of women for marriage purposes
International trade of people for organ removal purposes
International trade of women for prostitution purposes
Prostitution of undocumented migrant women
Prostitution of migrant children
Exploitation of migrant men in agriculture
Migration of people through debt

Q2. WHAT DO YOU UNDERSTAND BY “TRAFFICKED PEOPLE”?

Tick one or more lines

Undocumented migrants who work in the informal sectors
Undocumented migrants who work in particularly hard conditions in the informal economy
Exploited migrant workers
Migrant prostitutes
Undocumented migrant women who work involuntarily in prostitution
Legal migrant women who work as prostitutes
Undocumented migrant domestic workers
People who are kidnapped to be moved to a foreign country
People who are recruited through violence or deception into prostitution in a foreign country
People who are recruited with violence or deception to work in a foreign country
Men and women who got indebted in order to migrate
All migrant prostitutes

APPENDIX 2

Q3. CHARACTERISTICS OF PEOPLE HAVING THE RIGHT REQUISITES TO ENTER SOCIAL PROTECTION PROGRAMMES UNDER ARTICLE 18

Tick one or more lines

Migrant people who are exploited in any labour sector
Only migrant women who are exploited in prostitution
Prostitutes under 18 years old
Nigerian prostitutes in particular
East European and Albanian prostitutes in particular
Black prostitutes in particular
All undocumented migrant prostitutes
Women who are trafficked into domestic work
Undocumented migrant men who are exploited in agriculture and in sweatshops

Q4. WHAT DO YOU UNDERSTAND BY THE TERM “MODERN SLAVERY”?

Tick one or more lines

Forced labour
Trafficking in women
Ownership rights over other people
Trade in persons
Sexual exploitation
Child labour
Exploitation of migrant labour
prostitution
Migrant prostitution
Non-protected labour
Unpaid labour
Debt bonded labour

Q5. WHO IS A “SLAVE”?

Tick one or more lines

People who work hard without being paid
People who work in particularly degraded conditions
People who are sold as property
Migrant workers
Prostitute women over whom violence is exercised routinely
People who work as prostitutes in a foreign country
Trafficked men and women
Debt bonded workers
Working children
Children who work in prostitution
Migrant prostitute who is deceived as to the nature of her work

APPENDIX 2

Q6. WHAT DO YOU UNDERSTAND BY THE TERM “SEXUAL SLAVERY”?

Tick one or more lines

Rape of trafficked women
Violence on trafficked women
Prostitution of migrant women
Exploitation of migrant prostitutes
Forced or mail-order marriage
Work in the entertainment industry
Prostitution of migrant trans-gender people
Prostitution of black women
Prostitution of East-European women
Prostitution of migrant women who were deceived
Debt bonded prostitution

Q7. WHO ARE THE PEOPLE MORE SUBJECT TO SLAVERY LIKE PRACTISES

Tick one or more lines

Prostitutes everywhere
People who come from war areas
Men and women who work in the black economy
Men and women who come from poor countries
Undocumented migrants
Women who come from Asian countries
Undocumented women
Women who come from African countries
Children who come from East European countries
Poor people everywhere
Women and children who are trafficked
Black women
Migrant prostitutes
Black prostitutes
Trans-gender/transvestite prostitutes

APPENDIX 2

Q8. WHO SHOULD BE PROSECUTED AS TRAFFICKERS?

Tick one or more lines

Truckers or <i>passeur</i> who facilitate border crossing
Travel agencies who sell tickets to traffickers
Clients of migrant prostitutes
Middle people/recruiters of undocumented migrant prostitutes
Employers of undocumented migrant workers
Corrupted embassy officials
People who assist undocumented migrant people to move to another country
Corrupted border officials

APPENDIX 3

INTERVIEW SCHEDULE FOR MIGRANT WOMEN

Nationality

Age

Migrant status

Marital status/children

WOMEN WHO USED ARTICLE 18 (VOTS)

1. When/how did you come to Italy?
2. Why did you come to Italy?
3. What kind of work did you do in your country if any?
4. Did you take prostitution as a possible work option once arrived in Italy?
5. Why did you decide to stop working as a prostitute?
6. Are you working now? What kind of work?
7. How do you view programmes with Article 18?
8. Do you think that your condition has improved and that you went from a slavery-like condition to a free condition?
9. How do you see your future?

APPENDIX 3

WOMEN STILL WORKING IN PROSTITUTION

Nationality

Age

Migrant status

Marital status/children

1. When/how did you come to Italy?
2. Why did you come to Italy?
3. What kind of work did you do in your country if any?
4. Did you take prostitution as a possible work option once arrived in Italy?
5. Have you ever thought to stop working as a prostitute?
6. What do you think about the regularisation option offered by Article 18?
7. Do you know other women who have used Article 18?
8. Do you think that you might be entitled to access such programmes and have you ever thought of using them?
9. What are your plans for the future?