




## The Red Door: Blood and soil between Italy and Pakistan

Lorenzo Rinelli\*

 <https://orcid.org/0000-0001-8195-5762>

### Abstract

This article advances the assertion that in Italy, the transition from economic citizenship to social and political citizenship remains unresolved. By employing a critical legal studies approach, I intend to discuss the social dysfunctions of the current Italian citizenship law by going back to the tragic fate of Saman Abbas and the dynamics of isolation and marginalization of migrant communities in the multimillion-dollar agri-food Italian industry. This move entails a historical and legal excursus on Italian migration dynamics that close in on recent attempts to attune citizenship laws to Italian society in the context of contemporary global capitalism.

**Keywords:** Agri-food, Citizenship, Gender, Immigration, Made-in-Italy, Race.

### Introduction:

A red door opens on the village of Novellara, at the center of the fertile countryside of Northern Italy, where most made-in-Italy food products originate. This is a crucial component of Italian national GDP; the Italian food industry has reached a historical record of 60 billion euros in turnover, with an increase of 14.7% compared to 2021.<sup>1</sup> In 2023, it exceeded 600 billion euros in turnover and 64 billion euros in exports.<sup>2</sup> According to a recent report, there is no supply chain or sector of the made in Italy agri-food industry in which migrant labor does not play a significant or irreplaceable role.<sup>3</sup> An exhaustive analysis of the migrant labor component

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\* Lorenzo Rinelli is currently associated with the University of Rome "La Sapienza" and several US academic programs in Italy designing and teaching various courses with particular focus on Postcolonial theory, Race and Identity in Europe, European Migration Politics and Mediterranean Geopolitics. C-E-mail: [lorenzo.rinelli@temple.edu](mailto:lorenzo.rinelli@temple.edu)

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of the made in Italy goes beyond the scope of this article. Instead, this intervention aims to advance the assertion that in Italy, the transition from economic citizenship to social and political citizenship remains unresolved. Ergo, citizenship must be intended as a battleground where the concept acquires an insurrectional meaning and transformative scope. By employing a critical legal studies approach, I discuss the social dysfunctions of the current Italian citizenship law beginning with an archaeological methodology that provides a historical and legal excursus on Italian legal framework from the origins to the latest attempts to reorient it in order to sync it to contemporary Italian society.

The tragic fate of Saman Abbas a young woman who was killed by her family in 2021 is the event that I have had in mind during the process of writing this article as I was reflecting on the role of the current Italian citizenship law to support a power structure that marginalized individuals from foreign origins by pushing them to the limits of the society and keeping them there, by not providing a reliable path towards inclusion. Incidentally, I also provide an historical reflection on the Italian honor killing drawing a parallel with the case of Pakistan where the Abbas family is from. I compare the two across space and time looking for patterns of similarities and differences. Through participant observation, interviews with activists, mediators, NGOs personnel, and agriculture laborers, I proceed along the theoretical lines of Chandra Talpade Mohanty<sup>4</sup> who emphasized the connections between the local and the universal across the junctures of capitalism, race, gender and the law.

### **Setting the scene**

Through that red door, Saman, a young girl 18 years old, dreamt<sup>5</sup> to move across two worlds, two cultures: on the outside, the Western Europe with all that a young girl may desire: independence, self-determination, formal and substantial recognition, perhaps laity. However, the border often bleeds.<sup>6</sup> When the red door was shut, it kept intact inside the stifling realm of a patriarchal system that reinvents itself through the annihilation and sacrifice of young women by strangling them with family ties and land titles.

This article does not intend to discuss the anachronisms of the specific agricultural Pakistani culture and how it translates abroad, nor to deconstruct the flows that from the Pakistani region of Punjab reaches the plains of Northern Italy. Instead, following a critical legal approach, the intention is to begin with the assassination of Saman to foster the discussion around citizenship law by presenting the dynamics of isolation within specific migrant communities involved in the agri-food Italian industry in the Northern part of Italy, and to underscore the marginalization of those young generations who dwell within it.

When we go back to the events that led to the end of Saman's life, it emerges clearly the role of the structural backwardness of Italy's legal procedures regarding citizenship, but also it becomes evident the delay of institutions to protect the life of Saman. Instead, since the very first day of investigations, the blame has been put only on the family, and through a classical orientalist<sup>7</sup> gaze, onto the primitive, patriarchal culture of Pakistan. From the national media outlets, the case has been clearly framed as an "honor killing" case, perhaps to make it make sense to an Italian audience which grew up quite familiar with that concept. But when violence occurs in the dominant cultural community, as Volpp has pointed out so brilliantly with reference to the United States ("Blaming Culture"), the media do not blame culture, but rather, individuals."<sup>8</sup> Without too many frills, media have been carried out a simplistic narrative that holds the attention of the Italian audience to the Pakistani "culture" by describing Pakistani women not "as moral agents but as property, objects, or body parts controlled by men, these accounts trivialize and simplify systems of morality"<sup>9</sup> while underscoring Pakistani culture's inherent remoteness and cruelty. The role of the law and the economy of the host society who profits of migrants' labor and marginalization to craft the Made in Italy<sup>10</sup> was never an object of debate.

### **The scene**

As the case goes, Saman went missing in April 2021 after refusing to travel to Pakistan for an arranged marriage with her cousin that would have eventually cemented the relationship between the two families. Her

remains were found near the family home in Novellara, in November 2022 following the indications of her uncle Danish, who was at the time only suspected to be the material killer. It is now clear that she was killed after returning to her family home to collect her identification documents following a fight with her father after refusing to comply with the arranged marriage. I contend that this moment of return is crucial because without it she would still be alive. It is central here to underscore that the result would have been possible in the case of a simplified path to obtain citizenship with the support of the institutions. Since the beginning five members of her family, including her mother, father, and uncle, were investigated. Perhaps because of the familial nature, the case had shocked the Italian audience and led to a widespread condemnation of the culture of origin. The case, at least in the first grade of decision, has concluded at the time of writing with the condemnation of family members. It is fair to say that it has widened the distance between Italian proper citizens and migrant communities who increasingly shape the Italian landscape whose labor is pivotal for the Italian agri-food production.

According to Ahman Ejaz, journalist and cultural mediator I have interviewed, "Saman is the sixth girl killed in Italy since 2006 whose families originated in one particular Punjab area between Mandi Bahauddin and Gujrat".<sup>11</sup> Almost half of the Pakistanis residing in Italy come from the Punjab region and the family components of the Abbas family live in Charanwala, a small rural village. They were born in Mandi Bahauddin, the district capital. The father Shabbar Abbas arrived in 2010 to work in the company *Le Valli di Novellara* but it is presumed that he had arrived years before. He joined 50 millions of Pakistanis that live abroad of which almost 140.000 are in Italy, and 67.7% in the Northern region and 17% in the region of Emilia Romagna where the family Abbas dwelled. When we zoom in to the rural area, a low level of stabilization of the Pakistani community emerges, with the majority of workers holding short-term residence permits and high incidence of holders of, or just applications for different types of protection in the context of large families.<sup>12</sup> The strong precarity

and obstacles of social mobility are an indication of the marginalization of the community from the host society.

From an ethnic point of view, it is worth noting here that, even if there is a strong presence of Indian and Pakistani workers in the area, the migrant communities do not mix. While Indians usually go to large temples where people from other districts go, Pakistanis pray in small centers located in different districts. How does the racialization of different migrant communities play a role in the functioning of the agribusiness of the area? More in general, what does it mean to think of racialization as a form of the capital? How does the contemporary capital recodify and incorporate old colonial racial relation of dominance? Finally, how do distant patriarchal relations cut across processes of racialization? Back in Pakistan, the identity of Abbas is marked by the belonging caste of Gujjar which in Punjabi indicates landowners who allow farmers to work. These are people used to being in command of others and quite proud of their social ranking.

This socio-cultural element is quite important for the case of Saman as well as for other Pakistani girls, because the power dynamics on the territory determines marriage choices and consequently, the fate of the group's members. Nonetheless, it remains an open contradiction how the caste system survives in a Muslim society which is inherently egalitarian. Certainly, it is not my intention here to discuss the cultural and religious elements of this society, but these factors must be taken into consideration as the caste system constrains the ability of these young girls to assert their rights and aspirations. Discrimination needs to be understood not only in racial and identity terms, but also in social class terms<sup>13</sup> within which a reflection over colonialism and imperialism must emerge to reach contemporary capitalism marked by instances of patriarchal and racial domination. However, this is not a capitalist creation, but a colonial feature preexisting the capital, that later profited from it by exacerbating ethnic and gender differences as new operating codes. I refer here to the seminal work of Cedric Robinson who in his *Black Marxism*<sup>14</sup> clarified how the original racialization did not end with colonial empires but became a crucial component of contemporary capitalism that manifests itself in forms of

racial domination and differentiation. What is more “in Europe, “honor crimes” are closely connected to border control and the policing of immigration and immigrants—it is matters of international administration.”<sup>15</sup> The idea that men in societies beyond the borders of the civilized West oppress women is a tool today as it was yesterday in the rhetoric of colonialism, to render morally justifiable European practices of border control that often violate human rights. This concept is crucial to comprehend the interdependence between border control, labor, land, and capital that characterizes the story of Saman. It is simply impossible to comprehend racism and gender discrimination outside the chain of production that today signifies the food and agriculture dimension of the Made in Italy with the laws that govern the legal landscape where Saman spent her existence.

Different forms of domination can and do tragically coexist and amalgamate like in this story. Saman lived across the fence<sup>16</sup> between resistance against family imperatives and exclusion from the Italian proper society and legal status that could protect her and save her life. She returned home to retrieve the documents that her father confiscated to keep her on a leash. But had she not fought, she would have ended up completely excluded, outside of the territories of her residence, where she dreamed to build a life with the person she loved to return to a place where she would have been forced into a marriage with her cousin, to another form of death.

### **The chronicle<sup>17</sup>**

On April 29, 2021, three male figures, later identified as Saman’s uncle (Danish Hasnain) and her cousins (Ikram Ijaz and Nomanhulaq Nomanhulaq), were filmed by surveillance cameras; leaving one of the farm's warehouses at 7:15 p.m., the three were heading towards the fields, equipped with work tools, such as shovels, a bucket, a crowbar and a plastic bag. They returned only after two hours, around 9:30 p.m. The next day, Saman wrote to her boyfriend Saqib that she had heard a telephone conversation between her parents and her maternal uncle; the girl stated that she heard that they wanted to kill someone with a big shawl. The same

uncle, a certain *Mamu* (maternal uncle), together with Shabbar and other relatives, had already threatened to kill the boy's family in Pakistan, in case the relationship did not end soon. According to her boyfriend's testimony, the eighteen-year-old was constantly insulted by her uncle and cousins, claiming to fear the situation. On the same day, Saman also sent a photo where she appeared with a bruise on her cheek, accusing her cousin Irfan of having beaten her, after learning that she was still having relationships outside of marriage. Finally, she allegedly asked her boyfriend to alert the police if she did not hear from her for more than 48 hours. The last message was sent at 11:30 p.m.

It is precisely here, at this moment when she goes back to retrieve her documents that the dimension of formal citizenship must be investigated. Here lies the possibility of a better society yet to come where formal acquisition of legal status coincides with integration. Saman managed to escape the oppressive and suffocating family environment, but she had to recover her documents. Her return marked her fate.

Saman allegedly had a violent argument with her father and mother, in which her uncle Danish also intervened. The girl's younger brother, awakened by the screams of the argument, said that the documents had then been returned to her. She then went to the bathroom and got dressed in the intention of leaving again.

From that moment on, security cameras played a key role in the continuation of the story. Saman is filmed at 00:10 on May 1st with a backpack on her shoulders, while she heads with her parents to the greenhouses. She and her mother disappear into the darkness for 90 seconds, while her father waits. When her mother returns, Saman is not with her. According to the investigators, during this time Saman is handed over to her uncle and two cousins, who will kill her and dispose of her body. Her father, Shabbar Abbas heads back to the greenhouses, only to reappear at 00:21 with her daughter's backpack in her hand. On the morning of May 1st, the couple, mother and father, were last seen in surveillance footage from Milan Malpensa airport, where they boarded a flight to Pakistan.

Following international investigations and close collaboration between Italian and Pakistan authorities, both her parents, Shabbar Abbas (September 1<sup>st</sup>, 2023) and Nazia Shaheen (August 22, 2024), have been extradited from Pakistan and condemned to life imprisonment on December 19, 2023. Fourteen years for her uncle, Danish Hasnain who obtained a reduction of his sentence with the abbreviated procedure.

### **Legal Evaporations**

The role of the law simply evaporated during years of media debates that have been focusing on reinforcing the distance between us, the civilized Europeans, and them, dark-skinned Muslim immigrants who simply cannot accept and learn our lesson of civilization. According to Matteo Salvini, leader of right-wing Lega in Italy “the problem of the Saman Abbas case is linked to a certain type of Islamic subculture and violence.”<sup>18</sup> These kinds of statements clouded the conversations around the fate of Saman by reinforcing the distance between a civilized Europe and a primitive Other whose genealogy was clearly elucidated by Edward Said in his seminal work *Orientalism*.<sup>19</sup>

In his classic work Said developed his concept of “the other”. Central to Said’s thesis is that Europe denied this other its own history. He sought to show how generations of European writers, artists, statesmen and conquerors imagined Europe’s other living in a realm outside history. *Orientalism* was, for Said, not a form of knowledge that simply documented the reality of life in the Orient. It was an extension of European imperial power in which non-Europeans were said to be part of nature rather than Western European humanity. It allowed Europe to believe it had a moral duty to intervene in the lives of the other, to modernise the other by bringing it into the folds of history. Now that the Other has arrived on the shores of the late colonial empires, “he is an example of the undead, who will invade, colonise and contaminate, a figure we can never quite digest or vomit”.<sup>20</sup> Of course, there is a no-so-much silent agreement among European that the Other is too much of a problem and it will be impossible to live together and there is nothing more violent than consensus because through consensus inequality rest and society excludes<sup>21</sup> in the forms of



bureaucratic rules and legal procedures. Those are the tangible representations of the social anxieties of the majority of proper citizens who fear the degradation within the civilized superior European society by projecting it against immigrant communities.

Regarding this socio-cultural aspect, it is important to note here that Italy is a country with one of the highest percentages of violence against women in Europe. Only in 2023 “118 women were killed, of which 96 in a family or emotional context. Those are cases in which a partner, ex or another person has killed a woman out of desire for possession or inability to accept a separation.”<sup>22</sup> In October 2024 when this article is under review, we have overcome the number of 90 since the beginning of the year.<sup>23</sup> Also Italy is a founding member of the European Union where the so-called “honour killing” survived until 1981 that is the recognition of extenuating circumstances for the killing of the cheating partner. Namely the article 587 of the Penal Code used to state that:

Anyone who causes the death of a spouse, daughter or sister, when he discovers their illegitimate carnal relationship and in a state of anger caused by the offense caused to his or her family's honor, is punished with three years to seven years of imprisonment. Anyone who, in the aforementioned circumstances, causes the death of a person who is in an illegitimate carnal relationship with their spouse, daughter or sister is subject to the same penalty.

Initially, the reduction of the sentence was foreseen only in the case of adultery of the wife and not of the husband. This is not surprising, considering the patriarchal society that fascism had built, relegating women to the sole role of mother, angel of the hearth. The Constitutional Court intervened with two sentences in 1968 and 1969 to declare its unconstitutionality and equalize the actions of men and women and the related penalties. The honor killing was considered an intimate matter between spouses, the culture of women's rights subordinated to men's rights remained. It was believed that family violence should be resolved within the family, without others prying into it. Needless to say, the right was against abolition, and for years the center Christian Democrats also opposed it.

Despite the turning point of 1981, there are still too many cases of femicides in Italy in which the punishment for the guilty party is reduced through mitigating circumstances that are not too far from what was once an honor killing. When an appeal court halves the sentence of someone who strangled his girlfriend with the justification that the culprit "was in the grip of an emotional and passionate storm", one wonders whether certain mechanisms have really changed. On a cultural level it does seem to apply to the whole country, given that femicides are frequent and too many still seek justifications for the criminal action of murders making use of the culture that pushes them to these gestures. But the same society is firm in drawing a line between US and Them because of insurmountable cultural differences that make cohabitation impossible. The case of Saman simply reinforced this point.

Still, it is important also to underline here that one fifth of honor killings (karo kari in Urdu)<sup>24</sup> recorded worldwide take place in Pakistan where the feudal and clan system manages to get the better of even the laws of the State. Perhaps the principal difference between the two patriarchal cultures here examined regards the stress in Italy over individual decision of the killer to carry out the homicide and to consider the state of anger (which is often presumed) while in the case of Pakistan the homicide is a family decision which is carefully planned and carried out under the provisions of a community council.

As a matter of fact, the continuation and preservation of this brutal practice is based on the so-called *Wadera*, the feudal system that governs the territory and communities, based on the centralization of power in the hands of a few large landowners and which replaces state justice. The feudal lords make use of the *jirga*, or the assembly of community leaders, which counts much more than the state legal system and, in fact, decides on all issues relevant to the local territory.<sup>25</sup>

In both cases the two countries phenomenon of femicides rests on the same correlation between patriarchy and capital which translate the women's body in a tool to be used and possessed. The two elements are historically co-constitutive which is foundational to our contemporary

system of production. Here, in the case of Saman, land, capital, and foreign labor are interconnected and conditioned by gender and race discrimination whose cultural and temporal characteristics do not exclude its systemic and structural nature. This is a typical case of differential inclusion that underscores the dysfunctions of the law and the value of ethnic and patriarchal aspects of contemporary global labor that divides and rules the world we dwell in.

### **From Emigration to Immigration to Emigration**

It is then imperative to focus on the role of law because that is the frame that conditions the life conditions of migrant communities. The Italian legal scape presents a unique case for a combination of factors in the dynamics of the current citizenship law born in 1992 when the country moved from a country of emigration to one of immigration.

I am going to highlight here a few events at the end of the 1980s' that marked that transition.<sup>26</sup> In particular, the killing of Jerry Essan Masslo in the countryside of Villa Literno, north of Naples in 1989, and the following first massive anti racism national demonstration, the eviction of the former pasta factory Pantanella in Rome in January 1991 that had occupied by hundreds of migrants, and last, the spectacular landing of the *Vlora* ship in the august of 1991 in the port of Bari with twenty thousand Albanians.

These events signed the Italian national changeover from one social condition, insular and self-reflective, to another more global and more illustrative of the neoliberal turn of the 1990s'.<sup>27</sup> This historical and social shift could and would have generate a much-needed national discussion over the Gramscian "Southern Question", the Italian colonial endeavor, the anti-Slavic feelings, the legacy of fascism with its racial laws and antisemitic laws of 1938 that ideally would have linked the internal South and the contemporary discrimination towards the Global South. The fact that nothing of this happened makes this moment simply central to comprehending the dysfunctions of contemporary Italy in terms of policies of migration control and citizenship law.

At least the death of Jerry Masslo brought into being the first national anti-racism demonstration in Rome on October 7, 1989, and eventually the

first law on asylum: the Martelli law that came into force in 1990. Far from dealing with the matter in an organic way, the Martelli law regulates some aspects of the recognition of refugee status pursuant to the 1951 Geneva Convention, including the methods of submitting applications and forms of assistance for asylum seekers. Specifically, Article 1 eliminates the geographical limitation placed by Italy at the time of signing the 1951 Geneva Convention, according to which refugee status could only be recognized for persecutions that occurred on the European continent.

However, Italy must wait until 1998 to have a comprehensive law dealing with immigration and asylum. At the same time, oblivious to these historical and social changes, the country still considered itself a country of emigration and this element would mold the new law on citizenship of 1992 still in force today.

It was one of the last acts of the so-called First Republic before the massive corruption scandal that would eventually wipe out almost the entire parliament and a generation of politicians.<sup>28</sup> The law 91 which replaced the previous law of 1912, eighty years apart, introduced the possibility of applying for citizenship to Italian emigrants' descendants, if they could demonstrate to be a direct descendant of Italian citizens. This rule had been requested for decades by emigrants abroad but was put in force when mass flows, especially towards the Americas, had long since ended.

The first point which is worth noting here is methodological: all political practice is territorialized.<sup>29</sup> As a matter of fact, the right of citizenship is always characterized by a close interrelation with the legal regulation of migratory movements, outward and inward, related to both, those that leave the borders of the State and of those who enter it. In other words, in the face of quantitatively significant migratory flows, not merely seasonal, the right of citizenship is configured as a fundamental tool for the maintenance, or reconstruction of practical and symbolic ties with those who have emigrated.

At the same time the right of citizenship works as an equally important tool of inclusion<sup>30</sup> because "without a minimum feeling of belonging into a

societal structure it is difficult to create cohesion”<sup>31</sup> but is also true, vice versa, it may work as a tool of discrimination and exclusion of those who have settled in the territory of the State as an immigrant and their descendants.<sup>32</sup> In the case of Italy in particular, the massive Italian emigration which began in the second half of XIX century and lasted until the seventies of the following one, acted as a fundamental determinant on both general reforms carried out in the last century, namely that of 1912 and 1992. It is interesting to note that since 2008 we are recording a steady increase of new emigrants: young, educated and often postcolonial, that is children of immigrants parents that are not recognized Italian because of the deep dysfunctions of the 1992 citizenship law.<sup>33</sup>

Here lies the second point I want to underline, which is substantial, concrete and tangible today. The citizenship law revealed its flaws since the day of inception. Not only it came to regulate citizenship acquisition for Italian emigrants quite late, but many, even distant descendants of Italian emigrants, especially in Latin America, began to obtain citizenship with a certain ease, using it to move not so much towards the country of remote origin but within the continent of residence, causing a bit of controversy even at a diplomatic level.<sup>34</sup>

On the contrary, the law sacralized the principle of *Ius Sanguinis* (the law of blood) that would render the law obsolete, since it came into force. The rapid growth of foreign immigration into Italy made immediately clear that the rigidity imposed in the 1992 law on the sons and daughters of immigration would represent a harsh obstacle to the acquisition of citizenship for an increasingly massive part of the population dwelling in Italy from birth or from a young age. The law has caused since the beginning marginalization and internal exclusion<sup>35</sup> around the concept of blood that acts as cement of the internal border. According to the Law 91\92 an individual can acquire Italian citizenship by descent if she is born to an Italian citizen parent or to a parent who has the right to Italian citizenship *jure sanguinis*.<sup>36</sup>

At foundation there is the idea of a Italianess performed by oscillations of the mobile population of the planet moving back and forth from the

peninsula. “During more than a century of Italian migration, from 1876 to 1988, 27 million Italians left their home to emigrate to Europe and overseas.”<sup>37</sup> Perhaps less sensationally, many others moved internally from the colonized Italian South to the more economically advanced North. This historical element has been discussed in the Southern Question by Antonio Gramsci whose content analysis goes beyond the scope of this piece.

The incipit of the Southern Question<sup>38</sup> reminds us how the founding moment of the modern Italian state in 1860 these migratory movements and instances of colonization were both internal and then abroad toward the African continent.

At the end of the nineteenth century, a body of pseudo-scientific research produced by Cesare Lombroso, Alfredo Niceforo, Giuseppe Sergi, and Enrico Ferri reified southern diversity from the frameworks of biology, phrenology, anthropology, and criminology.<sup>39</sup>

It is worth noting here that Italians especially if coming from the South (black Mediterraneans) suffered dreadful conditions of work, and experienced discrimination everywhere they moved into that echoed contemporary discrimination against Global South populations moving into Europe.<sup>40</sup> In some cases, like in the USA, they went to replace slaves just liberated and were discriminated against. There is a great amount of literature that explored the line of color they had to inhabit.<sup>41</sup>

However, the fracture internal of the newly formed Italian state reflected abroad where Italians emigrated, and it was also translated in the African colonies “seen not just as a form of nationalistic expansionism but as a solution to an oversupply of labour and a large landless peasantry”.<sup>42</sup> It was then twisted by the fascist regime that made at once Italians white while defining the silhouette of the Other. That image remains relevant today and characterized the media and public account of Saman’s case we are discussing here.

In conclusion, different elements must be considered bound together: Internal colonization, the Southern peasant as the Other, mass emigration from the South and colonization of African territories where the State diverted racist ideologies that were translated and applied.

### **The Right Blood**

The current law on citizenship of 1992 is based on the criterion of *ius sanguinis* ("right linked to blood", therefore to the origin of the natural parents): anyone born to non-Italian (also non-European because in that case rules are different) parents, even if given birth on Italian soil, can only become a citizen upon reaching adulthood age, if he/she has maintained residence in Italy "legally and uninterruptedly" since birth. It is a law then that openly excludes children and young people from citizenship and the benefits deriving from it, up to the age of 18; and links their condition to that of their parents, who in the meantime may not obtain the renewal of their residence permit.

To contextualize this law to those years of production of the law, and the dynamics around it allow us to retrieve the origins of the national formation of Italy. Since its origins Italy has been plagued by racial hierarchies that after a long trajectory across layers of history of emigration and immigration, led to the tragic epilogue of Saman's life. This kind of legal analysis is necessary to arrive at the core of the current dysfunctional situation, to comprehend its racial structural dimensions that inform the current national narrative. I urge to decamp the case of Saman away from the orientalist rhetoric of emergency and pity that reinforce the white man's burden which ultimately reiterate racist ideologies.

In December 2023, Saman Abbas was given honorary citizenship from the town of Novellara as a symbol of freedom and personal self-determination. I read this posthumous honor, that is merely symbolic, as an occasion to seriously ignite the debate around the condition of millions who live in Italian society without being part of society but still sardonic. In October 2013, in the aftermath of a shipwreck in which 368 migrants perished just outside of Lampedusa, the Italian prime minister at that time, Enrico Letta, declared that the dead, bare, unidentified life, were Italian citizens. It is evident, almost palpable, the cynical approach of the Italian authorities to grant and recognize those who are not while persecuting and excluding those who are. Here I want to refer to a notable article by Pablo Ordaz titled "Only the dead can stay" in which at that time he exposed the

tragic irony of the chronicles.<sup>43</sup> However, in following years, the Italian civil society mobilized to reveal the interrelation between policies of migration control and law on citizenship and the limits of the latter. In the next section I am going to brief the most relevant passages starting with a proposal to find a third way between *ius soli* and *ius sanguinis*: *ius scholae*.

### **Recent attempted reforms**

In March 2022 the Constitutional Affairs Committee of the Chamber of Deputies adopted a draft outlining a model for granting Italian citizenship to those who have attended school in the country. It states that a child born in Italy to foreign parents with legal residence and who has regularly attended school for at least one academic cycle for a minimum of five years can acquire Italian citizenship at the request of the parents. This route is also open to children not born in Italy as long as they are under the age of 12. In addition to these hypotheses, which constitute a real right to acquire citizenship, the proposal introduces a further case of granting citizenship (so-called naturalization), which has a discretionary nature, for the foreigner who entered the national territory before of the age of majority, legally resident there for at least six years, who has regularly attended, in accordance with the legislation in force, in the same territory, a school cycle, with the achievement of the final qualification, at schools belonging to the national education system or a professional education and training path leading to the achievement of a professional qualification. This case should especially concern foreign minors who entered Italian territory between the twelfth and eighteenth years of age (art. 1, paragraph 1, letter e).

The adoption of a basic text by the Constitutional Affairs commission is merely a preliminary step towards the possible approval of a citizenship reform, given that before a vote is reached by the House and Senate the text may undergo modifications through the amendments. In recent years, laws on civil rights, from that on *ius soli* - which instead attributes citizenship to those born in Italy - to that on homophobia have often run aground in the passages between one chamber and another. Let's trace back what happened in the past.



On 13 October 2015, the Chamber of Deputies approved the citizenship reform bill at first reading with 310 in favor, 66 votes against and 83 abstentions. This is a text resulting from the unification of 25 legislative proposals presented in previous years by representatives of all political parties regarding citizenship. The approved text did not provide for an overall reform of the law on citizenship but focused only on the acquisition of citizenship by minors. The main innovations consisted in the provision of a new type of acquisition of Italian citizenship by birth (so-called tempered *ius soli*) and in the introduction of a type of acquisition of citizenship following an educational path (so-called *ius culturae*).

The text approved by the Chamber was immediately transmitted to the Senate (A.S. 2092), but it was blocked there because right-wing political parties opposed it on the base of false and deceiving motivations. First, right-wing parties spread the false fear that in the case of law approval there would be an invasion of women giving birth on Italian soil, attracted by the possibility of obtaining automatic citizenship. That account was openly fake because what had been advanced was a tempered form of *ius soli*, for which it is not sufficient to be born on Italian soil to automatically obtain citizenship. The total *ius soli* in Italy applies only in two exceptional cases: if the parents of the child born on Italian territory are unknown or stateless or cannot transmit their citizenship to him according to the law of the State of origin; or if the child is the child of unknown parents and is found on Italian territory.

It is also important to note here that the same right-wing politicians tapped into one of the oldest European fears: the Islamization of society. But again, without going into ontological debates, this is merely a misleading projection according to the data. According to different dossiers, most legal immigrants in Italy are Christian (considering the different confessions): Christians have increased by 6 decimal points compared to 2013, now reaching 53.8% of the total; on the contrary, Muslims decreased by 9 decimal points and are 1.6 million of the total.<sup>44</sup> Third, the right-wing has always used the fear of ethnic substitution. Again, if we look at the number of immigrants in Italy this is not only improbable but also risible

when discussing a territory on which there have always been living different people and cultures. Now just under 800 thousand minors would benefit from the law and, if the law were approved, in the future there could be around 40-45 thousand new Italians thanks to the temperate *ius soli* and 10-12 thousand for *ius culturae*. Considering that in Italy there are around 10 million minors in total and that almost 486 thousand children were born in 2015 (ISTAT new data) there is no possibility of "ethnic substitution".

As this article has gone under review, a proposal for a referendum to partially abrogate an article of the current citizenship law has reached the necessary number of signatories. The question aims to bring to 5 years of uninterrupted legal residence in Italy for the purposes of submitting the application for citizenship by adult citizens of non-EU states: the term of 5 years is already provided for in the laws currently in force in many other EU states, which have been experiencing significant migration for a long time (France, Germany, the United Kingdom, Belgium, the Netherlands, Portugal, Luxembourg, Sweden), while Slovenia requires 8 years and only Spain, Switzerland, Poland and Croatia require 10 years. The success of the referendum repeal will therefore have the effect of allowing the acquisition of de facto citizenship after at least 8 years, considering the 3 years necessary to complete the administrative procedure and the oath, while today no less than 13 years are required.

The number of potential beneficiaries of the referendum effect is very significant, because according to ISTAT statistics<sup>45</sup> of the over 5 million foreigners legally resident in Italy as of 1 January 2023, over 2,300,00 are non-EU citizens who already hold an EU residence permit for long-term residents, which is issued with requirements like those required for the acquisition of citizenship. Many of these people could therefore decide, sooner than they do today, to submit the application for citizenship and because of the acquisition of parents' citizenship, their minor children living with them would also automatically become Italian citizens. It is fair to think that Saman's parents would have taken this opportunity transferring their acquisition to their kids. Citizenship is the best cure for marginalization as it makes a way out from the ghetto and isolation.

As a matter of fact, Italian citizenship offers numerous benefits at the European level, including the freedom to relocate anywhere across the European Union without the need for a visa. Also, Italian citizenship simplifies and makes the process of purchasing properties in Italy more cost-effective but also access to public medical care and high-quality public education available to EU citizens including the right to seek emergency healthcare services while temporarily staying in another EU member state. Finally Italian citizens have the right to vote for the Italian Parliament representative in their region and the right to diplomatic protection in the territory of a third country by the diplomatic or consular authorities of another EU Member State.<sup>46</sup>

### **Insurrectional Citizenship**

Here in Novellara, the interconnection between the spreading of contemporary colonial capitalism and specific Italian economic and cultural imperative that draw the color-race line responsible of Saman's fate comes to the fore. Here, passing through the fertile food valley we crisscross the color line<sup>47</sup>, as we meet migrants, and their descendants confined within that little opportunity of social mobility. Migrant communities' members are much more likely than their native-born counterparts, to have precarious jobs, and are more likely to be overqualified for the work that they do. When we consider the sectors and tasks where immigrants are employed, unfortunately this trend is confirmed. Almost two out of three workers with a migratory background are employed in manual jobs and with low qualifications. This condition does not change with the increase in the years of residence in Italy, nor with the length of work. We note the sectors where these people are most employed in which in the case of women are in the domestic and care sector that amount to 38.2%, while 42.4% of men are employed in industry and construction.<sup>48</sup> These data highlight racialization as a structural component of contemporary Italy that renders it a postcolonial country, where the imbrication between racism and contemporary global capitalism is evident. It is worth quoting here the Peruvian thinker Anibal Quijano when explain what he defined the coloniality of modern capitalist power as:

One of the fundamental axes of this model of power is the social classification of the world's population around the idea of race, a mental construction that expresses the basic experience of colonial domination and pervades the more important dimensions of global power, including its specific rationality: Eurocentrism. The racial axis has a colonial origin and character, but it has proven to be more durable and stable than the colonialism in whose matrix it was established. Therefore, the model of power that is globally hegemonic today presupposes an element of coloniality.<sup>49</sup>

When it comes to Italy the link between race and labor has been not only understudied, but its analysis profoundly misled. The central mistake has been to reduce the force of racism to the marginalization of certain groups, in certain historical moments. In other words, the concept of racialization, that is the imbrication between capitalism and racism never developed, at least until recently.<sup>50</sup> The debate has revolved around the mere idea of racism as trespassing social conduct norms, and only confined to specific historical moments and political power. In the case of Italy is paramount the example of the fascist regime to the point that when Benito Mussolini was eliminated, the phenomenon of racism disappeared as well.

This approach is not only flawed but undesirable in the light of tragedies like that of Saman. We must comprehend the structural role of racism and gender across the history of Europe as the force behind colonialism whose legacies are still visible and impact vulnerable racialized segments of population within the labor market. An intersectional approach then is pivotal within the social stratification of neoliberal citizenship. In this way the fight for citizenship law reform combines with antiracism to become revolutionary by delineating a political agenda that encompasses distinct struggles around different subject matters.

Doing otherwise leaves antiracism struggle confined to an unpretentious moral response to the next episode of intolerance. It will remain trapped within a sort of "orientalist" approach that ends blaming the Other as too different, primitive, or barbarous to make sense of vicissitudes like that of Saman. Instead, when we take into account the contemporary racialization of contemporary Italian society the supported

by the data mentioned above, a situation of quasi-apartheid emerges. However, this condition epitomizes the border and the subject that inhabit the frontier but it transcends unto the whole society's structure of core-periphery relation and the mechanisms of mobility within it.

The question then of what it means to be a citizen is now more urgent than ever in a country, like Italy, that has been always marked by migration in every direction. The relationship between citizenship and integration is at the core of the political agenda as formal recognition is the first step to give to racialized subjects the power "to speak" for themselves without the mediation of white European subjects and to build a common front strong enough to dismantle race hierarchies. This fight begins within the realm of humanitarian rescue and assistance, but to limit it there following the Christian dogma of charity, it would reduce the struggle to the mere victimization of the Other. Instead, a new form of citizenship will impact the Italian society at different levels: economic, educational, political, and social. Citizenship then acts as a catalyst for social change, inspiring participation across latitudes and segments, new role models no more confined within racialized hierarchies, potentially exceeding national limits.

Citizenship remains a core instrument for social cohesion since the very act of becoming a citizen bears evocative and symbolic value. However, it would be a mistake to sanctify the formal bureaucratic acquisition of it. While citizenship offers equality in terms of formal rights, its impact on the lives of individuals depends on many socio-economic factors. It is imperative to keep in mind that "the importance of formal rights is undeniable, but the relationship with the use and distribution of power, with "empowerment" is not less so."<sup>51</sup> The marginalization that the Abbas family lived in, ossified within the core of the made-in Italy, was sharp enough to cut the land deep, leaving a profound scar of separation that inexorably bled. Smashed against the barbed wire of this separation, Saman was held down and squeezed, having neither the rights, nor the resources necessary to live and thrive in the society where her young life ended. She walked alone the terrifying line of resistance between a rock of an

oppressive past and a hard desolate present place where simply survival remains precarious.

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