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Analysing the impact of migration  
processes on gender identities, roles, and  
hierarchies: insights from the experiences  
of Romanian women in the Italian  
agricultural sector

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## Table of contents

<b>1. INTRODUCTION</b> .....	4
1.1 BACKGROUND INFORMATION AND RELEVANCE OF THE TOPIC .....	4
1.2 AIM OF THE STUDY AND RESEARCH DESIGN .....	8
<b>2. GENDERING MIGRATION STUDIES</b> .....	12
2.1 CORRECTING THE IMBALANCE: THE ‘ <i>ADD WOMEN AND STIR</i> ’ APPROACH.....	12
2.2 PROBLEMATISING THE UNVEILED REALITY: HISTORICAL AND MATERIAL CONSIDERATIONS OF THE FEMALE CONDITION IN MIGRATION TRAJECTORIES .....	16
2.3 INCLUDING A HOLISTIC GENDER PERSPECTIVE INTO MIGRATION RESEARCH: A DECONSTRUCTIVIST DEMARCH.....	20
2.3.1 <i>BLACK FEMINIST CRITIQUE, THIRD WORLD WOMEN STUDIES, AND INTERSECTIONALITY</i> .....	24
2.3.2 <i>QUEER STUDIES AND SEXUALITY</i> .....	29
2.3.3 <i>TRANSNATIONALISM</i> .....	33
2.4 PRELIMINARY CONCLUSION .....	36
<b>3. CRITICAL ANALYSIS OF ECONOMIC, LEGAL, AND POLITICAL STRUCTURES GOVERNING THE PRESENCE OF ROMANIAN WOMEN IN THE ITALIAN AGRICULTURAL LANDSCAPE: AN INSTITUTIONAL PERSPECTIVE</b> .....	38
3.1 ROMANIA AS A COUNTRY OF EMIGRATION .....	39
3.2 A NORMATIVE FRAMEWORK OF THE ITALIAN AGRICULTURAL SECTOR .....	44
3.2.1 <i>A PORTRAIT OF THE LABOUR FORCE EMPLOYED IN THE AGRI-FOOD SECTOR</i> .....	44
3.2.2 <i>ITALIAN AGRICULTURE IN THE GLOBALISED ECONOMY: DISEQUILIBRIUM IN THE BALANCE OF         POWER ALONG THE SUPPLY CHAIN</i> .....	46
3.2.3 <i>BETWEEN TRADITION AND MODERNITY: THE EVOLUTION OF CAPORALATO</i> .....	50
3.2.4 <i>THE SEGMENTATION OF THE ITALIAN LABOUR MARKET ALONG GENDER AND NATIONAL LINES</i>	53
3.2.5 <i>ONGOING INNOVATION AT THE EU LEVEL: SOCIAL CONDITIONALITY AND DUE DILIGENCE</i> .....	57
3.3 LEGAL PROVISIONS AND POLITICAL INSTRUMENTS TO CONTRAST THE EXPLOITATION OF MIGRANT WOMEN IN THE ITALIAN AGRICULTURAL SECTOR .....	60
3.3.1 <i>THE EU APPROACH: INTRODUCING A HUMAN RIGHTS-BASED PERSPECTIVE WHILE ENSURING         FREE INTERNAL MARKET AND STRONG EXTERNAL BORDERS</i> .....	60
3.3.2 <i>THE ITALIAN LEGAL FRAMEWORK TO ADDRESS LABOUR EXPLOITATION: A DIFFICULT         EQUILIBRIUM BETWEEN CRIMINALISATION AND CONCERNS ON VICTIMS’ ASSISTANCE, PROTECTION,         AND REINTEGRATION</i> .....	69
3.3.3 <i>ITALIAN POLITICAL INSTRUMENTS TO ADDRESS EXPLOITATION IN AGRICULTURE: THE LACK OF A         GENDER-SENSITIVE APPROACH IN PLANNING AND IMPLEMENTATION STRATEGIES</i> .....	75
3.4 PRELIMINARY CONCLUSION .....	84
<b>4. ENLIGHTENING THE EXPERIENCE OF ROMANIAN WOMEN IN THE ITALIAN AGRICULTURAL SECTOR: REFLECTIONS FROM THE GROUND</b> .....	87

4.1 SOCIAL ISOLATION, MATERIAL PRECARITY, AND GENDERED TRADITIONS: INVESTIGATING THE ZERO POINT OF MIGRANT WORKERS IN NORTH-EAST RURAL ROMANIA .....	89
4.2 THE FEMINISATION OF INTERNATIONAL LABOUR MIGRATION AND THE CONSTRUCTION OF MIGRANT WOMEN AS PRIVILEGED ACTORS WITHIN MARGINAL SECTORS OF THE ITALIAN ECONOMY .....	91
4.3 IMPLEMENTING INTERSECTIONALITY: ANALYSING THE VULNERABILITIES OF ROMANIAN WOMEN IN THE ITALIAN AGRI-FOOD SECTOR .....	95
4.4 CONTEXTUALISING TRADITIONAL IDENTITIES, ROLES, AND HIERARCHIES UNDER THE CHALLENGE OF THE NEW SCENARIO .....	100
4.4.1 THE EVOLUTION OF THE FEMININE IDEAL IN ROMANIA.....	100
4.4.2 MIGRATION BETWEEN IMAGINARY AND STRATEGY: THE RESEMANTISATION OF GENDERED HIERARCHIES AND NORMS IN THE HOUSEHOLD.....	103
4.4.3 REDEFINING IDENTITIES IN NEW RELATIONAL MECHANISMS: ROMANIAN WOMEN IN ORIGINAL COLLECTIVE SPACES .....	108
4.5 PRELIMINARY CONCLUSION .....	117
<b>5. CONCLUSION.....</b>	<b>121</b>
<b>BIBLIOGRAPHY.....</b>	<b>129</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>153</b>

## 1. INTRODUCTION

### 1.1 BACKGROUND INFORMATION AND RELEVANCE OF THE TOPIC

The present research inserts itself within the stream of reflections that emerged to comment on dominant narratives around migration as proposed by official discourses in Italy and, more broadly, in the European Union (EU). In recent years, we have assisted in the spectacularisation of this phenomenon, with a significant focus on its presumed exceptionality. In other terms, human mobility has been proposed as a peculiar trait of the modern age. Mainstream representations of migration have consistently focused on trajectories that originated outside the EU. The privilege of visibility offered to African and Asian migrants reaching EU borders mainly through unsafe and irregular pathways located in the Mediterranean and Balkan routes is indeed functional to the criminalisation of intercontinental flows. The practical implication of such a theoretical posture has consisted in the construction of what has been later renamed as '*Fortress Europe*', where external EU borders have become insurmountable as a consequence of the erection of physical and legal barriers. The political will to hamper the access to third-state nationals has translated into the construction of material shields along EU external perimeters. Both member states and the EU have undertaken a series of inter-state arrangements aiming at the externalisation of border management to transit countries that are given technical and financial assistance with the aim of preventing potential migrants from accessing EU territories while engaging in severe human rights violations in order to pursue such a scope. At the Italian level, we have assisted in the multiplication of curtains to the protection and legal recognition of refugees, which often entails the repatriation of asylum seekers or the perpetuation of their irregular status on the national territory, sharply reducing their possibility to live and work in decent conditions.

Meanwhile, the resignification of space in a world characterised by the multiplication of interconnections and the lifting of the obstacles of geographical distance for privileged actors have come to define life in the modern globalised world, affecting our capacity to think about short-distance migration as potentially problematic, especially within what is recently being presented as a unitary political and cultural family: the EU. The gradual yet constant process of EU integration from the original central-Western bloc towards countries formerly under the edge of the Soviet Union and the progressive pushing of new frontiers Eastwards have provoked a general disengagement in the capacity to critically analyse the relevance of intra-EU migration flows as the crossing of physically neutralised yet symbolically persistent borders. In contrast with what has been highlighted as far as it concerns fluxes from non-EU countries, intra-EU mobility has been fostered by a precise and effective political willingness, implemented through actions such as the establishment of the principle

of freedom of movement, programmes such as *Socrates* and *Erasmus*, and the creation of the European employment services (EURES). The emergence of different streams of migration has to be inserted within major changes in the individual trajectory of single EU member states. Most notably, Italy has shifted from being a country of emigration towards the global and European industrial poles to taking on the appearance of a country of immigration. In particular, Southern European states have specialised in the reception of economic migrants from Eastern European countries, especially Romania and Bulgaria, as well as of potential refugees for whom Mediterranean territories represent the first space where to seek asylum in the EU.

The coexistence between multiple migrant communities has also fuelled parallel interpretations to justify and comprehend their presence on Italian territory, although all of them seem to converge on a single scope of maintaining migrant subjects in a position of marginalisation and subalternity. Migrations are always interpreted from the point of view of receiving states, whose attitude towards migrants often depends on the capacity of framing the intake of specific subjects either as a threat or an opportunity. The migrant identity is projected into a suspended spacetime and thus fails to be grasped in its physical presence on the Italian territory. Latent racial, national, and ethnic elements are triggered into foundations of cleavages between antithetical values, practices, and representations. In such a process, migrants are transformed and crystallised into foreigners. Becoming the symbol of its alterity, they are ultimately functional to engage in a reflection on the intimate nature of the State, thus incarnating its *raison d'être*. By acting as a mirror where a nation can see its own specular image, the migrant race also performs as an expedient to exorcise what a nation is not. Following this perspective, borders accomplish the symbolic purpose to dissect the spatial order and categorise human beings according to codes of desirability and undesirability. On this matter, Zygmunt Bauman has engaged in the following consideration:

*“Drawing and protecting borders are conceived as priority activities aimed at achieving and maintaining security; the price to be paid is the loss of freedom of movement. This freedom soon becomes the discriminating factor between different social ranks and the criterion by which an individual or a category is measured within the social hierarchy; the right of passage (or rather the right to ignore the border) thus becomes one of the most contested issues, strictly class-based; while the ability to challenge the prohibition to cross a border becomes one of the main weapons of dissent and resistance against the existing hierarchy of power. These pressures result in an obvious paradox: in our rapidly globalising planet, the diminishing effectiveness of borders (their increasing*

*porousness, coupled with the fact that spatial distance has less and less defensive value) is accompanied by the rapid growth in meaning that we tend to attribute to them.”<sup>1</sup>*

Contrasting this dominant posture, it seems crucial to shift our focus from the broader phenomenon towards the subjectivities involved in it, thus reflecting on how borders become polysemantic rather than ambivalent. The allocation of privileges to foster intra-EU mobility has promoted a rhetoric according to which EU citizens would represent the winners of the process of continental integration, despite their national provenience. Similar representations eventually obscure the fact that an important prerogative in the process of EU enlargement was to provide Western democracies with a new reservoir of cheap labour – exploitable through the delocalisation of Western companies in Eastern states as well as through migration of Eastern European citizens towards Western states - and captive market to export national products. Although not quite comparable in terms of intensity and spreading, this dynamic seems to follow a scheme designed under colonialism and definitely fits into the definition of racial capitalism. In the aftermath of the fall of the Soviet Union, the European continent emerged as a privileged arena for a new configuration of an international division of labour based on the core-periphery model, where core countries are characterised by capital concentration devote themselves to high-profit labour, while peripheries work-intense, low qualified and cheap production, thus confront themselves with a constant deterioration of terms of trade.

This practical division relies on a process of social fabric of Eastern European populations by Western agencies based on racist practices, discourses, and images that justify this hierarchical and asymmetrical distribution of resources and benefits. Replicating the orientalist schemes already implemented within the context of colonialism and neo-colonialism, Eastern Europeans are homogenously framed as somehow incompatible or at least not completely assimilable with regard to the Western bloc, thus condemned to assume a posture of inferiority and subalternity. For their part, Eastern EU citizens have not rejected this stigmatising posture, aiming at being incorporated into the Western bloc and pushing patterns of racialisation to other communities. In line with this analysis, it seems important to make a distinction between racism and colourism. While the second refers to a dynamic of discrimination specifically targeting non-white individuals, racism is a broader phenomenon that can be based on elements other than skin colour. In other words, while colourism can always be identified as racism, racist dynamics cannot be fully encompassed by the bias against dark-skinned persons. Although in different manners, media coverage and political discourses engage in a construction of Eastern European migrants as deviants, with the overrepresentation of

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<sup>1</sup> Bauman, Zygmunt. “Nascono sui confini le nuove identità.” *Corriere della Sera*. 24 May 2009. <http://fc.retecivica.milano.it/rcmweb/testwebisraele/Ebraismo/Forum%20Patrie%20in%20esilio/Archivio%202009/S09CBE08E?WasRead=1>.

migrant stories associated with criminality, violence, domestic and gender harm, prostitution, and an overall deplorable way of living.

Taking the analysis one step further, in order to investigate patterns of inequalities of migratory regimes in the EU it seems crucial to adopt a gender perspective. Classical migration studies have been centered on the experience of male migrants, which not only neglects the specific condition of the female component, but also hampers the comprehension of this phenomenon. As a matter of fact, there is a consistent presence of women in migrations from Eastern EU countries towards the West. Investigations on the presence of women from Eastern EU countries have focused on the *continuum* between reproductive female labour within the households and their productive work in the job market. The monopole of academic attention seems to revolve around the condition of women employed in the domestic and care sector. Alongside this scope of investigation, the situation of sex workers from countries of the East in the global market of sex has also attracted multiple streams of analysis, particularly seized in conjunction with other phenomena such smuggling and trafficking. While these specific fields of research do constitute privileged objects of inquiry to explore female intra-EU mobility, a third sector of the labour market emerges as the incarnation of shortcomings of migration arrangements from a gender perspective: the agricultural system. In the contemporary common imaginary, the prototype of the agricultural worker is incarnated by male adults from Africa. Nevertheless, certain areas are characterised by a high concentration of female labour force specifically from Eastern Europe. As it will be later shown, Romanian women are particularly represented in this field.

A spotlight on the severe human rights violations experienced by Romanian women employed in agriculture, renamed “*the slaves of the East*”, has been provided by the investigation conducted on greenhouses in the province of Ragusa. In the city of Victoria, women are subjected to systemic labour and sexual exploitation. Facing a condition of spatial and social segregation, they are obliged to live in degrading improvised settlements near workplaces isolated from urban centers. This situation makes them totally dependent on their bosses as far as it concerns the obtainment of basic means of subsistence. In some cases, children are present on the territory with their mothers, subjecting them to further levels of victimisation. Besides being obliged to work in unsafe and undignified working conditions without receiving the proper amount of retribution or having the possibility to access any form of assistance, women are also forced to have sexual intercourses with their employers through extortion or physical and psychological threats. Farmhouses in the countryside became the theatre of brutal feasts where Romanian women were offered by their employers to parents and friends. The number of registered abortions of Romanian women in the



province of Ragusa has registered a major increase, and this disregarding the fact that the elevated number of objectors compelled women to return to Romania in order to have voluntary interruption of pregnancy or to have recourse to unofficial procedures carried out in unsafe contexts. The chain of silence was blocked only by the denouncement of the parish priest of the locality, despite the fact that such a reality was well-known in surrounding communities. The investigations carried out by *L'Espresso* and echoed by *The Guardian* obtained the attention of the international community, to the point that major institutions at the Italian and the EU level were reached.<sup>2</sup>

Besides the political commitment, the most important efforts continue to be undertaken at the judicial level with the legal prosecution of culpable individuals. In most cases, assistance furnished to victims is conveyed by actors in the field of humanitarian aid, whereas this emergency treatment contributed to the overall depoliticization of the matter. This approach entails two major shortcomings. In the first place, considering the fact that the situation of omnicomprehensive vulnerability experienced by Romanian women does not configure the possibility to denounce as a viable option, the absence of reports on the situation implies the fact that it remains globally unaddressed. In addition, the criminalisation of single personalities would undermine the capacity to consider the situation as the manifestation of a rooted, widespread, systemic phenomenon. Framing the experience of Romanian women in Ragusa as an isolated case of exceptional gravity diverts the regard from its structural foundations. Similarly, the hegemonic role assumed by this scenario in case studies on the topic of the female condition in Italian agriculture has hampered the recognition of other areas where the concentration of Romanian labour force may translate into similar outcomes. In particular, the region of Arco Ionico has emerged as a privileged area for the intake of Romanian women in this field. Although the case of Ragusa may represent an apex of a pattern, inferior gradations need to be taken into account in order to have a more exhaustive portrait of the phenomenon.

## 1.2 AIM OF THE STUDY AND RESEARCH DESIGN

Our understanding of migration – both in academia and in the policymaking arena – has been largely impacted by expectations to classify migrants according to the male-female binary. The very fact of belonging to either of the two social categories becomes the explanatory variable to account for the differential access to migration opportunities as well as variations in aspirations, conditions, and trajectories. Under these lenses, gender is often confused with a static, fixed, and intrinsic trait of the

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<sup>2</sup> Mangano, Antonello. “Sfruttamento, stupri e aborti: le braccianti rumene in Sicilia vivono ancora come schiave.” *L'Espresso*. 5 June 2017. <https://espresso.repubblica.it/inchieste/2017/06/30/news/sfruttamento-stupri-e-aborti-le-braccianti-rumene-in-sicilia-continuano-a-vivere-come-schiave-1.305380/>.

person established at birth or as an element *a priori*, before it enters the arena of social relations within structures of inequalities. Without questioning the analytical and practical relevance of this approach, taking gender as the dependent variable shaped by the action of specific configurations of the migration process is deemed crucial to shed a light on the (trans)formation of a matrix of behaviours, representations, and power relations. To the aim of the present research, gender is not an immutable entity but a plastic and fluid element either reaffirmed or questioned through social interactions. This work thus intends to analyse the impact of migration on gender identities, roles, and hierarchies of the Romanian women employed in the Italian agricultural sector in the region of Arco Ionico.

Migration appears as a privileged ground to investigate such a mechanism, insofar as it constitutes the liminal moment *par excellence*. In their journeys, migrants undertake a rite of passage characterised by an alteration of dominant structures and hierarchies as well as by the resignification of regimes of comprehension and practices of subjectivities in relation to the social order previously imposed by law, costume, and rituals. This kind of transition allows to plunge into a suspended and undifferentiated spacetime, where the triggering of states of anxiety and anguish are accompanied by a reconfiguration of mechanisms of control and discipline, which may eventually release a creative potential that redesigns the horizon of possibilities of gendered outcomes.

The first part of this work will be devoted to the provision of a theoretical framework of analysis based on a critical examination of most important academic works on the matter. The progressive inclusion of a gender perspective into migration studies will be analysed, focusing in particular on the mutual influences between feminist research and inquiries on human mobility. The observation of the different conceptual and methodological approaches mobilised regarding this object of study does not aim at establishing distinct antithetical blocs. From a different perspective, the aim is to retain from each one of them innovative elements that allow to capture specific traits of modern migration. At the first moment, the inclusion of gender as a conceptual tool in classical theories on migration took shape through the inclusion of women in quantitative analysis of migratory phenomenon. While mapping did represent the mandatory first step in order to free women from their invisibility in dominant academia, in a second stage it was deemed crucial to engage in a critical analysis to investigate how the mobility of women takes place between different regimes of inequalities and power asymmetries based on gender, race, and class. The insights offered by postmodern and poststructural feminism have eventually allowed to consider gender as a social construct whose meaning is ambiguous, incoherent, and unstable by nature. The perspectives offered by critical race theory, third world women studies and intersectionality, as well as by queer studies

and transnationalism, contribute to unveiling the different outcomes that can derive from such a process of gender fabric depending on the specific situatedness of subjectivities.

The second chapter will be dedicated to the analysis of the ensemble of economic, legal, and political structures shaping the presence of Romanian women in the Italian agriculture sector, with the aim of unveiling the forces that discipline and constrain human behaviour in this specific context, thus orienting the process of gender (re)construction. In a first moment, the attention is devoted to the context of origin in order to historically examine the path-dependency of a particular and consolidated model of migration, with the aim of investigating how migration perspectives are presented to Romanian people. In a second moment, it was deemed important to take into consideration the different aspects that contribute to fabric Italian agriculture as a magnet for exploitable female migrant labour force. The purpose here is to unveil the structural nature of the phenomenon, in order to highlight the fact that following findings on the ways in which this particular migratory regime influences the resignification of gendered meanings and norms should be inserted into the systemic and widespread organisation of racial and gender capitalism. The last component of this chapter will take into account legal and political instruments at the EU and the Italian level that are conceived with the aim of correcting and contrasting the shortcomings of the aforementioned institution, while simultaneously contributing to its reinforcement. The reflections contained in this chapter rely on academic works and reports on the topic, as well as on an extensive examination of legal and policy documents.

The third and last part will provide insights from the experiences of Romanian women working in agriculture in the region of Arco Ionico. In this sense, the focus is displaced from structural constraints to empirical interactions between the environment and human responses. The purpose is to investigate how gender norms in the context of origin are either challenged or reinforced during migration processes, with the scope to capture the alteration of identities, roles, and hierarchies. In a first moment, the attention will be placed on the material level, taking into account practical living and working conditions for Romanian women in both contexts of origin and of destination. Only in a second phase the focus will be addressed to the social and relational dimension, devoting particular attention to the variation of arrangements in households, workplaces, and broader communities. The final objective is to seize the resemantisation of gender codes of behaviour at the symbolic level, taking into account the perception of migrant women as well as of actors that are directly impacted by their migration experience. While academic, professional, and journalist investigation on the topic constituted a mandatory precondition in order to build the general expertise needed to engage in such an inquiry, the main findings contained in the chapter are based on interviews with a group of

Romanian agricultural workers in the region of Arco Ionico, as well as on the reports of selected witnesses working in direct contact with this people and having a privileged regard on their experience.

## 2. GENDERING MIGRATION STUDIES

The first part of the present work aims at engaging in a critical manner on the different phases in which gender perspectives have been included in migration research. Without falling into the urge to consider such moments as distinct blocs, it is considered more useful to highlight how each one of them has enlightened particular issues of modern migration, pursuing an effort of overcoming contradictions and shadow points in previous approaches. While allocating particular emphasis on how migration studies have been nourished by the establishment of gender as a conceptual tool of analysis, it is of paramount importance to consider how the observation of the condition of migrants has influenced feminist theory in return, contributing to the formation of multiple demarches. In doing so, a parallel examination of the evolution of feminist studies will be deployed. In particular, it is possible to identify three different streams in the production of knowledge around this topic. In a first moment, the most evident issue in terms of gender was the invisibility of women in academic works, which has triggered data collection on the presence of women across international migration flows to mushroom in different branches related to this field. While until a certain point the situation of migrants has been analysed according to standards of thought imposed by positivist, modernist, and rationalist ideologies, in a second phase the neutral observation of women in migration settings was questioned by materialist feminists, which have emphasised the role of economic, political, social, and cultural structures in allowing for the formation and the perpetuation of asymmetries in power relations, leading to a situation in which migrant women are exploited and oppressed as a consequence of their subaltern position in gendered, racist and classist hierarchies. In critical reaction to these previous attempts to include gender in migration research, although in partial continuity with earlier visions, under the edge of poststructural and postmodern feminism a further effort to implement antiessentialist and deconstructive methods has been implemented. This new impetus has allowed for the inclusion, both as an object of analysis as well as agents behind the production of discourses, of different subjectivities, often disregarded by dominant discourses.

### 2.1 CORRECTING THE IMBALANCE: THE '*ADD WOMEN AND STIR*' APPROACH

Traditional migration theories, in which men are intended as universal objects of analysis, have swollen up not only the experiences of migrant women, but also of those who fail to fit in the binary structure of male-female. Initially, this reality was included in the push-pull model, one of the most enduring references in such a field of study. Under these lenses, migration is seen as an overall positive phenomenon, in which social forces naturally tend to generate global equilibrium – realised

in the decrease in wage differential between states – and to act as a global boost for development.<sup>3</sup> In neoclassical theories of migration, the role of men is dilated to impersonate the prototype of migrant par excellence, incarnating the modern personification of the *homo economicus*. While taking into account surpluses and shortages of the labour force between different geographical areas, this design dwells on the desire to increase economic gains and improve living conditions to complement the explanation of transferral of workers.<sup>4</sup> Despite this universal androcentric posture, women have stably accounted for half of the migrant population globally.<sup>5</sup> At the end of the XIX century, this element led Ernst Ravenstein – one of the first experts to attempt to gather general laws on migration – to assume that they were more migratory than men, although considering mainly intranational movements.<sup>6</sup>

Despite this early guess, researchers on migration paid small attention to women until much later. During the 70s and the 80s, sex was gradually included in the debate to eventually become an explanatory variable to account for the differential access to migration opportunities as well as variations in aspirations, conditions, and trajectories.<sup>7</sup> The shift brought about by the feminization of international migration in the second half of the XX century – Stephen Castles and Mark J. Miller refer to this concept to account for the increase in the percentage of women experiencing transnational labour migration, which was seen as a peculiar characteristic of the phenomenon in the modern era, although their presence had also augmented among groups of refugees and displaced persons – gave new impetus to this necessity.<sup>8</sup> In particular, the initial corrective effort was guided by the willingness to map the presence of women across migration flows.<sup>9</sup>

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<sup>3</sup> Lee, Everett S. “A Theory of Migration.” *Demography*, 3 (1966): 47-57.

<sup>4</sup> Todaro, Michael P. 1969 “A model of labor migration and urban unemployment in less developed countries.” *The American economic review* 59, no. 1 (1969): 138-148. See also Harris, John R., and Michael P. Todaro. “Migration, unemployment and development: a two-sector analysis.” *The American economic review* 60, no. 1 (1970): 126-142; Massey, Douglas S., et al. *Worlds in motion: understanding international migration at the end of the millennium: understanding international migration at the end of the millennium*. Clarendon Press, 1999.

<sup>5</sup> In her analysis, Lutz observes that in the transatlantic migration of the nineteenth century from Europe to the United States almost half of the migratory population was composed by women. Lutz, H. “Gender in the migratory process.” *Journal of ethnic and migration studies* 36, no. 10 (2010): 1647-1663.

<sup>6</sup> Ravenstein, Ernst G. “The Laws of Migration.” *Journal of the Statistical Society of London* 48, no. 2 (1885): 167–235. On this topic, see also DeLaet, Debra L. “The invisibility of women in international migration scholarship does not correspond to the reality of international migration. Women migrate across international boundaries at approximately the same rate as men.” In DeLaet, Debra L. *Gender and immigration*. London: Palgrave Macmillan, 1999.

<sup>7</sup> Chant, Sylvia, and Radcliffe, Sarah A. “Migration and development: the importance of gender.” *Gender and migration in developing countries* (1992): 1-29. See also Boyd, Monica, and Elizabeth Grieco. “Women and migration: Incorporating gender into international migration theory.” (2014). And Donato, Katharine M., et al. “A glass half full? Gender in migration studies.” *International migration review* 40, no. 1 (2006) 3-26.

<sup>8</sup> Castles, Stephen, Mark J. Miller, and Giuseppe Ammendola. *The Age of Migration: International Population Movements in the Modern World*. New York: The Guilford Press, 2003.

<sup>9</sup> With regard to this, consider Pessar and Mahler: “The initial corrective, however, simply redressed the male bias by adding women; in other words, by treating gender largely as the variable sex. There is now a sizeable body of empirical studies aimed at redressing this tradition of male bias”. Pessar, Patricia R., and Sarah J. Mahler. “Transnational migration: Bringing gender in.” *International migration review* 37, no. 3 (2003): 812-846.

This change of paradigm is visible in the endogenous alteration of classic schools of thought, where the category of women was added without such a step being followed by a deeper critical, historical, and structural reflection on gender, a demarch that has been later defined as the ‘*add women and stir approach*’.<sup>10</sup> For instance, in the neoclassical economic model embedded in the liberal and functionalist tradition, where migration is the result of a rational choice based on a cost/benefit calculation, progress of this kind consisted in considering men and women’s individual choices separately. The discrepancy between migrant men and women was understood as the reflection of gender differences in functions and responsibilities within societies, and more specifically on the male: breadwinner/female: caretaker model.<sup>11</sup> Women were still understood mainly as associational migrants, thus passive elements whose role was limited to that of wives or mothers.<sup>12</sup> As a consequence, at least until a certain moment their movements were comprehended as subordinated to those of men, this model being a reflection of dominant policy attitudes in European migratory regimes until the XX century.<sup>13</sup>

As a matter of fact, until the 70s the main motive behind female international migration was family reunification, and this remained true even in those cases in which migrant women did enter labour markets as a consequence of the situation of material insecurity which their husbands were unable to escape.<sup>14</sup> From the opposite perspective, it must also be underlined that, for women, marital agreements were one of the main opportunities to be granted citizenship and thus economic, social, and political rights – with such rights being threatened to be suspended in case marriage agreements were to be ended.<sup>15</sup> This kind of structural patterns embodied in political and economic institutions not only encouraged female passivity and subalternity, but also monogamy and heterosexuality.

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<sup>10</sup> Hondagneu-Sotelo, Pierrette. “Feminism and migration.” *The Annals of the American Academy of Political and Social Science* 571, no. 1 (2000): 107-120.

<sup>11</sup> Hondagneu-Sotelo, Pierrette, and Cynthia Cranford. “Gender and migration.” In *Handbook of the Sociology of Gender*. Springer, Boston, MA, 2006. 105-126. In their analysis, Hondagneu-Sotelo and Cranford refer to the reference of Thandani and Todaro to “sex-role constraints” in Thandani, Veena, and Michael Todaro. “A Framework for the Analysis of the Determinants of Female Migration.” *New York: Center for Policy* (1979). This conclusion is a reflection of Durkheim’s view of society as an organism characterised by extensive labour division. This theoretical perspective was integrated in migration policies, as explained by Krzystek, Karolina in “Female migrants and the issue of residence rights.” In *Paradoxes of integration: Female migrants in Europe*. Dordrecht: Springer, 2013.

<sup>12</sup> Lutz has also underlined the fact that the invisibility of women can be explained in light of their absence in factories of other male spaces of work. Their workforce was often restricted to the private sphere and therefore was dismissed in similar analysis. Lutz, Helma. ‘Gender in the migratory process,’ 5.

<sup>13</sup> Amelina, Anna, and Lutz, Helma. “Challenging “white androcentrism”: feminist and gender approaches to citizenship research” in *Gender and Migration: Transnational and Intersectional Perspectives*. London and New York: Routledge, 2019.

<sup>14</sup> Castles, Stephen, Mark J. Miller, and Giuseppe Ammendola. *The Age of Migration: International Population Movements in the Modern World*. New York: The Guilford Press, 2003. With regard to the presence of migrant women in labour markets of countries of arrival, it seems interesting to observe that their presence was quite superior if compared to autochthonous women. This element sheds a light on the incongruence of battles and aspirations for different segments of the female population.

<sup>15</sup> Okin, Susan Moller. “Feminism and multiculturalism: Some tensions.” *Ethics* 108, no. 4 (1998): 661-684.

Autonomous female migration<sup>16</sup> – thus migration for reasons other than marriage and family reunion – was disregarded in theoretical analysis, inasmuch as it was simply interpreted through the same instruments elaborated for male movements. With regard to this, Veena N. Thadani and Michael P. Todaro have clarified that “*patterns of female migration are likely to mirror those of male migration, that is, that the potential differences between male and female migration are not likely to be of theoretical or empirical significance.*”<sup>17</sup> To summarise, the absence of women from studies on migration were attributable to a widespread misconception – especially among Western white and male academicians to whom male universality was the natural order of things – according to which “*they were seen as following men or behaving like men.*”<sup>18</sup>

This early stage was characterised by important shortcomings whose heritage is still partially visible in contemporary analysis. Such an attitude falls indeed into the trap of essentialism, where gender identity is conceived as a static, fixed, stable, and intrinsic trait of the person built upon biological characteristics determined at birth.<sup>19</sup> While naturalising asymmetries and minimising cross-cultural variations, such theoretical approaches have eventually been translated into the policymaking dimension, where they have left their mark until today on those approaches whose main concern is oriented in offering gender-responsive solutions to female-specific vulnerabilities without questioning the whole system of social relations upon which they are built – with the result of depicting women as passive and/or victims while overshadowing the fact that men are gendered beings as well.<sup>20</sup> The same conceptual mistake was carried out by another component of the functionalist school: the new economics of labour migration, which differs from the neoclassical economic model inasmuch as households replace individuals in being the main unit of analysis. Here migration is explained as a strategy deployed by the whole family acting as a homogenous and coherent decision-maker, which resorts to income diversification as a form of insurance to foster financial means to be invested to increase income opportunities.<sup>21</sup>

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<sup>16</sup> Despite dominant assumptions, women were also primary migrants. See “Female ‘birds of passage’ a decade later: Gender and immigration in the European Union” *International migration review* 33, no. 2 (1999): 269-299; Morokvasic, Mirjana. “Immigrants in the Parisian garment industry.” *Work, Employment and Society* 1, no. 4 (1987): 441-462.

<sup>17</sup> Hondagneu-Sotelo and Cranford. ‘Gender and migration,’ 11.

<sup>18</sup> Lutz, Helma. “Gender in the migratory process.” *Journal of Ethnic and Migration Studies* (2010).

<sup>19</sup> Connel, Robert W. *Gender and power: Society, the Person and Sexual Politics*. NY: 1987; Stacey, Judith, and Barrie Thorne “The missing feminist revolution in sociology.” *Social problems* 32, no. 4 (1985): 301-316.

<sup>20</sup> Pessar and Mahler have affirmed that “the male migrant as study subject disappeared almost to the same degree as the female migrant had previously.” Pessar, Patricia R., and Sarah J. Mahler. “Transnational migration: Bringing gender in.” *International migration review* 37, no. 3 (2003): 812-846.

<sup>21</sup> Stark, Oded, and David E. Bloom. “The new economics of labor migration.” *The American Economic review* 75, no. 2 (1985): 173-178; Fischer, Peter A., et al. “International Migration, Immobility, and Development.” *Multidisciplinary Perspectives* (1997): 49.



## 2.2 PROBLEMATISING THE UNVEILED REALITY: HISTORICAL AND MATERIAL CONSIDERATIONS OF THE FEMALE CONDITION IN MIGRATION TRAJECTORIES

The objective to map the presence of women in migration flows materialised under the broader framework of feminist empiricism, whose central aspiration was to identify gender inequalities in the labour market by unveiling mechanisms of fragmentation, segregation, and discrimination from the part of men against women across different geographical, social and cultural contexts, with the belief that the main challenge to the resolution of such issues was the invisibility of this reality.<sup>22</sup> Starting from the 80s, there has been a consistent effort in freeing female experiences of migration from the marginalisation to which they were condemned not so much in terms of exposure – the fact that we talk about this phenomenon – but as far as it concerns the angle of comprehension – how do we talk about this phenomenon. In other terms, the reality of female migrants did enter a phase of visibilisation, but was prevented from undertaking the subsequent stage of problematisation.<sup>23</sup> The passage to a more interdisciplinary approach, based on the findings within fields such as ethnography, anthropology, and sociology, comported significant variations not only in terms of perspectives but also as far as it concerned methodological means.<sup>24</sup> By applying the intuitions of historical materialist feminism, it was unveiled how the unequal distribution in terms of political, social, and economic capital in capitalistic gendered modes of production prevents households from being regarded as coherent units of analysis. By exposing the asymmetric allocation of assets within families, they have been reported as sites of conflict and struggle between persons endowed with different interests.<sup>25</sup> Once again, it is fundamental to insert these critiques in the broader evolution of migration theories.

Classical functionalist attitudes have been largely criticised by historical and structural schools of thought rooted in Marxist political economy. The focus here was displaced to those social, cultural, and economic structures that constrain individual behaviours. The main scope of this change of perspective was to unveil how the unequal distribution of resources reiterates and exacerbates inequalities. At a global level, the world system theory reflected on how migratory flows follow a core-periphery trajectory. The explosion of the liberal market economy has encouraged an international division of labour based on the specialization of the global South in labour-intensive

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<sup>22</sup> McDowell, Linda. "Space, place and gender relations: Part I. Feminist empiricism and the geography of social relations." *Progress in Human geography* 17, no. 2 (1993): 157-179.

<sup>23</sup> Morokvašić, Mirjana. "Birds of passage are also women..." *International migration review* 18, no. 4 (1984): 886-907; Piper, Nicola. "Gender and migration." *Policy analysis and research programme of the Global Commission on International Migration* 7 (2005); Chant and Radcliffe, "Migration and development: the importance of gender, 7.

<sup>24</sup> Pinnawala, Mallika. *Gender transformation and female migration: Sri Lankan domestic workers negotiate transnational household relations*. 2009.

<sup>25</sup> Hartmann, Heidi I. "The family as the locus of gender, class, and political struggle: The example of housework." *Signs: Journal of Women in Culture and Society* 6, no. 3 (1981): 366-394.

and low-skilled production, which resulted in the reduction of salaries and massive unemployment of the qualified working force.<sup>26</sup> The subsequent leakage of the national educated population<sup>27</sup>, in conjunction with a progressive deterioration of terms of trade<sup>28</sup>, has hampered the possibility of development of emerging countries, thus contributing to the fossilization of their dependence on the global North. To complement this analysis, the dual labour market theory has highlighted the fragmentation along socially and culturally constructed axes. Certain sectors require a docile and exploitable workforce, whose social characteristics are constructed so as to act as markers of subordination and to crystallise positions of subalternity.

While, from a macro-level perspective, the Marxist approach has outlined how the capitalistic model establishes a system of exploitation based on the concept of social class, the latter being understood as the fundamental epistemological and ontological unit, it seems crucial to restrain from considering it as a homogenising mark by acknowledging the parallel existence of hierarchies established on sexist and racist matrices. The social construction of the *Alter* through the projection of corporal elements into sexualised and racialised identities is functional to the maintenance of a chain of material production and social reproduction built on a relationship of appropriation.<sup>29</sup> The critique advanced by the pioneers of materialist feminism has reasserted how class, race, and sex should be conceived as distinguished yet embedded variables connected by ‘*communicating vessels*’<sup>30</sup>; the prioritization of one social rapport on the others would hamper the process of deconstruction of the capitalistic system by perpetuating the occultation of structural inequalities promoted by patriarchal perspectives.

These suggestions were later developed by Mirjana Morokvasic, who delineated the impact of layers of inequalities – visible not only within family units, but also in labour markets and systems of culture – on patterns of migration. This stratified realm of asymmetry emerges at the intersection between traditional gender relations and social, economic, and political changes. In her introductory essay to the 1984 International Migration Review, *Birds of passage are also women*, the author reacted to the negligible space to which migrant women were condemned by denouncing that female workers from peripheral countries represent to Western industries a “*ready-made labour supply which is, at once,*

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<sup>26</sup> Cardebat, Jean-Marie. “Commerce international et développement, quelles relations? Une réponse empirique à partir de données de panel.” *Revue Tiers Monde*, (2002): 423-446.

<sup>27</sup> Lazaar, Mohamed. “International Migration and its Consequences in the Central Rif (Morocco).” *European Review of International Migration*, 3 (1987): 97-114.

<sup>28</sup> Bloch, Harry, and David Sapsford. “Whither the terms of trade? An elaboration of the Prebisch-Singer hypothesis.” *Cambridge Journal of Economics* 24, no. 4 (2000): 461-481.

<sup>29</sup> Guillaumin, Colette. “Pratique du pouvoir et idée de nature.” *Sexe, race et pratique du pouvoir. L’idée de nature* (2016): 13-78.

<sup>30</sup> Falquet, Jules. “Hommes en armes et femmes “de service”: tendances néolibérales dans l’évolution de la division sexuelle et internationale du travail.” *Cahiers du genre*, 1 (2006): 15-37.

*the most vulnerable, the most flexible and, at least in the beginning, the least demanding workforce.*"<sup>31</sup>

As a matter of fact, Helma Lutz and Anna Amelina make reference to '*feminised occupational fields*'<sup>32</sup> to explain the motives behind impulses in female migration in the second half of the XX century. The consistent presence of women workers in fields such as care, service, and domestic work, entertainment, sex-work, and specific branches of agriculture has been correlated with poor performances in economic profit, social status, occupational mobility, and degrees of unionisation.<sup>33</sup> Similar reflections also enable to analyse how patterns of exploitation are reinforced by the link between gender, legal status, and irregularity. It has already been stressed out that in certain situations migrant women stand in foreign countries without formal approval or have their entitlement of residence depending upon marital status. This fosters unequal patron-client relationships, with entrepreneurs being filled with crucial arbitrary power in face of migrants under deeper threat of deportation.

The fact that women's work is often either an extension of their domestic roles or is accomplished on domestic premises points to the crucial question of the interrelationship between women's exploitation within the household and their exploitation in the economic system.<sup>34</sup> Feminist materialism has therefore unveiled that the "*unpaid work of women both as homeworkers and as household workers subsidizes the modern sector.*"<sup>35</sup> This current had already demonstrated that in the capitalistic and patriarchal organisation of the society, where the female labour force is invisibilised and remains unpaid, women are fundamental to the maintenance of the society by both providing for the material sustenance of individuals within households as well as ensuring the reproduction of gendered norms through the socialisation of the youth according to specific expectations on sex roles within given societies. While women have been identified as a '*reservoir army of cheap labour*'<sup>36</sup>, Flora Anthias and Nira Yuval-Davis have interpreted their role in the construction of the nation and the ethnic community as '*cultural carriers*'<sup>37</sup> thus transmitting symbols belonging to the sphere of culture and language. This is particularly relevant considering that, thanks to this permanent and almost undetectable process of transmission and interiorisation of dominant and hegemonic norms,

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<sup>31</sup> Morokvašić, 'Birds of passage are also women...', 23.

<sup>32</sup> Amelina, Anna, and Helma Lutz. "Gender relations and migration - Introduction to the current state of the debate." In *Gender and Migration. Transnational and Intersectional Perspectives*. London and New York: Routledge, 2019.

<sup>33</sup> From an opposite perspective, Lutz observes the existence of fields of labour which are reserved to men, such as in the category of construction, transportation, and heavy food industry.

<sup>34</sup> Michel, Andrée, and Kenneth Ewart Boulding. *Les femmes dans la société marchande*. Presses universitaires de France, 1978.

<sup>35</sup> Pessar, Patricia R. "The linkage between the Household and Workplace of Dominican Women in the US." *International Migration Review* 18, no. 4 (1984): 1188-1211.

<sup>36</sup> Pinnawala. *Gender transformation and female migration: Sri Lankan domestic workers negotiate transnational household relations*, 24.

<sup>37</sup> Anthias, Floya, and Nira Yuval-Davis. *Woman-nation-state*. Springer, 1989.

the creation of the nation by means of heterosexual agencies has led to the systematic exclusion of diverging identities, namely migrants and sexual minorities, from the process of signification of legitimacy.<sup>38</sup>

The growth in the request for migrant female labour force cannot be fully understood without taking into consideration social change within domestic relations in Western households. As a matter of fact, in the late XX century there has been a major increase in the access for Western women to education and work opportunities. This has been interpreted as a crucial achievement in terms of gender equality, despite the fact that significant inequalities persist in top positions as well as in wages. Nevertheless, such a shift has not been translated into the renegotiation in the distribution of domestic tasks, mainly cooking, cleaning, and care of all dependent individuals within households (thus including children, elderly, and disabled or sick members). Public actors have not engaged in an improvement of existing welfare policies with regard to social policies directed at taking care of people in vulnerable conditions.<sup>39</sup> Women are confronted to what has been renominated as ‘*double burden*’ of having to simultaneously manage tasks in the private and in the public sphere, and this while showing off high levels of resilience to compete with male colleagues in environments usually designed for attitudes and values traditionally associated with masculinity (e.g. prioritisation of career goals over private emotional affiliations).<sup>40</sup> This reality has resulted in outsourcing the responsibility over similar tasks, specifically to racialised and gendered subjects, that is migrant women.<sup>41</sup> In many European countries such as Italy, tendencies of this kind have left their mark on migration policies, with political actors establishing systems of quotas for certain nationalities and sectors of the labour market.<sup>42</sup> To give account of the situation of middle-class Western women, Jacqueline Andall has coined the term ‘*post-feminism paradigm*’<sup>43</sup>, where racialised labour force represents an unavoidable

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<sup>38</sup> Oleksy, Elżbieta H., Jeff Hearn, and Dorota Golańska, eds. *The limits of gendered citizenship: Contexts and complexities*. Routledge, 2011.

<sup>39</sup> Campani, G. “Les femmes immigrantes et le marché du travail: intégration et exclusion: Le contexte italien.” *Recherches féministes* 13, no. 1 (2000): 47-67; Kilkey, Majella, Helma Lutz, and Ewa Palenga-Möllnbeck. “Introduction: Domestic and care work at the intersection of welfare, gender and migration regimes: Some European experiences.” *Social Policy and Society* 9, no. 3 (2010): 379-384; Lewis, Jane. “The decline of the male breadwinner model: Implications for work and care” *Social Politics: International Studies in Gender, State & Society* 8, no. 2 (2001): 152-169.

<sup>40</sup> Stockman, Norman, Norman Bonney, and Sheng Xuewen. *Women's work in East and West: The dual burden of employment and family life*. Routledge, 2016.

<sup>41</sup> Anderson, Bridget. “Why Madam has so many bathrobes?: demand for migrant workers in the EU.” *Tijdschrift voor economische en sociale geografie* 92, no. 1 (2001): 18-26.

<sup>42</sup> Näre, Lena. “Migrancy, gender and social class in domestic labour and social care in Italy: An intersectional analysis of demand.” *Journal of Ethnic and Migration Studies* 39, no. 4 (2013): 601-623; Van Hooren, Franca. “When families need immigrants: The exceptional position of migrant domestic workers and care assistants in Italian immigration policy.” *Bulletin of Italian Politics* 2, no. 2 (2010): 21-38.

<sup>43</sup> Andall, Jacqueline. *Gender, migration and domestic service: The politics of black women in Italy*. Routledge, 2017.

form of relief and the *conditio sine qua non* for their emancipation – celebrated as a conquest for the whole female gender.

At least a part of this initial effort to free the female experience has fallen into the blind spot of radical feminists, where the purpose of bringing women into migration research has led to the battle for a renewed valorisation of the difference through a glorification of all that is feminine aiming at conquering the position of superiority traditionally allocated to masculinity.<sup>44</sup> Pierrette Hondagneu-Sotelo pointed out that “*Gender is not simply a variable to be measured, but a set of social relations that organize immigration patterns. The task, then, is not simply to document or highlight the presence of undocumented women who have settled in the United States, or to ask the same questions of immigrant women that are asked of immigrant men, but to begin with an examination of how gender relations [which are exercised in relational and dynamic ways] facilitate or constrain both women’s and men’s immigration and settlement.*”<sup>45</sup> With the emergence of constructivism as the main methodology of analysis and under the push of poststructural and postmodern feminism, the focus has been displaced from sex to gender analysis, where the latter is not considered as an element *a priori*, before it enters the arena of social relations within structures of inequalities, but as a plastic, fluid matrix of identities, behaviours and power relations taken in their (trans)formation and crystallised in a system of performances.

### 2.3 INCLUDING A HOLISTIC GENDER PERSPECTIVE INTO MIGRATION RESEARCH: A DECONSTRUCTIVIST DEMARCH

Since the mid-80s, migration studies have undergone a major change of direction, placing the attention from women towards gender. At this stage, the central purpose was to observe the way in which gender ideologies, norms, and functions influence migration processes, but also to understand “*how gendered institutions and gender relations are reconstituted and transformed following migration through interactions of micro- and macro-level processes.*”<sup>46</sup> To engage in this kind of reflection presupposes a deconstruction of polar sexual and gender division into the male/female dichotomy, and thus entails the possibility of assuming that sexual and gender identities are the result of a process of social construction. To admit such a scenario allows not only for the comprehension of a dynamic by which the incorporation of archetypes of masculinity and femininity and the

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<sup>44</sup> Nawyn, Stephanie J. “Gender and migration: Integrating feminist theory into migration studies.” *Sociology Compass* 4, no. 9 (2010): 749-765.

<sup>45</sup> Hondagneu-Sotelo, Pierrette. *Gendered transitions: Mexican experiences of immigration*. University of California press, 1994.

<sup>46</sup> Nawyn, ‘Gender and migration: Integrating feminist theory into migration studies,’ 44.

adaptation to gendered expectations have to be filtered through the prism of culture and is subjected to variations in time and space, but also to acknowledge the existence of individuals who do not recognise in this layout, such as transgender and gender non-binary and non-conforming persons, intersex persons, bisexuals, third genders, etc.

This approach seems particularly suitable to address such an analysis, considering that dominant discourses on reality that legitimise specific power relations are built upon a series of binary oppositions, among which the dichotomy between men and women, white and black, rich and poor, and so on. Saussurean ideology is responsible for this peculiar organisation of the society, in which dominant groups are defined through the dialectical contraposition with antithetical subaltern identities.<sup>47</sup> The present scheme corresponds to a conception of power, which is not something that is owned but that is exercised upon and against someone and hence presupposes a hierarchical relation.<sup>48</sup> One of the main objectives of poststructuralism, as well as of previous deconstructivist methods, is that of challenging the natural order under which sex/gender have been erroneously allocated. In her book *The second sex*, the French philosopher Simone de Beauvoir first attempted to shed a light on the process of social construction underpinning the formation of sex and gender identities through the quote “*One is not born but rather becomes a woman*”<sup>49</sup>, where masculine is affirmed as the norm and feminine is a deviation from the latter. In the wake of this intuition, under the edge of French material feminism, Monique Wittig reiterated this assumption, by claiming that “*Sex is taken as an ‘immediate given,’ ‘a sensible given,’ ‘physical features,’ belonging to a natural order. But what we believe to be a physical and direct perception is only a sophisticated and mythic construction, an ‘imaginary formation,’ which reinterprets physical features (in themselves as neutral as others but marked by a social system), through the network of relationships in which they are perceived.*”<sup>50</sup> While emphasising the dynamicity of such process, Wittig nevertheless rejected the separation between sex and gender, insofar as the biological element completely disappears in light of a material and symbolic appropriation. The mechanisms of dominance address the female body in the first place, take control of its productive and reproductive capacity, and eventually convert sex into a fetish that crystallises, imposes, and naturalises asymmetries of power.<sup>51</sup>

In this key of lecture, the ultimate power is given to external hegemonic regard, which not only perceives, but also produces subjectivities. In this sense, women are the product of the oppressive yet

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<sup>47</sup> Monro, Surya. “Beyond male and female: Poststructuralism and the spectrum of gender.” *International journal of transgenderism* 8, no. 1 (2005): 3-22.

<sup>48</sup> Allen, Amy. “Power, subjectivity, and agency: Between Arendt and Foucault.” *International journal of philosophical studies* 10, no. 2 (2002): 131-149.

<sup>49</sup> De Beauvoir, Simone. *The Second Sex*. New York: Vintage Books, 1973.

<sup>50</sup> Wittig, Monique. “One is not born a woman.” *Feminist issues* 1, no. 2 (1981): 47-54.

<sup>51</sup> Ibid.

creative action of men. Following scholars have denounced the essentialist trait of materialist feminists who, precisely by choosing to reduce women to a product of their domination, eventually eclipse the presence of further degrees of inequalities as a consequence of the coexistence of multiple categories of oppression within this social group.<sup>52</sup> This new impetus is fostered by the establishment of poststructuralism and postmodernism in the panorama of feminist theories. In her draft of *A Postmodern Feminist Legal Manifesto*, Mary Joe Frug put forward the mutual interdependence between identity, language, and power. Considering the fact that sex differences are ‘*semiotic*’, meaning that they are “*constituted by a system of signs that we produce and interpret*”, bodies are encoded within meanings through the action of cultural mechanisms – such as the law.<sup>53</sup> Under this assumption, the presumption of neutrality associated with knowledge is deconstructed. In contrast with positivist and rationalist tendencies, any claim of absolute, univocal, and essentialist comprehension of reality is rejected in favour of the granting of fragmented and contextualised truths. Language and knowledge thus become privileged grounds for the struggle over interpretation, resemantisation, and codification.<sup>54</sup>

More broadly, this stream inserts itself into poststructuralist ambitions, whose interest is to question dogmatic schemes at the foundation of society promoted by modernist and positivist doctrines. The process of significance of reality is therefore caught in its ambiguous, incoherent, and unstable nature. In this sense, the focus is displaced from structural constraints to meshes within nets that allow for spontaneous and polysemantic emergence of meanings that escapes efforts of control. The interaction between the environment and human responses releases symbolic energy, which carries a transformational power on reality and can ultimately challenge the systems of thought, allowing for a certain degree of spontaneity, creativity, and unpredictability of human behaviours.<sup>55</sup> While restoring the primary relevance of subjectivities, dynamics of subjection should not be dismissed. In other terms, if mechanisms of appropriation, resistance, and adaptation deployed by individualities are worthy of academic consideration, their participation in situated historical and material groups and the exposition to particular socialising experiences need to be analysed as the broader framework within which such behaviours take place. In this sense, although across variations, gender does act as an ordering principle “*that creates the expectation that every member of society identifies with one of two genders*”, further observing that “*this identification does not remain optional and subjective*

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<sup>52</sup> Karhu, Sanna. “Judith Butler's Critique of Violence and the Legacy of Monique Wittig.” *Hypatia* 31, no. 4 (2016): 827-843.

<sup>53</sup> Frug, Mary Joe. “A Postmodern Legal Manifesto (An Unfinished Draft).” *Harvard Law Review*, 105 (1992).

<sup>54</sup> *Ibid.*

<sup>55</sup> Colebrook, Claire. “Feminist Criticism and Poststructuralism.” In Plain, G., and Sellers, S. (Eds.). *A History of Feminist Literary Criticism*. Cambridge: Cambridge University Press, 2007.

but occurs at the intersection of institutional constraints, normative patterns, and individual behaviors that influence people's entire life courses."<sup>56</sup> One of the most relevant concepts advanced by Judith Butler's analysis is therefore placed on the performativity of gender, which here is the result of a series of interactions composed of practices of displaying and recognition.<sup>57</sup> The Canadian sociologist Irving Goffman had already referred to "*the arrangements between the sexes*"<sup>58</sup> to give account of how gender construction can be compared to a theatrical execution which follows codified screenplays, presupposes a control of bodies which is conformed to specific grammars of appearances, and takes place within highly institutionalised settings and unneutral spaces.

While the inclusion of the experience of people belonging to the LGBTQIA+ community into migration studies will be later analysed, at this point it seems fundamental to address how moving to a gender perspective has been fundamental to engage critically in the analysis of the situation of male migrants, who have traditionally been condemned to the positivist imperative of neoliberal reflections. Indeed, it has been demonstrated how the perpetuance of patriarchal capitalistic structures is also detrimental to the condition of men.<sup>59</sup> A look at the gendered environment of men migrants can soon reveal the psychological and emotional burden of trying to comply with standards of masculinity in scenarios programmed to exploit and foster precarity and vulnerability. As a consequence of migration, male migrants often see their role as head of the family unit contested by non-migrant wives, who are able to take over decisional tasks, and this while occupying subaltern and dominated positions in racialised hierarchies of power responsible for situations of working insecurity, exploitation, and discrimination.<sup>60</sup> The high performativity of gender norms obliges men workers to display attitudes of toughness, strength and tenacity when employed in sectors characterised by a high degree of working insecurity and psychological and physical wear, such as in the field of construction, transportation and agriculture<sup>61</sup>, while suggesting permissiveness to female inclinations when working in less masculine environments, as it is exemplified by the treatment reserved to Asian men working the domestic, cleaning, service and textile industries.<sup>62</sup> In several cases, the '*crisis of masculinity*' has been held responsible for dangerous outcomes, such as abuse of

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<sup>56</sup> Amelina and Lutz, 'Gender relations and migration - Introduction to the current state of the debate,' 32.

<sup>57</sup> Butler, Judith. *Gender trouble*. Routledge, 2002.

<sup>58</sup> Goffman, Erving. "The arrangement between the sexes." *Theory and society* 4, no. 3 (1977): 301-331.

<sup>59</sup> Connell, Raewyn. "Men, masculinity and research on gender justice", in Lenz, I., Ullrich, C. and Ferch, B. (eds) *Gender Orders Unbound? Globalisation, Restructuring and Reciprocity*. 2007. 51-68.

<sup>60</sup> Gulati, Leela. *In the absence of their men: the impact of male migration on women*. Sage Publications India Pvt Ltd, 1993.

<sup>61</sup> Osella, Filippo, and Caroline Osella. "Migration, money and masculinity in Kerala." *Journal of the Royal Anthropological Institute* 6, no. 1 (2000): 117-133.

<sup>62</sup> Gallo, Ester. "Italy is not a good place for men: narratives of places, marriage and masculinity among Malayali migrants." *Global networks* 6, no. 4 (2006): 357-372.



alcohol, violent practices and child mistreatment.<sup>63</sup> Simultaneously, in contexts of arrival migrant men are often portrayed as prone to violence and particularly threatening to women. It is remarkable to observe how this phenomenon is nevertheless often portrayed as cultural deviance inherent to a specific group rather than in the broader and multifaceted framework of the oppression of men and against women.<sup>64</sup> This element is often caught in its contraposition with the autochthonous male population, depicted instead as tolerant and broad-minded towards women and sexual minorities.<sup>65</sup>

### 2.3.1 BLACK FEMINIST CRITIQUE, THIRD WORLD WOMEN STUDIES, AND INTERSECTIONALITY

Under this wake, postcolonial and third-world feminists have questioned the essentialism schools of thought that considered gender as the main variable in the formation of identities and relations among individuals. This push has to be relocated within the reflections carried out under the matrix of black feminism in the US under the guidance of several scholars such as Angela Davis and bell hooks. The latter is a forerunner in the acknowledgement of the simultaneity of oppression. In her reasoning, under the ‘*white-supremacist capitalist patriarchy*’<sup>66</sup> both sex and race are intended as devices to discipline individuals so as to produce a subaltern population to be exploited to ensure the perpetual reproduction of the system. While in hegemonic narratives emancipation has been correlated to the entrance of women within the labour market and thus to the access to economic means and material security, it is fundamental to draw attention to the fact that the workplace represents the space where the racialised workforce is all the more exposed to oppression, exploitation, and violence.<sup>67</sup> This is fundamental to understand that redistributive efforts are often not enough to allow for a meaningful liberation of the oppressed, inasmuch conditions of precarity are reiterated for the very organisation of labour in the neoliberal and capitalistic scheme. Despite such evidence, hooks boycotts the equation between subordination and passivity. In her interview with her Italian translator, Maria Nadotti, bell hooks has dwelled upon a significant component of her childhood:

*“As for my family, I remember the immense anguish we felt as children when our mother left home, our segregated community, to go and serve in white people's homes. I think she felt our fear, our worry. [...] When she returned after long hours of work, she did not complain. She did everything she could to make us understand how happy she was to have finished her day's work, to be home, but*

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<sup>63</sup> Ibid.

<sup>64</sup> Palidda, Salvatore, et al. *Razzismo democratico. La persecuzione degli stranieri in Europa*. Edition Agenzia X, 2009.

<sup>65</sup> Pascoe, Cheri Jo, and Jocelyn A. Hollander. “Good guys don’t rape: Gender, domination, and mobilizing rape.” *Gender & Society* 30, no. 1 (2016): 67-79.

<sup>66</sup> hooks, bell. *Killing rage*. 1995.

<sup>67</sup> hooks, bell. *Ain’t I a woman: Black women and feminism*. 1981.

*at the same time she showed us that in her experience of working as a domestic servant in the service of a white family, in that space of Otherness, there was nothing that took away her dignity and her personal power.*"<sup>68</sup>

Any form of disobedience and rebellion are hushed up through the relegation of non-conforming individuals – either physically or socially – to the marge of society, and this while monopolising the control of vectors of transmission of dominant visions proposed in a normative language, such as schools and media.<sup>69</sup> When incapable of generating alternative knowledge and imaginaries, these spaces stimulate the colonisation of minds and socialise individuals so as to reiterate inequalities and discriminations. Therefore, the marge is the space in which black people, and especially black women, are segregated. Other than physical, this is a metaphoric space to describe the absence of the right to look. In this scenario, they are prevented from becoming political subjects to the extent that they are denied access to a community charged with the dimension of history and identity. Plunging her theory of feminism into her lived experience, she elaborates the concept of '*oppositional gaze*'.<sup>70</sup> The marge, in this optics, is praised as being the position in which dominant representations and discourses can be critically questioned, and this while laying the foundations for counter and original networks of imaginaries.

This tension towards a black critique of dominant whiteness of scholarship and knowledge around feminist discourses has been pursued, among others, by Chandra Talpade Mohanty, who analysed the construction of '*third world women*' as a "*singular monolithic subject*" by Western agencies through the act of leveling out and annihilation of subjectivities.<sup>71</sup> The whole reflection revolves around the distinction between '*Women*' – the cultural and ideological product of a system of representations within different spheres – and *women* – material and historical heterogeneous subjects. The relation between reality and its projections in the discursive and symbolic dimension does not involve real identities, but rather arbitrary associations carried out by hegemonic actors who are representative of particular systems of ideas and values. In a similar scenario, the complexities and the concreted conflicts of racialised women are stolen and appropriated by white feminists, and this while engaging in a creation of a coherent and cohesive group apparently welded by the common experience of patriarchal oppression. Such lens of analysis appears significantly adequate to analyse how migrant

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<sup>68</sup> hooks, bell. *Elogio del margine: razza, sesso e mercato culturale*. Feltrinelli Editore, 1998.

<sup>69</sup> hooks, bell. *Feminist theory: From margin to center*. Pluto Press, 2000.

<sup>70</sup> hooks, bell. "The oppositional gaze: Black female spectators" in *Black Looks: race and representation*. Boston: South end press, 1992.

<sup>71</sup> Mohanty, Chandra Talpade. "Under Western eyes: Feminist scholarship and colonial discourses." *Boundary 2* (1984): 333-358. It is interesting to observe that in the same year the second major work of bell hooks, "Feminist theory: From margin to center", was published. The two works revolve around the same theme, thus denouncing white feminism and including the perspective of black women.

women are depicted in mainstream narratives in countries of destination, in which, disregarding differences in social, economic, and cultural conditions, they are portrayed as a) materially and emotionally dependent on the male counterpart; b) victims of the violence of the male counterpart; c) attached to traditional and religious beliefs and grammars of behaviours. This is all the more relevant considering that the construction of women as sexual and political objects apart from their identities is often used as a pretext for the imposition of priority battles in the agenda of feminism. More in general, this situation inscribes itself under the broader system of neo-colonialism. With regard to this, Arile Russel Hochschild affirmed: *“To generalize and perhaps oversimplify: in an earlier phase of imperialism, northern countries extracted natural resources and agricultural products- rubber, metals, and sugar, for example -from lands they conquered and colonized. Today, while still relying on Third World countries for agricultural and industrial labour, the wealthy countries also seek to extract something harder to measure and quantify, something that can look very much like love.”*<sup>72</sup> This impulse was fundamental to challenge the universal voice of first world feminists while visibilising the existence of cleavages and divergences among women’s experiences.

Under the paradigm of intersectionality, elements such as race and gender are not only conceived as forging one’s identity but also as social marks determining one’s position in hierarchies of power and dominion, subordination and exploitation, oppression and discrimination. This new theoretical tool explores the coexistence of *“axes of inequality in the context of transnational migration and mobility.”*<sup>73</sup> The term was coined by the US scholar in civil rights and critical race theory Kimberlé Crenshaw, who provides a black feminist critique of antidiscrimination law and policies. In her reflection, she analyses how both feminist and antiracist epistemological and normative efforts are restricted to single axes analysis built upon claims against sexism as experienced by white women and racism as suffered by black men, thus assuming gender and race as mutually exclusive categories. Distancing herself from this standpoint, Crenshaw emphasises how black women are excluded from archetypes of womanhood and blackness, with this preventing the comprehension of their condition as independent and peculiar, consisting of in more than the sum of their social components and of the discrimination deriving from it.<sup>74</sup> In a specular manner, the exclusion of migrant women from both women’s studies and migration studies is the corollary of a similar epistemological stance.<sup>75</sup> Patricia

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<sup>72</sup> Hochschild, Arile Russel. “Global Care Chains and Emotional Surplus Value.” In Giddens, A., and Hutton, W. (eds.), *On the Edge: Living with Global Capitalism*, London: Jonathan Cape, 2000.

<sup>73</sup> Amelina and Lutz. ‘Gender relations and migration - Introduction to the current state of the debate,’ 32.

<sup>74</sup> Crenshaw, Kimberlé. “Demarginalizing the intersection of race and sex: A Black feminist critique of antidiscrimination doctrine, feminist theory, and antiracist politics” *University of Chicago Legal Forum* 1, Article 8 (1989).

<sup>75</sup> Lutz, ‘Gender in the migratory process,’ 5.

Hill Collins refers to a “*matrix of domination*”<sup>76</sup> which are grasped in their “*convergences, co-constructions, and interferences.*”<sup>77</sup> This paradigm seems particularly suitable for investigating migration patterns, considering that in their journey migrants encounter new systems of oppression along the line of race, ethnicity, nationality, and citizenship. It is therefore crucial to capture the interrelation between racism, ethnicism, sexism, and classism, acting as mutually dependent systems of “*social normalization and exclusion*”.<sup>78</sup> Following this reasoning, place here is represented by “*neither a categorical nor territorial concept, but is defined in relational terms, that is places are constructed from alliances and oppositional struggles to lines of power.*”<sup>79</sup> Sarah J. Mahler and Patricia P. Pessar have indeed emphasised the fact that “*multiple dimensions of identity also shape, discipline, and position people and the ways they think and act.*”<sup>80</sup> At this point of the analysis, it is fundamental to inform about the plasticity of the concept of intersectionality: the inclusion of new categories is a process in the making, with lists considered as partial rather than comprehensive categorisation of axes of difference.<sup>81</sup> As Nicole Shepard noted, “*To make prior assumptions about which categories of analysis are pertinent in a particular transnational context, or to presume a pool of discrete categories to assemble an intersectional model from, however, “violates the normative claim of intersectionality that intersections of these categories are more than the sum of their parts” (Hancock 2007: 251).*”<sup>82</sup>

Therefore, in such an attempt it seems crucial to denounce and distance from orientalist<sup>83</sup> and paternalistic attitudes of researchers – predominantly coming from the world of white, male, wealthy, hetero, cis, and Western academia –, insofar as the principal motivation behind their effort was to demonstrate the modernising force of migration along the trajectory South-North, measuring its impact on the process of emancipation of migrant women from traditional roles – where traditional means negative or inferior.<sup>84</sup> It seems therefore legitimate to affirm that “*The poorly paid, unstable work these women do, appears then as nothing but a “blessing of the modern societies to the Third*

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<sup>76</sup> Collins, Patricia Hill. *Black feminist thought: Knowledge, consciousness, and the politics of empowerment*. Routledge, 2002.

<sup>77</sup> Amelina and Lutz. ‘Gender relations and migration - Introduction to the current state of the debate,’ 32.

<sup>78</sup> Balibar, Etienne. “Racism and nationalism.” In *Nations and nationalism: A reader*. 1991.

<sup>79</sup> McDowell, Linda. “Space, place and gender relations: Part II. Identity, difference, feminist geometries and geographies.” *Progress in human geography* 17, no. 3 (1993): 305-318.

<sup>80</sup> Mahler, Sarah J., and Patricia R. Pessar. “Gendered geographies of power: Analyzing gender across transnational spaces.” (2001): 441-459.

<sup>81</sup> Lutz and Wenning have identified fourteen categories to be included in intersectional studies, namely gender, sexuality, race, ethnicity, nationality, culture, class, health, age, sedentariness, property, geographical location, religion (or secularism) and societal development. Lutz, Helma, and Norbert Wenning. “Unterschiedlich verschieden.” *Differenz in der Erziehungswissenschaft. Opladen* (2001).

<sup>82</sup> Shepard, Nicole. “Queering intersectionality: encountering the transnational.” *GENDER-Zeitschrift Für Geschlecht, Kultur Und Gesellschaft* 8, no. 2 (2016): 9-10.

<sup>83</sup> Said, Edward W. “Orientalism reconsidered.” In *Postcolonial criticism*. Routledge, 2014.

<sup>84</sup> Morokvašić, ‘Birds of passage are also women...,’ 23.

*World women*" (Morokvasic, 1983b) and, as we shall see below, as a means out of their oppressive traditions. Thereby, the cause of restricted access to formal employment has been attributed to women's own cultural heritage and oppression."<sup>85</sup> In reality, it has been suggested that constructions of migrant women as victims redeemed by their acceptance in Western societies have much more to do with projections implemented to demonstrate the moral superiority of the self-declared civilised society compared to the social and cultural primitivity of contexts of origins.<sup>86</sup> By means of the exacerbation and reassertion of alienness and alterity it is possible to draw edges of desirability. María do Mar Castro-Varela and Nikita Dhawan have arguably affirmed that Western women need "*the oppressed Other in order to be able to consider and live liberation in the first place.*"<sup>87</sup> In line with this perspective, Nira Yuval-Davis has referred to '*politics of belonging*'<sup>88</sup> to highlight the programmes designed by Western elites in order to affirm a specific configuration of national identities to be protected from what is constructed as external incursions and therefore situated in antithetic positions with regard to other collectivities. These strategies are built up to become real political battles that orient and even determine public debates. More in general, such a position serves the scope to reinforce the legitimacy of state actors not only in claiming the monopoly over the use of force<sup>89</sup>, but also their role as '*moral entrepreneurs*'<sup>90</sup> charged with the privilege to define the boundaries between the norm and the deviance. With regard to this last aspect, it seems important to mention the work of Sarah Farris on '*femonationalism*', which has focused on the instrumentalization of migrant women – with special regard to Muslim women – by right-wing politicians, although this represents a common practice for different personalities throughout the political spectrum. Political actors thus proceed to an identity *mise-en-scene* that serves a double scope: stigmatising the undesirable Other, incarnated by male migrants of Islamic religion, while establishing themselves as the defenders of gender equality and women's dignity – here interpreted as benchmarks values of Western societies. Many reports have demonstrated that usually discourses of this kind, apparently lining up with the advocacy for the rights and freedom of these women, are positively associated with illiberal policies responsible for the condition of vulnerability experienced by these subjects.<sup>91</sup>

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<sup>85</sup> Ibid.

<sup>86</sup> Kofman, Eleonore, Sawitri Saharso, and Elena Vacchelli. "Gendered perspectives on integration discourses and measures." *International migration* 53, no. 4 (2015): 77-89.

<sup>87</sup> Mar Castro Varela, María do, and Nikita Dhawan. "Horizonte der Repräsentationspolitik—Taktiken der Intervention." In Roß, B. (eds) *Migration, Geschlecht und Staatsbürgerschaft*. Politik und Geschlecht, 2004. 205-226.

<sup>88</sup> Yuval-Davis, Nira. *The Politics of Belonging*, 2011.

<sup>89</sup> Weber, Max. *From Max Weber: essays in sociology*. Routledge, 2013.

<sup>90</sup> Becker, Howard S. "Moral entrepreneurs: The creation and enforcement of deviant categories." *Deviance: A symbolic interactionist approach* (1995): 169-178.

<sup>91</sup> Farris, Sara R. *In the Name of Women's Rights*. Duke University Press, 2017.

### 2.3.2 QUEER STUDIES AND SEXUALITY

It is deemed fundamental to reassert one of the main hypotheses advanced by postmodern feminism and the linguistic turn of Judith Butler: language does not represent but constitutes reality. The binary distinction applied to gender identity is indeed applied also to sexual identity, considering how people are classified between heterosexuals and homosexuals – despite the existence of a spectrum of possibilities between and beyond the two. In relation to this, Andreas Kraß stipulates that “*If gender, including the body, is a social construct, then there is no reason to postulate any kind of natural orientation of desire and we must accept that heterosexuality, like the gender binary, is a performative act and discursive effect.*”<sup>92</sup> Being the germinal stage of identity politics, the emergence of queer studies represents the epistemological possibility of a reverse discourse on sexual and gender norms which is addressed to the dominion of heterosexuality in the first place. By encompassing this nevertheless affirmed definition, and in line with the essence of queerness which can be summarised in a tendency “*to disturb the normal order of things*”<sup>93</sup>, the emergence of queer studies should otherwise be understood “*not as an additional category to be analysed intersectionally alongside others, nor as an attribute of spaces, subjects or methods, but queering as a critical scholarly practice that is disruptive of normativities and binary divisions such as male/female, hetero/homo or here/there.*”<sup>94</sup>

While talking about the innovation brought about by queer studies into migration analyses, it seems crucial to linger on the original mobilisation of the concept of sexuality.<sup>95</sup> The latter should again be interpreted as one of the main shades coming to form one’s identity upon which institutional structures exercise a disciplining force.<sup>96</sup> Although sexuality is a long-standing element in migration research, it has remained quite marginal in traditional analysis, without succeeding in making its way to become the central focus.<sup>97</sup> This term is often declined under the paradigm of heterosexuality and monogamy, with a special focus on the persistence of the realms of marriage, family, biological reproduction and parenthood.<sup>98</sup>

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<sup>92</sup> Kraß, A. “Judith Butler,” In Schmidbaur, M., Lutz, H., and Wischermann, U. (eds.), *Klassikerinnen feministischer Theorie*, Vol. III, Sulzbach (Taunus): Ulrike Helmer, 2013.

<sup>93</sup> Ahmed, Sara. *Queer Phenomenology*. Duke University Press, 2006.

<sup>94</sup> Shephard, ‘Queering intersectionality: encountering the transnational,’ 82.

<sup>95</sup> Taylor, Yvette; Hines, Sally & Casey, Mark E. “Introduction”. In Yvette Taylor, Sally Hines & Mark E. Casey (eds.), *Theorizing Intersectionality and Sexuality*, 2011.

<sup>96</sup> Kosnick, Kira. “Sexuality and migration studies: The invisible, the oxymoronic and heteronormative Othering.” In *Framing intersectionality: Debates on a multi-faceted concept in gender studies*. Routledge, 2011.

<sup>97</sup> Cvajner, Martina, and Giuseppe Sciortino. “Migration and sexual change.” *Migration Letters* 16, no. 4 (2019): 473-480.

<sup>98</sup> Manalansan, Martin. “Queer intersections: Sexuality and gender in migration studies.” *International migration review* 40, no. 1 (2006): 224-249.

In recent times, it has been recorded a reorientation, with a consistent increase in the number of studies devoted to sexuality and migration, although this has become an umbrella term that has encompassed different phenomena which face distinct frames of problematisation. In particular, sexual migration – that is mobility motivated by the individual decision of members of discriminated sexual groups to escape sexually repressive environments and find locations filled with the possibility of liberty and recognition – has encountered a further degree of consideration. More broadly, as Héctor Carillo points out, sexual migrations should be understood as driven by “*sexual desires and pleasures, the pursuit of romantic relations with foreign partners, the exploration of new self-definitions of sexual identity, the need to distance oneself from experiences of discrimination or oppression caused by sexual difference, or the search for greater sexual equality and rights.*”<sup>99</sup> If the struggle of third world women in contesting the hegemonic voice of white feminist represented an initial glimpse to account for the existence of divergent sexual subjectivities, the spreading of the AIDS pandemic represented a catalyst to inscribe the research on queer subjects among migrant communities on the agenda of academic scholars and health professionals. The renovated attention towards queer subjects has been precious in highlighting the experience of marginalised individuals within this field of study, showcasing an important factor for migration in the modern era. In its broader interpretation<sup>100</sup>, the concept of queerness represents all those identities, practices, and institutions that escape heteronormative prescriptions. While members of the LGBTQIA+ community undoubtedly represent the most displayed portion in studies of this kind, a more sophisticated reflection allows for the inclusion of segments of the heterosexual populations, which sees migration as a gateway to reinsertion in the circuit of sexual relations.<sup>101</sup>

A more critical interpretation of the phenomenon has broadened the role of sexual prejudices associated with racial, ethnic, and national stereotypes resulting in deep stages of alienation, segregation, and submission. This is all the more relevant considering that there is a consistent pattern of sexual traumatism associated with the experiences lived by migrants along journeys, in midterm destinations and even in desired contexts of arrival. Not surprisingly, sexual taboos are analysed by the cultural anthropologist Mary Douglas in her work on Purity and Danger as a core organizing principle in every society – although subjected to variations – and functional to pursue a categorising necessity and to the maintenance of symbolic boundaries between members of the groups – those

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<sup>99</sup> Carrillo, Héctor. “Sexual migration, cross-cultural sexual encounters, and sexual health.” *Sexuality Research & Social Policy* 1, no. 3 (2004): 58-70.

<sup>100</sup> Cohen, Cathy J. “Punks, Bulldaggers, and Welfare Queens: The Radical Potential of Queer Politics?.” *Black queer studies*. Duke University Press, 2005.

<sup>101</sup> Lulle, Aija, and Russell King. “Ageing well: The time–spaces of possibility for older female Latvian migrants in the UK.” *Social & Cultural Geography* 17, no. 3 (2016): 444-462.

who respect prescriptions around purity and dirt by following associated rituals – and external ones – those who instead require acts such as “*separating, purifying, demarcating and punishing transgressions.*”<sup>102</sup> Starting from a similar epistemological assumption, Joane Nagel has investigated the social construction of sex and sexuality as intrinsically linked to the concepts of race, ethnicity, and nationalism. According to the author’s perspective, ethnosexual boundaries are seen as markers “*to define who is pure and who is impure, to shape our view of ourselves and others, to fashion feelings of sexual desire and notions of desirability, (...) to leave us with a taste for some ethnic sexual encounters and a distaste for others.*”<sup>103</sup> Through the action of colonialism and conquest, the sexual identity of racialised and ethnicised individuals is constructed by the action of imperialistic powers, and they are often associated with the idea of hypersexuality, promiscuity, and perversity.<sup>104</sup> As pointed out in the previous section, in the process of signification special attention should be devoted to the arbitrary and undemocratic nature of the creation of a rhetoric of stigmatisation and exclusion.<sup>105</sup> This translates into personification of threats when associated with men and seductiveness when applied to women.<sup>106</sup> In line with this tendency, the role of sexuality in migration processes has often been reduced to the analysis of migrants as vectors in the transmission of diseases<sup>107</sup> or of the condition of women as victims of sexual trafficking.<sup>108</sup>

The role of state economic, political and cultural measures on migration as builders of sexual ideologies and practices should therefore be taken into account. Migration law as well as labour markets are often based on a sexualised understanding of individuals on the move. Shannon Minter has highlighted that migrant bodies represent indeed a privileged arena for the materialisation of disciplining efforts embedded in sexualised and racialised images, and this while condemning but still reinforcing stereotypes.<sup>109</sup> The work carried out by sexualised female labour force goes indeed beyond the physical sphere and it requires a certain level of emotional engagement.<sup>110</sup> This affective dimension of ‘*global chain of care*’ is often conceptualised in research as an extension of the maternal role of migrant women. Biases of this kind are far from being confined to the policymaking sphere and permeate the realm of knowledge production, which becomes an accomplice of normative

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<sup>102</sup> Douglas, Mary. *Purity and danger: An analysis of concepts of pollution and taboo*. Routledge, 2003.

<sup>103</sup> Nagel, Joane. *Race, Ethnicity, and Sexuality: Intimate Intersections, Forbidden Frontiers*. Oxford University Press, 2003.

<sup>104</sup> Voss, Barbara L., and Eleanor Conlin Casella, eds. *The archaeology of colonialism: intimate encounters and sexual effects*. Cambridge University Press, 2011.

<sup>105</sup> Sciortino, Giuseppe. “Ethnicity, race, nationhood, foreignness, and many other things: Prolegomena to a cultural sociology of difference-based interactions.” (2012).

<sup>106</sup> *Ibid.*

<sup>107</sup> Vearey, Joanna. “Learning from HIV: exploring migration and health in South Africa.” *Global public health* 7, no. 1 (2012): 58-70.

<sup>108</sup> Farris, *In the Name of Women's Rights*, 91.

<sup>109</sup> Minter, Shannon. “Sodomy and public morality offenses under US immigration law: Penalizing lesbian and gay identity.” *Cornell Int'l LJ* 26 (1993): 771.

<sup>110</sup> Farris, *In the Name of Women's Rights*, 91.



posture. As an illustration of this state of things, in many case studies, married migrant women are indeed overrepresented, and even when they are not methodologies of investigations are designed based on their specificities, without including the peculiar characteristics of single women, lesbians, and men – nonetheless present in research of this kind – who then result overshadowed by a tendency to focus on the process of transnational mothering and marriages. As a matter of fact, the influence of queer studies in academia has also provided innovative tools to question the ways in which migration has traditionally been analysed while unconsciously fostering specific norms in relation to gender and sexual identities and behaviours through their naturalisation. Just to mention an example, this attitude has been denounced by Martin Manalansan referring to the research carried out by Rachel Parrenas among Philippines domestic workers in Rome. The author has insisted on the fact that, while the experiences of migrant mothers are privileged and the others are placed on the edge, the kinds of practices that conform to heteronormative requirements are normalised and reasserted as dominant. For some reason, the departure of wives and mothers and not that of migrants in general – has been interpreted as detrimental to society of origins inasmuch as it caused a real ‘*care drain*’. This state of the academia testifies that, notwithstanding epistemological change, the heterosexual framework is still dominant in the setting of research on migration.<sup>111</sup>

A less explored area is the change brought about by migration processes on sexuality in both its symbolic and material components, namely identities, roles, and practices. While variations should be searched for within the lives of people on the move in the first place, a wider scope of analysis can ultimately be more accurate in capturing evolutions in the ‘*lovescapes*’<sup>112</sup> of contexts of origin and of destination. Talking about the work carried out by Povinelly and Chauncey, Manalansan has lingered on the question of “*how sexuality can be unmoored from a static geographic frame to a mobile one by demonstrating how the sexual provide a better understanding of global movements and “flows” by positioning the notion of “subjective mediation”. In other words, they go against the abstraction of flows and mass group movement and emphasize the ways in which people as agentive subjects negotiate sexual and gender identities in processes that include immigration, tourism, business travel etc.*”<sup>113</sup> Building upon transnational studies, Hearn has employed a queer-sensitive approach to try to give an account of how migration processes multiply the existence of sexual identities and practices.<sup>114</sup> This element is significant in suggesting that the presence of migrants in Western

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<sup>111</sup> Hochschild, Arlie Russell, and Barbara Ehrenreich. “Love and gold.” (2002): 15-30.

<sup>112</sup> Farris, *In the Name of Women's Rights*, 91.

<sup>113</sup> Manalansan, Martin. “Queer Intersections: Sexuality and Gender in Migration Studies.” *The International Migration Review* 40, no. 1 (2006): 224-249.

<sup>114</sup> Hearn, Jeff. “Global/Transnational Gender/Sexual Scenarios” In Jónasdóttir, A.G., Bryson, V., and Jones, K. (eds.), *Sexuality, Gender and Power: Intersectional and Transnational Perspectives*. London: Routledge, 2010.

territories has not been translated into an homogenisation of sexual mores and assimilation of dominant ideologies, but has rather triggered “*syncretic processes that create alternative sexual politics, cultures and identities*” in a “*crucial articulation between the local and the global.*”<sup>115</sup> In practical terms, the deployment of sexuality usually occurs to disclose the alteration of sexual norms and behaviours in both countries of origin and of destination, as a consequence of a process of crossing of cultural frontiers and of the subsequent contamination enacted by migrants.<sup>116</sup> In addition, the lifting of communitarian forms of control provoked by globalisation and urbanisation should unleash original possibilities of experience of sexual behaviours for migrants.<sup>117</sup> Far from being void recipients to be filled with original dispositions, it must be assessed that migrant individuals do have their own consolidated inclinations towards sexual practices, which can ultimately resist and even challenge dominant codes of conduct in receiving contexts.<sup>118</sup>

### 2.3.3 TRANSNATIONALISM

The simultaneous analysis of racialised and gendered patterns of migration has nourished the reflection around transnationalism<sup>119</sup>, a new conceptual tool emerged in the 90s. The constructivist method unveils how social behaviours and their interactions with material objects create historically distinct social configurations known as spaces. According to this viewpoint, migration and mobility must be viewed as social practices of space production, or spatialization, rather than as events that take place in void physical locations. In addition to this, space is produced, in part, by patterns of interpretation that can be categorised into a number of different spatial contexts, such as global/local and national/transnational.<sup>120</sup> In light of this, the condition of migrant persons should be analysed as situated into concrete spaces and hierarchies.<sup>121</sup> In doing so, the linearism that has entangled the understanding of migration trajectories in assimilationist standpoints has been questioned. The inclusion of intersectionality and transnationalism in feminist debates and in the evaluation of space formation allows to comprehend that, within genders, some people are more migratory than others. Just to give an example, it is interesting to observe how relationship status comes to represent an incentive in certain cultural contexts, where young and single adults are encouraged to engage in

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<sup>115</sup> Ibid.

<sup>116</sup> Hearn, Jeff. “Global/transnational gender/sexual scenarios.” *Sexuality, Gender and Power*. Routledge, 2010.

<sup>117</sup> Stearns, Peter N. *Sexuality in world history*. Routledge, 2017.

<sup>118</sup> Ahmadi, Nader. “Migration challenges views on sexuality.” *Ethnic and racial studies* 26, no. 4 (2003): 684-706.

<sup>119</sup> Basch, Linda, Nina Glick Schiller, and Cristina Szanton Blanc. *Nations unbound: Transnational projects, postcolonial predicaments, and deterritorialized nation-states*. Routledge, 2020.

<sup>120</sup> Valentine, Gill. “Theorizing and researching intersectionality: A challenge for feminist geography.” *The professional geographer* 59, no. 1 (2007): 10-21.

<sup>121</sup> Gilmartin, Mary, and Anna-Kaisa Kuusisto-Arponen. “Borders and bodies: siting critical geographies of migration.” In *Handbook on critical Geographies of migration*. Edward Elgar Publishing, 2019.

migration, while a similar choice is judged as leaning towards family fragmentation.<sup>122</sup> This new perspective has also been central to the evolution network theory, with community relations providing social resources and capital essential to shape one's specific trajectory of migration. Pierrette Hondagneu-Sotelo and Cynthia Cranford have explained the connection between gendered recruitment processes and the formation of gendered networks.<sup>123</sup> The reorganisation and resemantisation of political, social, and cultural capital across political and social networks as well as the maintenance of affective and interdependencies links with non-migrant personalities are thus taken into account in transnational studies. Without reproducing the omnipresent binary structure, thus fragmenting the space in here and there and limiting observations to contexts of origin and of destination, transnational spaces should be kept "*multiple and porous*".<sup>124</sup>

In particular, transnationalism has offered an original interpretation of the formation of connections between individuals and territories. Nationality differs from the concept of citizenship insofar as the first one indicates a political tie between an individual and a nation-state, while the second one pertains to the sphere of belongingness to a given political, social, and cultural community. The two terms are related but they are not overlapping. The spatial dimension in the construction of such elements seems worthy of particular consideration, taking into account its discretionary value in the modern era. The formation of ties of belongingness is indeed fragmented and deterritorialised, which has brought researchers to come up with notions such as *postnational*<sup>125</sup> and *multiple*<sup>126</sup> citizenships. On this matter, Seyla Benhabib has affirmed: "*New modalities of membership have emerged, with the result that the boundaries of the political community, as defined by the nation-state system, are no longer adequate to regulate membership.*"<sup>127</sup> Following this reasoning, transnationalism has come to challenge the dominant posture in political science and sociology studies until the 90s, according to which reciprocity of rights and duties between states and individuals was framed by national boundaries.<sup>128</sup> Furthermore, Yasemin Nuhoglu Soysal has correctly emphasised the fact that national allegiances and identitarian belonging should not be understood as the *conditio sine qua non* for the state to fill its role in respecting, protecting, and fulfilling human rights – thus countering the principle of universality.<sup>129</sup> Different European states have designed peculiar axes of affiliation reflecting

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<sup>122</sup> Cundill, Georgina, et al. "Toward a climate mobilities research agenda: Intersectionality, immobility, and policy responses." *Global Environmental Change* 69 (2021).

<sup>123</sup> Hondagneu-Sotelo and Cranford. 'Gender and migration,' 11.

<sup>124</sup> Shephard, 'Queering intersectionality: encountering the transnational,' 94.

<sup>125</sup> Soysal, Yasemin Nuhoglu. *Limits of citizenship: Migrants and postnational membership in Europe*. University of Chicago Press, 1994.

<sup>126</sup> Kivisto, Peter, and Thomas Faist. *Citizenship: Discourse, theory, and transnational prospects*. John Wiley & Sons, 2009.

<sup>127</sup> Benhabib, Seyla. "Borders, boundaries, and citizenship." *PS: Political Science & Politics* 38, no. 4 (2005): 673-677.

<sup>128</sup> Shinozaki, Kyoko. *Migrant Citizenship from Below*. New York: Palgrave Macmillan, 2015.

<sup>129</sup> Soysal, Yasemin Nuhoglu, *Limits of citizenship: Migrants and postnational membership in Europe*, 125.

national identitarian projects so as to justify and perpetuate the asymmetrical distribution of privilege (see the implementation of principles such as *jus soli* in France, *jus sanguinis* in Germany, multiculturalism in Canada and the United Kingdom).<sup>130</sup> This reality collides with a situation in which long term and naturalised migrants, who have been assimilated both *de jure* and *de facto* to the autochthonous European populations, enjoy a number of benefits which are denied to migrants associated with temporary and precarious legal status (e.g. temporary workers, asylum seekers, irregulars).<sup>131</sup>

To emphasise the presence of concentric circles exercising their influence over a given point from different positions at the same time, Morokvasic outlines how “*Change is the result of interaction between past and present influences and not something attributable to the new milieu only, seen systematically as a determinant, and in relation to women as a lieu of liberation and openness.*”<sup>132</sup> Simultaneously, it is fundamental to reflect on how migration stories affect a variety of subjects beyond those who take part to migration processes in the first place. Malher and Pessar referred to ‘*gendered geographies of power*’ to underline to what extent migration is a gendered phenomenon in each of its phases and at multiple levels of analysis. The two authors have mobilised a series of instruments aimed at interrogating “*how gender relations are negotiated across national borders among migrant women and men and how gender articulates transnationally with other modes of identity as well.*”<sup>133</sup> In particular, it seems worthy of making references to the concepts of ‘*geographical scales*’, coined to indicate the fact that “*gender operates simultaneously on multiple spatial and social scales (e.g., the body, the family, the state) across transnational terrains*”, ‘*social location*’, which refers to the “*persons’ positions within interconnected power hierarchies created through historical, political, economic, geographic, kinship-based and other socially stratifying factors*”, and lastly ‘*power geometries*’, defined as the types and degrees of agency people exert given their social locations.<sup>134</sup>

This third dimension, which has been borrowed by Doreen Massey<sup>135</sup>, seems particularly interesting, insofar as it avoids the risk of depersonalisation and instead puts the emphasis on the strategic thinking of subjectivities. Without falling into the trap of linearism and determinism, it is mandatory to take

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<sup>130</sup> Amelina, Anna, and Helma Lutz. “The changing face of citizenship: From the national model to the transnational and intersectional approaches.” In *Gender and Migration. Transnational and Intersectional Perspectives*. London and New York: Routledge, 2019.

<sup>131</sup> Carmel, Emma, and Regine Paul. “Complex stratification: Understanding European Union governance of migrant rights.” *Regions and Cohesion* 3, no. 3 (2013): 56-85.

<sup>132</sup> Morokvašić, ‘Birds of passage are also women...’, 23.

<sup>133</sup> Pessar, Patricia R., and Sarah J. Mahler. “Transnational migration: Bringing gender in.” *International migration review* 37, no. 3 (2003): 812-846.

<sup>134</sup> Ibid.

<sup>135</sup> Massey, Doreen. *Space, place and gender*. John Wiley & Sons, 2013.

into account patterns of resistance and challenges to the *status quo* and the subsequent production of elements of deviancy which are situated in relationships of inequalities and hierarchies of power. This suggestion can be related to the concept of ‘*infrapolitique*’<sup>136</sup>, defined by James Scott as a discrete domain of political fight that is developed by subaltern groups on a daily basis which, thanks to its invisibility, results as undetectable to normal regards and is thus able to escape control and censorship from the part of predisposed authorities. This effort allows for a comprehension of the role of migrants as architects, guardians, and threats to these very structures within which they are placed. The concept of ‘*power geometries*’ has been further refined by Malher and Pessar, who have resorted to additional notions to complement this first intuition. To attach ulterior relevance to the element of agency, the focus has been placed on “*quintessentially individual characteristics*”, namely initiative and imagination. The latter appears to be of particular relevance, considering that the cognitive process of self-projection, desire, and struggle for realisation is of singular interest in light of the present analysis, inasmuch as it is constrained by practical configurations but remains a quite open arena for fashioning the plastic concept of gender.<sup>137</sup>

## 2.4 PRELIMINARY CONCLUSION

The present chapter aims at providing an overview of the process of gendering migration studies, as well as at shedding light on the mutual influences between human mobility and feminist research. Until the 70s, male subjects dominated the realm of migration scholarship, while women were depicted as passive and dependent elements. The urge to prioritise the experience of migrant women was stimulated by the recognition of the chronic invisibility to which these subjects were condemned as well as by the empirical transformation of international panorama brought by the feminisation of transnational labour migration at the end of the XX century. While the following phase was characterised by renewed attention in mapping the presence of women across migrant flows, their condition was nevertheless presented in an acritical manner, their trajectories being essentially assimilated to those of men. In a following stage, the intuitions of material feminists were applied to the investigation of patterns of inequality based on classist, sexist, and racist matrices. This step was fundamental to unveil the asymmetric distribution of social, political, and economic capital and incongruence of interests along these matrices of oppression. In particular, the focus was placed on the subordination of women migrants in labour environments. The third part of the process has been characterised by an overall shift of focus from women to gender. A reorientation of this kind has

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<sup>136</sup> Scott, James C. “Infra-politique des groupes subalternes.” *Vacarme* 36, no. 3 (2006): 25-29.

<sup>137</sup> Cundill, Georgina, et al. ‘Toward a climate mobilities research agenda: Intersectionality, immobility, and policy responses,’ 122.

allowed not only for a re-inclusion of male migrants in the debate, but also for a more sophisticated understanding of the different individualities grasped in transnational phenomena. More in particular, the insights offered by critical race theory, third world women studies, intersectionality, queer studies, and transnationalism, have paved the way not only to new agencies in the process of knowledge production and as objects of study, but to new methodologies aiming at questioning essentialising postures of precedent demarches.

Gender is not an immutable entity but is either reaffirmed or questioned through social practices and interactions. Rules and norms create boundaries that constrain or at least canalise experiences. Social expectations to comply with highly defined sexual and gender practices and behaviours are interiorised and incorporated through the repetition of specific rituals in socialising activities. Gender, alongside other social markers such as class and race/ethnicity, is therefore something that is produced and reproduced on a daily basis. Migration, as designed by policymakers, implemented by a constellation of actors, and directly experienced by those who migrate, is one of the structures which contributes to the formation of gender(s). In the words of Candace West and Don H. Zimmerman, this means that “*when we view gender as an accomplishment, an achieved property of situated conduct, our attention shifts from matters internal to the individual and focuses on interactional and, ultimately, institutional arenas.*”<sup>138</sup> This leads to an exercise of continuous adaptation, resemantisation and negotiation of gendered performances. The purpose of the present work is to investigate how gender is altered during and through the action of migration processes. It is a matter of investigating the occurrence of change in gender roles and in the role of gender. Gender here is conceived as the dependent variable. In the following section, a detailed analysis of dominant discourses, political tendencies, international agreements and implementation capacities in Italy, with a focus on the case study of Romanian women employed in the field of agriculture, will be provided. The purpose of such an operation is to observe the nature of the structural framework within which migrant agencies are situated.

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<sup>138</sup> West, Candace, and Don H. Zimmerman. “Doing gender.” *Gender & society* 1, no. 2 (1987): 125-151.

### 3. CRITICAL ANALYSIS OF ECONOMIC, LEGAL, AND POLITICAL STRUCTURES GOVERNING THE PRESENCE OF ROMANIAN WOMEN IN THE ITALIAN AGRICULTURAL LANDSCAPE: AN INSTITUTIONAL PERSPECTIVE

This chapter will be devoted to a macro analysis of the ensemble of institutional norms, discourses, and practical arrangements that discipline and give meaning to the presence of Romanian agricultural workers in Italy. Before engaging in this effort, a brief reflection on the notion of institution in social sciences and its significance for the present work will be provided. Dwelling upon its etymological origin is fundamental to such a purpose. The Latin word *institutum* pertains indeed to the sphere of “*plan, arrangement, instruction, precept, ordinance*”.<sup>139</sup> Institutions are the pillars upon which the fabric of collective life takes place. In this sense, they embrace a constitutive mission, insofar as they give order to a given society – providing for its material configuration – and simultaneously link this specific order to a purpose – offering moral justification to its existence under specific forms.<sup>140</sup> What particularly defines institutions is their capacity to persist through time, although variations in their peculiar manifestations may be observed. This resilience is also fostered by the interiorisation of given institutions as accomplished by individuals. In Pierre Bourdieu’s thought, the incorporation of structures as translated through the prism of particular subjects creates what the author refers to as ‘*habitus*’<sup>141</sup>, an ensemble of dispositions towards specific modes of behaviour that cannot be understood without nor fully predicted within the context in which they are produced. The structures that create the context and meaning of specific human behaviours should therefore be analysed as functional to the comprehension of the social construction of identities, roles, and hierarchies, considering how the whole process “*depends upon validation awarded and withheld in accordance with the norms of a stratified society.*”<sup>142</sup>

This effort should be comprehended within a postmodern matrix of thought, “*where human experience is inescapably located within language*”.<sup>143</sup> Binary differences between individuals – originally along sex lines, but not exclusively – and their hierarchical relation originate within the process of creation, transmission, and interpretation of signs. In this sense, legal acts and discourses, in combination with other kinds of cultural mechanisms, should be seized in their constructive function and recognised as a site of political struggle. Acknowledging the importance of legal

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<sup>139</sup> Pina-Cabral, João de. “Afterword: what is an institution?” *Social Anthropology* 19, no. 4 (2011).

<sup>140</sup> Mauss, Marcel. *Oeuvres*. Paris: Minuit, 1968.

<sup>141</sup> Bourdieu, Pierre. “Vive la Crise! For Heterodoxy in Social Science.” *Theory and Society* 17, no. 5 (1998).

<sup>142</sup> Branaman, Ann, and Charles Lemert. *The Goffman reader*. Oxford: Blackwell, 1998.

<sup>143</sup> Frug, Mary Joe. “A Postmodern Feminist Legal Manifesto (An Unfinished Draft).” *Harvard Law Review* 105, no. 5 (1992).

structures on the formation of social asymmetries entails the possibility to endow legal means with revolutionary potentialities. On this matter, Mary Joe Frug engaged in this reflection:

*“Feminists have reasoned, for example, that when women are uneducated for “men's work,” or when they are sexually harassed in the men's work they do, they are not “naturally” more suited for “women's work”; they have been constructed to be that way. Although law is by no means the only factor that influences which jobs men and women prefer, how well they perform at work, or the intensity of their wage market commitment, outlawing employment discrimination can affect to some degree what women and men are “like” as workers. What law (at least in part) constructs, law reform projects can re-construct or alter.”<sup>144</sup>*

In line with this reasoning, engaging in a critical analysis of the ensemble of economic, legal, and political structures that contribute to the creation of the agricultural sector as a ‘total social institution’<sup>145</sup> where Romanian women workers are encoded within gendered and racialised meanings. This reflection should not be mistaken for an attempt to deprive normative efforts of their capacity to enhance substantial transformation within the institutions they aim to regulate. With such a spirit, the following chapter will be organised as follows: the first part will be dedicated to the presentation of the historical and geopolitical junctures that contributed to the creation of Romania as a country of emigration and consolidated specific migratory axes and patterns; the second stage will offer an overview of the Italian agricultural sector, highlighting the different intertwined pull-factors for the position occupied by Romanian women in this branch of the national economy; the third and last part will elaborate on the limits of legal and political efforts arisen with corrective and contrast aspirations in capturing the specific situation experienced by this group of people.

### 3.1 ROMANIA AS A COUNTRY OF EMIGRATION

When observing the emigration of people from Romania, three major waves can be identified: before the fall of the Berlin wall in 1989, during the 90s, and after the liberalisation of visas in 2002 and the entrance into the EU in 2007. The demographic element, which reached its apex in 1990 with 23,5 million inhabitants, is consistently falling as a result of the joint action of net emigration and decline in fertility.<sup>146</sup> The country, whose population amounted to 19,2 million in 2020, is likely to reach

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<sup>144</sup> Ibid.

<sup>145</sup> Goffman, Erving. *Asylums: Essays on the social situation of mental patients and other inmates*. Aldine Transaction, 1961.

<sup>146</sup> Ricci, Antonio. “Al di là del muro: 30 anni di migrazioni dalla Romania.” In Cajvaneanu, Miruna, Antonio Ricci and Benedetto Coccia. *Radici a metà. Trent'anni di immigrazione romena in Italia*. Roma: Istituto di Studi Politici S.Pio V & Centro Studi e Ricerche IDOS, 2022.



approximately 11,6 million inhabitants by the end of the century.<sup>147</sup> The diaspora of Romanian citizens in the world accounts for 4 million people. With Spain, Italy is the main destination for Romanian migrants.<sup>148</sup>

The years of the communist regime consistently shaped the country's imaginary while limiting its possibility of action. The main interventions on the political agenda, namely the collectivisation of rural areas and economic planning, did not translate into an increase in the gross domestic product (GDP), and instead provoked a general impoverishment, also aggravated by the formal rupture with the Soviet Union.<sup>149</sup> With the objective to solve the economic stagnation, in the 80s the national political leadership decided to proceed with a complete repayment of foreign debt, thus forcing the entire population into further degrees of self-sacrifice for the good of the nation.<sup>150</sup> These years were characterised by massive barriers to migration resulting in the move of privileged personalities fearing the authoritative regime and with the means to escape its control – also through the release of ethnic passports for Jews and Germans –, thus causing an important loss in terms of social and economic resources for the country, and this while exacerbating the perception of injustice for those obliged to stay and work for the Motherland.<sup>151</sup> According to official data of the Ministry of Interior, between 1980 and 1989, 265,000 people legally fled the country.<sup>152</sup>

The social uprising of Timisoara in December 1989 led to the fall of the regime and the execution of Ceaușescu. The following phase was characterised by a rapid conversion to the market economy and the instauration of democratic principles and institutions.<sup>153</sup> This shift was nevertheless mediated by the resilience of the communist heritage, especially in terms of obstacles to the elaboration of reforms, high levels of bureaucracy, and rigid centralisation. As a matter of fact, the 90s were marked by major political instability and corruption leading to a further deterioration of levels of employment, purchasing power, and standards of living.<sup>154</sup> The elimination of the prohibition of leaving the country, coupled with new opportunities offered by democracy and liberal market, represented a boost for emigration not only for national and ethnic minorities (Germans, Hungarians, Jews, Roma), but for the national population more in general.<sup>155</sup> Starting from this moment, it can be observed a gradual

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<sup>147</sup> Ibid.

<sup>148</sup> Ibid.

<sup>149</sup> Biagini, Antonello, and Francesco Guida. *Mezzo secolo di socialismo reale*. Torino: Giappichelli, 1994.

<sup>150</sup> Ibid.

<sup>151</sup> Motta, Giuseppe. *Le minoranze del XX secolo. Dallo stato nazionale all'integrazione europea*. Milano: Franco Angeli, 2007.

<sup>152</sup> United Nations Secretariat. "International Migration from Countries with Economies in Transition: 1980-1999." New York: Population Division-Department of Economic and Social Affairs, 2000.

<sup>153</sup> Linz, Juan, and Alfred J. Stepan. *L'Europa post-comunista*. Bologna: Il Mulino, 2000.

<sup>154</sup> Ricci, 'Al di là del muro: 30 anni di migrazioni dalla Romania,' 146.

<sup>155</sup> Ibid.

crystallisation of axes of migration, especially from the region of Romanian Moldova towards Italy, also thanks to the influence of original networks of migration.<sup>156</sup> In general, Mediterranean countries arose as a privileged destination for Romanian expats, considering a certain national tolerance to irregularities.

The reaction to this migratory euphoria towards Western countries resulted in the closure of borders from the part of EU member states, which *de facto* limited the possibility of action of those wanting to pursue the migratory project to a limited array of options: illegal entry, overstay, (prolongation of regular visas and permanence beyond expiration), and asylum application even in those cases in which the conditions to obtain the refugee status could not be met.<sup>157</sup> On the wave of a general tendency implemented by Mediterranean countries, Italy proceeded to the regularisation of 11,110 Romanians in 1995, 24,000 in 1998, and 147,900 in 2002. Disregarding this effort, approximately 200,000 Romanian citizens were expelled from EU countries, 21,869 only in 2003.<sup>158</sup> In 2001, we assisted in the opening of employment agencies leaking into extra-legal activities. As a reaction, the Romanian government tried to control these private actors, until the creation of a public institution, the *National Office for the migration of the workforces*, charged with the mandate to negotiate bilateral agreements and to favour the employment of national citizens abroad.<sup>159</sup> The predominance of patterns of mobility that escape the control of the state has led the Romanian parliament to adopt a law for the prevention and fight against the trafficking of human beings, which encompasses a harshening of punishment for traffickers from 3 to 12 years as well as the elaboration of a national action plan aiming at preventively addressing the socio-economic situation of those persons more exposed to become victims of such a phenomenon.<sup>160</sup>

These dynamics assume a peculiar configuration for Romanian women. As explained by Antonio Ricci,

*“In a short time, the so-called transnational 'circularity' of migratory movements of a non-institutionalised nature became a pillar of Romanian emigration. These are migrations on the margins of legality of short duration and repeated over time, for work or business reasons. This practice is largely assisted by migratory networks (family, ethnic, religious, etc.), which not only reduce the costs and risks inherent in the migration project, but also act as a preventive guarantee so that irregular flows do not result in human trafficking. A typical case is that of the "relay" between*

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<sup>156</sup> Sandu, Dumitru. “Migrația circulatorie ca strategie de viață.” *Sociologie românească* 8, no. 2 (2000).

<sup>157</sup> Ricci, ‘Al di là del muro: 30 anni di migrazioni dalla Romania,’ 146.

<sup>158</sup> OECD. *Trends in international migration. Annual Report 2003*. Paris: Sopemi, 2004.

<sup>159</sup> Ricci, ‘Al di là del muro: 30 anni di migrazioni dalla Romania,’ 146.

<sup>160</sup> Ibid.

women belonging to the same network who exchange personal care jobs with families in the destination country according to an agreed rotation system.”<sup>161</sup>

A significant advantage of migrations of this kind revolves around the fact that retributions obtained in countries of destination enable circular migrants to improve their purchasing powers in countries of origin, where their earnings are usually spent, thus contributing to the development of sending states.<sup>162</sup>

In order to fully understand this phenomenon, it seems also relevant to consider the campaign of industrialisation and deruralisation put in place by Ceaușescu – where a part of the countryside population was forced to move into urban centers – as the “*historical and material precondition*” of the transnational circular economy.<sup>163</sup> After the locking of national factories in 1989, workers were left with two options: going back to rural areas or emigrating in different states to try to maintain a certain social and economic status. As in the older scenario, the traditional familial model thus resulted disaggregated, with older components trying to engage in subsistence agriculture and young generations moving to different countries.

January 2002 represented a crucial moment in terms of European migration policies, thanks to the abolition of visa requirements for periods of less than 3 months for Romanian citizens moving to EU member states.<sup>164</sup> Romania is the last country within the central-Eastern bloc to have access to such benefits. The delay is justified in light of the concern of EU policymakers with regard to the porosity of borders with Ukraine and Moldova, transit countries for migrants coming from Asia and ex-URSS areas.<sup>165</sup> To give an answer to such an apprehension, Romania increased the requirements to be able to leave the country to access the Schengen area. Among these, it was established the obligation to have at least 100 euro for each day spent abroad (with a minimum of 5 days), a ticket to come back after a maximum period of three months, and a medical insurance, also strengthening border controls to detect false passports.<sup>166</sup> As a matter of fact, the number of departures registered a decline of 20% in the first 6 months after the provision.<sup>167</sup> Under this broader framework, the attention of Romanian authorities was also addressed to trafficking in human beings: between 2003 and 2004, almost 100

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<sup>161</sup> Ibid. Translated by the author.

<sup>162</sup> International Organization for Migration. “Circulatory migration of Romanians from rural area and small towns.” Bucharest: IOM, 2001.

<sup>163</sup> Ricci, ‘Al di là del muro: 30 anni di migrazioni dalla Romania,’ 146.

<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

<sup>166</sup> Vasile, Valentina, Diana Preda, Luminița Nicolescu, and Daniela-Luminița Constantin. *Fenomenul migraționist din perspectiva aderării României la Uniunea Europeană*. Bucharest: Institutul European din România, 2004.

<sup>167</sup> Ibid.

nets devoted to trafficking and exploitation were identified, especially at the detriment of women.<sup>168</sup> In the first decade of the new century, it can be observed a widening gap between receiving states in the EU: while countries such as Germany, France and UK absorbed qualified workers from Romania, Mediterranean states such as Italy, Spain, Portugal and Greece attired unqualified labour force more willing to accept subaltern and marginal positions. The number of Romanian people in Italy from 2002 to 2007 has quintuplicated, reaching 342,000 units.<sup>169</sup>

The accession of Romania to the EU in 2007 has once again not translated into a complete deregulation of mobility regimes. Most EU countries decided to put in place restrictive methods, thus benefiting from the possibility to maintain quotas to access national territories and labour markets for Romanian citizens. This possibility was seized by all the EU countries, with the exception of Sweden and Finland. As was the case in the post-2002 situation, the obstruction of legal channels only fuelled the appeal of extra-legal pathways.<sup>170</sup> Furthermore, these closure policies were an answer to the rhetoric of invasion so hegemonic in the media representation and in the public debate more in general. This is all the more relevant considering the enormous level of stigmatisation at the detriment of the Roma community, which has often been used in the international discourses as a pretext to legitimately fear more libertarian migration policies and to condemn the arrival of Romanian citizens in general, given the general misrepresentation seeing the overlapping between the two groups.<sup>171</sup>

This initial part explicitly aims at illustrating how the migration of Romanian women in Italy is not an original configuration brought about by further grades of integration at the EU level. On the contrary, it is embedded in a stratified heritage of irregular and unsafe networks of transit and mechanisms of relegation in subaltern and marginalised positions in destination contexts. Despite the expectations, the end of irregular migration did not necessarily translate into an improvement in the concrete situation of Romanian migrants. After the initial three months, the right of residence in any of the EU member states is indeed subordinated to the condition of being employed or having sufficient economic resources – as well as health insurance – to avoid becoming a burden on the state's social assistance system during the period of stay. In addition, it has been reported a multiplication of administrative borders for EU migrants, especially concerning the possibility to obtain civil registration and residence certification.<sup>172</sup> Despite formal arrangements, which effectively make the presence of EU workers in Italy easier, the main problem consists in the unawareness of migrants of their own rights coupled with an important unwillingness from the part of competent staff

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<sup>168</sup> U.S. Department of State. "Trafficking in Persons Report 2003." Washington: 2004.

<sup>169</sup> Ricci, 'Al di là del muro: 30 anni di migrazioni dalla Romania,' 146.

<sup>170</sup> Ibid.

<sup>171</sup> Ibid.

<sup>172</sup> Ibid.

to apply specific procedures for EU nationals and making their situation *de facto* equivalent or at least similar to that experienced by non-EU individuals.<sup>173</sup>

The path-dependency which demarks the enduring schemes of exclusion to which Romanian migrants have traditionally been subjected can be explained in light of the fact that their arrival has always been functional to satisfy the demand for low-qualified and low-paid jobs. Italians have indeed become more selective toward the quality of their occupations, as a consequence of the increase in *per capita* income, level of education, and professional expectations. In the transition of Italy from a country of emigration to a country of immigration, a crucial role is played by the gap in salaries and costs between countries. This state of things favours, on one side, the emigration of labour force along an East-West trajectory, while Western national enterprises were relocated to Eastern countries by virtue of lower costs. In Romania, the financial crisis of 2008 has led to a consistent increase in living costs, without this being followed by an adjustment of salaries. This original situation represented a new window of opportunity for a massive entrance of Romanian workers in low-skilled, physically demanding, and cheap labour jobs, where older migrant enclaves, namely from Morocco and Tunisia, were gradually substituted.<sup>174</sup>

### 3.2 A NORMATIVE FRAMEWORK OF THE ITALIAN AGRICULTURAL SECTOR

#### 3.2.1 A PORTRAIT OF THE LABOUR FORCE EMPLOYED IN THE AGRI-FOOD SECTOR

The labour force employed in agriculture is formed predominantly by Italian workers, although the most significant data on this matter is the consistent decrease in the presence of nationals, which has shifted from 94% in 2008 to 81,5% in 2021.<sup>175</sup> From an opposite perspective, the introduction of the migrant labour force has significantly increased. This preliminary reflection already shows an interesting element: a decline of the national component in dependent work can be observed, while the migrant labour force is following an opposite trajectory (from 5,6% in 2008 to 17,8% in 2020).<sup>176</sup> Engaging in a differentiated analysis on the basis of gender and area of origin, it can be noted that the majority of the foreigner workforce is composed by male migrants from extra-European states – in particular from Africa and Asia.<sup>177</sup> Nevertheless, among the female workforce, there is a consistent presence of women from Eastern European countries.

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<sup>173</sup> Interview with Maurizio Alfano, writer and researcher.

<sup>174</sup> Macrì, Maria Carmela. “L’impiego dei lavoratori stranieri nell’agricoltura in Italia Anni 2000-2020.” Roma: Consiglio per la ricerca in agricoltura e analisi dell’economia agraria (CREA), 2022.

<sup>175</sup> Macrì, *L’impiego dei lavoratori stranieri nell’agricoltura in Italia Anni 2000-2020*, 174.

<sup>176</sup> *Ibid.*

<sup>177</sup> *Ibid.*

The participation of the EU female workforce is particularly concentrated in some areas. Investigations on labour and sexual exploitation against Romanian women employed in greenhouses in the province of Ragusa have contributed to increasing the visibility of this group in this part of the country. According to recent studies, a less explored area characterised by a strong presence of Romanian women is the region of *Arco Ionico*, between the regions of Puglia, Basilicata, and Calabria. In this territory, statistical data on the composition of agricultural workers reflects the national portrait. Italian workers represent 88% of the total workforce employed in the agricultural field. In line with this finding, 84% of the workforce is connected to the business by family ties. The migrant component is nevertheless on the constant rise.<sup>178</sup> In 2018, the total number of women employed in this region corresponded to 22,702, of which 16,801 are Italian. Of the remaining 5,901 women, the EU component accounts for 76%. In total, women from Romania represent 15% of the female working force.<sup>179</sup>

Considering the 2011-2017 time range, it has been observed an increase of intra-European mobility for seasonal agricultural workers of 36% – while the mobility of non-EU workforce is estimated at around +31%.<sup>180</sup> Nevertheless, in recent years EU citizens are showing an alteration in their preferred destinations, moving from Mediterranean countries towards Northern regions – Germany and the UK in particular – as a result of better living conditions coupled with more significant economic advantages. More in particular, the displacement of European migration follows an East-West trajectory: Romania, Poland, and Bulgaria are the top exporters, while the principal countries of destination are Italy, France, Germany, Spain, and Greece.<sup>181</sup>

While statistical data are crucial to have a quantitative insight into the composition of the workforce employed in Italian agriculture, they cannot be mistaken for a clear and exhaustive picture of the effective situation on the ground.<sup>182</sup> As a matter of fact, it has been acknowledged that the agricultural environment is a catalyser for the phenomenon of undeclared work, known as '*lavoro a nero*' – where workers are not registered and thus do not benefit from any form of safeguard.<sup>183</sup> As a consequence, a great number of employees in this sector result invisibilised by their irregular situation in the labour

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<sup>178</sup> ActionAid. "Cambia Terra. Dall'invisibilità al protagonismo delle donne in agricoltura." 2022.

<sup>179</sup> Ibid.

<sup>180</sup> Augère-Granier, Marie-Laure. "Migrant seasonal workers in the European agricultural sector." European Parliament, 2021.

<sup>181</sup> ActionAid, 'Cambia Terra. Dall'invisibilità al protagonismo delle donne in agricoltura,' 1788.

<sup>182</sup> Giammarinaro, Maria Grazia, and Letizia Palumbo. "Le donne migranti in agricoltura: sfruttamento, vulnerabilità, dignità, autonomia." In Osservatorio Placido Rizzo, Flai, Cgil. *Agromafie e caporalato Quinto Rapporto*. Roma: Futura, 2020.

<sup>183</sup> Ceccarelli, Giorgia, and Fabio Ciconte. "Sfruttati. Povertà e disuguaglianza nelle filiere agricole in Italia." Oxford: Oxfam, 2018.

market. According to the third report of the Osservatorio Placido Rizzotto, the rate of irregularities in work relations in the Italian agricultural sector amounts to 39%.<sup>184</sup>

### 3.2.2 ITALIAN AGRICULTURE IN THE GLOBALISED ECONOMY: DISEQUILIBRIUM IN THE BALANCE OF POWER ALONG THE SUPPLY CHAIN

The internal transformation of the agricultural sector must be taken into account. Despite the pivotal role covered by the mechanisation of important segments of the productive chain, the process of modernisation experienced in the last 30 years has never translated into the cessation of the need for a low-cost and unskilled labour force. On the contrary, with the passage of small local producers from a family-based to a corporate structure kind of organisation – as a consequence of the reorientation triggered by the entrance into the globalised market economy and a rise in the request for agricultural products – the demand for unqualified external employees to be recruited on a temporary basis to handle the collection and packaging of products has consistently increased.<sup>185</sup> The recourse to this kind of workforce was crucial *“to gain a competitive advantage in a context of growing international competition and of cost-cutting pressures within even more vertically integrated chains.”*<sup>186</sup> In line with these findings, the European Union Agency for Fundamental Rights (FRA) has highlighted that agriculture is the most exposed sector to labour exploitation in half of EU member states, including Italy.<sup>187</sup> Although the Italian scenario presents peculiarities that make it particularly predisposed to such phenomena, this same photography has been captured in other European countries.<sup>188</sup> In general, the migrant community seems particularly prone to accept to work in a field characterised by difficult working conditions and scarcity in material as well as in symbolic recognition.<sup>189</sup> The International Labour Organisation (ILO) has indeed demonstrated that the migrant workforce *“tends to be concentrated in low-paid, low-skilled and often undervalued jobs, and this disregarding education level.”*<sup>190</sup>

A similar situation is indeed fostered by an asymmetrical balance of power between producers of commodities and the whole supply chain that connects them to the final consumer, including actors involved in activities of transformation, marketing, distribution, and selling. This is all the more true

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<sup>184</sup> Flai, Cgil, and Osservatorio Placido Rizzotto. *Agromafie e caporalato Terzo rapporto*. Roma: Ediesse, 2016.

<sup>185</sup> D’Alessio, Massimiliano. “Le dimensioni della filiera agroalimentare: migliore equità nella distribuzione del valore.” In Osservatorio Placido Rizzotto, Flai, Cgil, *Agromafie e caporalato Quinto rapporto*. Roma: Ediesse, 2020.

<sup>186</sup> Corrado, Alessandra. “Migrant crop pickers in Italy and Spain.” Heinrich Böll Foundation (2017).

<sup>187</sup> European Union Agency for Fundamental Rights (FRA). “Severe labour exploitation: workers moving within or into the European Union.” 2015.

<sup>188</sup> *Ibid.*

<sup>189</sup> International Organization for Migration (IOM). “La tratta di esseri umani attraverso la rotta del mediterraneo centrale: dati, storia e informazioni raccolte dall’organizzazione internazionale per le migrazioni.” 2017.

<sup>190</sup> International Labour Organisation (ILO). “Fair Migration. Setting an Ilo Agenda.” Geneva: ILO, 2014.

in the southern region of Italy, where such a process has also been fostered by the imposition of few large companies in the chain of transformation and distribution, as well as the subsequent acquisition by the latter of small and medium local realities dealing with the production of raw materials.<sup>191</sup> Since alliances between the main retail firms with the goal of obtaining better contractual conditions through collective bargaining with suppliers were established, the problem has worsened. The big European supermarket chains have been able to expand on a continental scale thanks to EU policies on market liberalisation and competition with the implementation of Regulation (EC) No. 1/2003.<sup>192</sup> According to the reportage ‘*Le catene della distribuzione*’, 72% of fresh and processed food products are sold by the giants of the large-scale distribution.<sup>193</sup> Between 1996 and 2011, these actors doubled their turnover to almost 100 billion euro.<sup>194</sup>

In this scenario, the immense appeal of large-scale retail trade to consumers is based on successful marketing manoeuvres such as downward prices and discounts; arrangements that can be sustained only through the imposition of cost coverage on inferior rings of the sequence.<sup>195</sup> When engaging in this kind of investigation, the first element that should be noted is the process of commodities acquisition from the part of buyers, which in extreme situations impose sales costs that are not even sufficient to cover production expenditures.<sup>196</sup> In this context, a quite diffuse mechanism of purchase is the organisation of ‘*Aste online al doppio ribasso*’, also known as double Dutch auctions, formally outlawed in 2021.<sup>197</sup> In this setting, an ensemble of producers is contacted via email and is asked to propose a selling cost for a given amount of products. In the second stage, once all offers have been collected, suppliers are summoned to participate in the actual auction, where the lowest offer is used as a basis for further price reductions. The supplier who offers the lowest price is able to secure the order.<sup>198</sup> Furthermore, under the threat of dumping – resorting to commodities produced in different countries – , Italian producers are required to reduce their prices to the level of foreign suppliers.<sup>199</sup> Besides imposing unsustainable standards of productivity, it is a common practice for supermarket

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<sup>191</sup> Ceccarelli and Ciconte, ‘Sfruttati. Povertà e disuguaglianza nelle filiere agricole in Italia,’ 183.

<sup>192</sup> Corrado, Alessandra. “Migrazioni e lavoro agricolo in Italia: le ragioni di una relazione problematica.” Open Society Foundations, 2018.

<sup>193</sup> Filippi, L., Franco, M., & Panariello, M. *Le catene della distribuzione*. 2016.

<sup>194</sup> Ibid.

<sup>195</sup> Ciconte, Fabio, and Stefano Liberti. “Supermercati, il grande inganno del sottocosto.” *Internazionale*. 27 February 2017. <https://www.internazionale.it/reportage/fabio-ciconte/2017/02/27/supermercati-inganno-sotto-costo>.

<sup>196</sup> Boselli, Mariapaola. “Prezzi al consumo: chi ci guadagna nella catena del valore dei prodotti agricoli?.” *Centro Internazionale Crocevia* (2019).

<sup>197</sup> Ciconte, Fabio, e Stefano Liberti. “Con le aste online i supermercati rovinano gli agricoltori.” *Internazionale*. 13 March 2017. <https://www.internazionale.it/reportage/fabio-ciconte/2017/03/13/aste-online-supermercati>.

<sup>198</sup> Il fatto alimentare. “Stop alle aste al doppio ribasso sui prodotti alimentari. Approvato il nuovo provvedimento.” *Il fatto alimentare*. 8 November 2021. <https://ilfattoalimentare.it/aste-doppio-ribasso-prodotti-alimentari-nuovo-provvedimento.html>.

<sup>199</sup> Panariello, Maria. “E(u)xploitation”. Terra, 2021.



chains to engage in a series of unfair trading practices which entail additional costs for producers. To mention some illustrative examples, suppliers are asked to pay listing fees in order to have their products showcased on supermarkets' shelves. In other cases, they are demanded to financially contribute to the opening of new sales points, in a perspective of risk-sharing. Most of the time, they are forced to cover the price of discount, advertising, and other marketing moves whose costs are imposed retroactively.<sup>200</sup>

A study published by Europe Economics declared that, at the EU level, the loss caused by these forms of bribery amounts to between 30 and 40 billion euro.<sup>201</sup> In this circumstance, farmers are not capable to invest in their own activities and are even obliged to curtail outputs directly impacting workers, first and foremost in terms of retribution. Furthermore, agricultural workers are usually employed without formal arrangements or, more often, with grey contracts, where contractual schemes are not respected and part of the working hours or days are performed outside the regular contractual relationship. Saving on health and safety measures in the workplace does represent a further element worsening the situation of agricultural workers and fostering their exploitation.<sup>202</sup> Such data should be interpreted against an increase in risk and costs for producers. Climate change and the relative growth in damaging meteorological phenomena have fostered the unpredictability of harvesting outcomes. The rise in the expenses associated with necessary means to carry out the production – especially in terms of energy – has worsened this burden.<sup>203</sup> Furthermore, compared to business owners in other nations, Italian agricultural entrepreneurs pay a significantly higher indirect cost for workers' social security and insurance – especially in the South. Agricultural business owners must also deal with onerous regulatory requirements that are related to laws governing workplace safety.<sup>204</sup> As a result of the intertwining of these factors, the contracting capacity of the organisation of producers is boycotted by their high fragmentation and disconnection from the locations in which crops are produced. The entire supply chain thus turns out to be disaggregated, with divisions among producers preventing the establishment of contractual conditions with purchasers and the subsequent

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<sup>200</sup> Cicone, Fabio, and Stefano Liberti. “Come il supermercato è diventato un'industria.” *Internazionale*. 6 March 2017. <https://www.internazionale.it/reportage/fabio-cicone/2017/03/06/supermercato-industria>.

<sup>201</sup> Ibid.

<sup>202</sup> Mori, Stefano. *Migration and Agricultural Labour Force in Italy and Europe. The agricultural migrant labourer caught between exploitation and irregularity: stories from Southern Europe*. Crocuvia Centro Internazionale, 2016.

<sup>203</sup> Coldiretti. “Le offerte sottocosto strozzano gli agricoltori, Coldiretti pronta a denunciare.” *Il punto Coldiretti*. 22 December 2021. <https://www.ilpuncocoldiretti.it/attualita/economia/le-offerte-sottocosto-strozzano-gli-agricoltori-coldiretti-pronta-a-denunciare/>.

<sup>204</sup> Camera dei Deputati. “Indagine conoscitiva sul fenomeno del cosiddetto “Caporalato” in agricoltura.” 2021.

arrangement of a fair and agreed price for items.<sup>205</sup> In this sense, exploitation should not be considered as a breach of the system, but as the only possible type of organisation.<sup>206</sup>

In order to address this situation and engage in an effort for the redistribution of wealth along supply chains, the Directive (EU) 2019/633<sup>207</sup> went as far as establishing a blacklist of practices that should be completely ousted from commercial relations and that resulted to be particularly diffuse, including overdue payments, cancellation of orders with excessively short notice, unilateral change in the terms of supply agreements, threaten or retaliation, unlawful acquisition of disclosure of trade secrets, absence of written contracts between the parts, imposition of costs from the part of buyers against suppliers that are not related to the products' sale or to cover for the deterioration or loss of products and for customer complaints. In addition, this instrument also provides a set of grey exercises that should be tolerated by member states only when explicitly agreed upon in supply agreements between producers and purchasers, including the return of unsold products without the agreed retribution, the imposition of further costs for the supplier for stocking, displaying, and listing products or to make more generally these products available to the market, as well as for accessory practices such as discounts, advertisement, marketing, and fitting-out tasks.<sup>208</sup> The national legislator has implemented the Directive through the modification of Article 62 of Legislative Decree 27/2012 with Legislative Decree 198/2021, additionally outlawing underselling and Dutch auctions.<sup>209</sup> Administrative sanctions are set between 1,000 and 30,000 euro or up to 5% of the turnover achieved in the previous year, 10% in case of repeated infringement. Surveillance and enforcement mechanisms are thus transferred from Antitrust of the Italian Competition and Market Authority (AGCM) to the Central Inspectorate for the protection of quality and fraud prevention of agri-food products (ICQRF).<sup>210</sup> However, the ICQRF will be required to undertake this role without “*new or increased burdens on public finance*”, which means without any intake in terms of employed personnel and resources.<sup>211</sup> This element suggests a certain struggle in the application of the Directive, in view of the already considerable control tasks mandated to the organism, in particular concerning geographical

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<sup>205</sup> Ceccarelli and Ciconte, ‘Sfruttati. Povertà e disuguaglianza nelle filiere agricole in Italia,’ 183.

<sup>206</sup> Pettinelli, Roberto. “Filiere agroalimentare, caporalato e pratiche commerciali sleali.” In *Lavoro e diritto* 3, (2022).

<sup>207</sup> European Parliament, and Council of the European Union. “Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain (OJ L 111).” 2019.

<sup>208</sup> Swinnen, Johan, Alessandro Olper, and Senne Vandevelde. “From unfair prices to unfair trading practices: Political economy, value chains and 21st century agri-food policy.” In *Agricultural Economics* 52, no. 5 (2022): 771-788.

<sup>209</sup> Article 62 of Legislative Decree 27/2012.

<sup>210</sup> Legislative Decree 198/2021.

<sup>211</sup> Ibid.

indications, consumer information, frauds, biological productions, protection measures against organisms harmful to plants, and feed.<sup>212</sup>

### 3.2.3 BETWEEN TRADITION AND MODERNITY: THE EVOLUTION OF CAPORALATO

This macrostructure finds in the Italian scenario a particularly fertile ground, thanks to the historical presence of *caporalato*, a system of recruitment and management of the workforce that relies on the action of intermediates (*caporali*) who function as a link between demand and offer, thus entrepreneurs and workers.<sup>213</sup> In exchange for payment, the caporal may be engaged not only in the search for labourers to be employed in the field, but also in accessory concerns, namely wage delivery, housing, transportation, basic commodities, etc.<sup>214</sup> Before engaging in an overview of the phenomenon, it seems important to point out that, despite its important representation in political as well as in public discourses, *caporalato* is only a component of the broader dynamic of labour exploitation, and it cannot certainly be qualified as its principal cause.

Regional realities are often characterised by strong disparities between rich areas, where agricultural production is concentrated, and zones of economic stagnation, where the mass of employers is recruited. As a matter of fact, the figure of caporal was born to act as a conjunction ring between these parallel universes. The new necessities brought about by the transition towards modernity were not promptly intercepted by institutional interventions.<sup>215</sup> On the other side, it became more and more frequent to have someone among the workers specialising in ordinary intermediary and logistic tasks to immediately satisfy the request for labour force.<sup>216</sup> As a matter of fact, in a first moment caporals were those among employed workers equipped with means of transport, charged with the task of providing for the mobility of workers from houses to fields, and only in a following stage specialising in the role of intermediary.<sup>217</sup> To mention an illustrative example that is still diffuse, this is the case

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<sup>212</sup> Dongo, Dario. “Pratiche commerciali sleali, i guai del d.lgs. 198/2021.” *Great Italian Food Trade*. 4 December 2021. <https://www.greatitalianfoodtrade.it/mercati/pratiche-commerciali-sleali-i-guai-del-d-lgs-198-2021/>. See also: Dongo, Dario. “Pratiche commerciali sleali, nuovo schema di decreto.” *Great Italian Food Trade (GIFT)*. 7 November 2021. <https://www.greatitalianfoodtrade.it/mercati/pratiche-commerciali-sleali-nuovo-schema-di-decreto/>.

<sup>213</sup> Ciniero, Antonio, and Ilaria Papa. “Il lavoro agricolo nell’area jonico-brindisina dagli anni ’70 a oggi: tra modernizzazione, caporalato e patriarcato.” In Osservatorio Placido Rizzotto, Flai, Cgil. *Agromafie e caporalato Quinto rapporto*. Roma: Ediesse, 2020.

<sup>214</sup> Ibid.

<sup>215</sup> Ibid.

<sup>216</sup> Alò, Pietro. *Il caporalato nella tarda modernità. La trasformazione del lavoro da diritto sociale a merce*. Bari: WIP, 2010.

<sup>217</sup> Ibid.

of caporals recruiting and transporting women from the provinces of Brindisi and Taranto to be employed in fields located near Bari, managing their transferral on a daily basis.<sup>218</sup>

Through these lenses, *caporalato* is at the same time a product and a vector of transmission of modern forms of production. Borrowing the words of Antonio Ciniero,

*“Under features that appear linked to a backward world - informal management of spaces of power, use of dilapidated means of transport, violation of the highway code and labour laws, evasion of social security contributions, imposition of very long working hours and, in the most serious cases, even violation of the female workers' bodies - caporalato conceals a function that is instead an expression of the needs of the modern form of production: that of guaranteeing an adequate supply of labour to meet the demand expressed by companies. The system becomes an expression first, and consolidation later, of the modernisation of labour, production and distribution practices present in the Apulian agricultural sector. Adopting this perspective, those accounts - present in a part of the public discourse on the subject - that portray the caporalato system as a mere remnant of the old organisational tools of the production cycle in the countryside appear reductive and misleading.”*<sup>219</sup>

Law 608/96 containing urgent provisions on the subject of socially useful work, of interventions for income support and in the social security sector and the partial abolition of public employment services marked the beginning of the liberalisation of the labour market.<sup>220</sup> The emergence of a “grey labour market” characterised by the “*transposition of exploitation within legal instruments that assure its formal regularity*” has been made possible by the new norms pertaining to contribution realignment, administrative simplicity, and work flexibility.<sup>221</sup> In a second moment, innovative features of flexible work arrangements such as the voucher system, on-call work, and temporary employment, found a first field of trial in rural areas specifically to try to close the gap between real and nominal earnings, which was inexorably expanding.<sup>222</sup> These very liberalisation policies have given new space to an old form of intermediation born in the rural-side of southern regions.

The wide availability of migrant labour and their condition of social and spatial segregation have recently reinvigorated this system, increasingly characterised in national and ethnic terms. Nowadays, it is not rare to include deeper levels of intermediation, through the recourse to women and/or

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<sup>218</sup> Ciniero and Papa, ‘Il lavoro agricolo nell’area jonico-brindisina dagli anni ’70 a oggi: tra modernizzazione, caporalato e patriarcato,’ 213.

<sup>219</sup> Ciniero and Papa, ‘Il lavoro agricolo nell’area jonico-brindisina dagli anni ’70 a oggi: tra modernizzazione, caporalato e patriarcato,’ 213. Translated by the author.

<sup>220</sup> Law 608/96.

<sup>221</sup> Olivieri, Federico. “Giuridificare ed esternalizzare lo sfruttamento. Il caso dei lavoratori immigrati nella vitivinicoltura senese.” In Rigo, Enrica. *Leggi, migranti, caporali. Prospettive critiche di ricerca sullo sfruttamento del lavoro in agricoltura*. Pisa: Pacini, 2016.

<sup>222</sup> Corrado, ‘Migrazioni e lavoro agricolo in Italia: le ragioni di una relazione problematica,’ 192.

migrants to deploy as caporal to inject a sense of trust in those to be lured.<sup>223</sup> The possibility of working on secondment within the EU maintaining contractual regimes of the country of origin even when the work is carried out in a different member state allows employers and intermediaries to recruit cheap workforce directly in Eastern European countries and to provide for their transfer to Italy during specific seasonal harvest periods.<sup>224</sup> Moreover, the opportunities in terms of flexibility and labour deregulation in the cooperative sector have allowed the creation of landless agricultural cooperatives managed by bosses who supervise the work and whose members-workers are often subject to various forms of exploitation and financial extortion.<sup>225</sup>

Nowadays, several structural failings contribute to the endurance of this structure, which remains essential to the functioning of agricultural industries as well as to the subsistence of employers.<sup>226</sup> In the Southern part of Italy, recruiting offices are indeed inefficient, so that this kind of intermediation is the only viable option to satisfy the high demand of unqualified labour force just-in-time.<sup>227</sup> Communitarian links are often more successful methods in the process of job-searching. This mediation is all the more crucial if we consider that agribusiness takes place in environments that are particularly inadequate in providing services, infrastructures, transportation, and housing.<sup>228</sup> Once a particularly vulnerable cluster of individuals is identified, the caporal machine directly addresses persons in this situation with an exhaustive and comprehensive figured-out plan. Such support is deemed even more crucial to those who have to face linguistic and cultural barriers which make any form of public assistance even more precluded. In other words, to be solicited by caporals means not only to solve the noose of unemployment, but also to fix the constellation of problems of one's daily life. The compensation of caporals materialises in the portion of wages which is retained for the aforementioned services which are devolved at a higher price.<sup>229</sup>

The tentacular of similar organisations – which often entail extra-legal means and benefit from ties with local criminal realities – are tolerated and even indirectly supported by the absence of official controls and sanctions.<sup>230</sup> This is all the more relevant considering that, even in the presence of an operational will, timely and material resources are often unavailable to investigators. In the face of an attempt of complaint, security authorities do engage in formal contacts with accused parties and

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<sup>223</sup> Giammarinaro, Maria Grazia. “Analisi di genere delle politiche di prevenzione e contrasto dello sfruttamento lavorativo in agricoltura.” Roma: International Labour Organisation, 2021.

<sup>224</sup> Corrado, ‘Migrazioni e lavoro agricolo in Italia: le ragioni di una relazione problematica,’ 192.

<sup>225</sup> Ibid.

<sup>226</sup> Leogrande, Alessandro. *Uomini e caporali. Viaggio tra nuovi schiavi nelle campagne del Sud*. Mondadori, 2008.

<sup>227</sup> Ibid.

<sup>228</sup> ActionAid, ‘Cambia Terra. Dall’invisibilità al protagonismo delle donne in agricoltura,’ 178.

<sup>229</sup> Giammarinaro, ‘Analisi di genere delle politiche di prevenzione e contrasto dello sfruttamento lavorativo in agricoltura’, 224.

<sup>230</sup> Omizzolo, Marco. *Sotto padrone. Uomini, donne e caporali nell'agromafia italiana*. Milano: Feltrinelli, 2019.

try to mediate unofficial solutions such as economic compensation.<sup>231</sup> It is essential to understand how these associations are integrated into the territory and develop connections. While the subordination to caporal is forged on their crucial role in transmitting means of survival, mechanisms of allegiance are reinforced by the necessity to have positive reviews to be employed in other posts.<sup>232</sup> Workers follow the seasonality of crops and switch from one job to another depending on the request of the moment.<sup>233</sup> Each caporal follows a particular segment of agricultural production. Being in contact with one another allows for an exchange of labour force as well as of information. In other words, this means that once a worker is signalled, the possibility to be hired in a contiguous environment is negated.<sup>234</sup>

The connection between agriculture and organised crime should also be considered. Criminal interests run by mafia entrepreneurs and linked to the world of agriculture have become increasingly important and generally fall under the so-called ‘*agromafia system*’.<sup>235</sup> This organisation includes activities that generate illicit profits or enable money laundering originating in sectors like drug trafficking, usury and racketeering.<sup>236</sup> Mafia infiltrations can be identified in each of the different segments of the supply chain, starting from the management of the labour force by caporals or intermediaries – often in collision with foreign criminal organisations – as well as in the commercialisation and distribution of products. Furthermore, the turnover enhanced by the introduction of quality marks, first of all the ‘*Made in Italy*’, has been capable of attracting an important amount of illicit investments. This is all the more relevant considering the counterfeiting of certifications so as to place products on the market at a more profitable rate. In addition, there is an involvement of organised crime in the management of EU Common Agricultural Policy funds. In Italy, this illegal business amounts to approximately 6 billion euro per year for the CAP alone, not to mention other public subsidies. In this area, control is exercised through the corruption of public officials.<sup>237</sup>

### 3.2.4 THE SEGMENTATION OF THE ITALIAN LABOUR MARKET ALONG GENDER AND NATIONAL LINES

In mainstream political and public debate, the main solution to the problem of labour exploitation in agriculture was considered the regularisation of all irregular workers denied legal recognition but

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<sup>231</sup> Palmisano, Leonardo. *Mafia Caporale*. Fandango Libri, 2019.

<sup>232</sup> Palmisano, Leonardo. “Donne, Madri, Braccianti. Appunti per il miglioramento delle condizioni di vita delle lavoratrici in agricoltura nell’area metropolitana di Bari.” ActionAid, 2016.

<sup>233</sup> Ibid.

<sup>234</sup> Ibid.

<sup>235</sup> Eurispes. “Agromafie, terzo rapporto su crimini agroalimentari in Italia.” 2015.

<sup>236</sup> Corrado, ‘Migrazioni e lavoro agricolo in Italia: le ragioni di una relazione problematica,’ 192.

<sup>237</sup> Ibid.

nevertheless present and active in the national economy. The externalisation of migration management to transit countries such as Libya and Turkey and the constant construction of a fortress Europe implemented through the multiplication of physical and legal barriers to safely reach European territories has indeed translated into an increase in the percentage of refugees and asylum seekers escaping war or severe human rights violations and reaching Europe through extremely unsafe paths, such as the Mediterranean and the Balkan routes.<sup>238</sup> The great number of irregular migrants systematically endures threatening and intimidation to be reported to competent authorities and thus be repatriated. Similar concerns make them prone to accept extreme working and living conditions and construct them as the ideal recipient of the aforementioned dynamics.<sup>239</sup> In contrast with this assumption, recent findings have demonstrated that regular legal status is by no means an assurance in face of the abuses experienced by the migrant working population.<sup>240</sup> From an opposite perspective, in recent times, it has been observed the tendency from the part of employers to prefer workers with a regular status to avoid risk associated with dealing with people without required documents and being charged with the accusation of facilitating illegal migration.<sup>241</sup> In contrast with the content of Article 45 of Treaty on the Functioning of the European Union (TFEU), which establishes that EU migrants should benefit from the same conditions granted to the national population of a given country once on its territory, the European citizenship is not an effective shield against exploitation and abuses.<sup>242</sup> Besides, Italian citizens in vulnerable situations are not immune from this problem either.

As already mentioned, the macropolitical transformation enhanced by the collapse of the socialist regime in 1989 and the reconfiguration of an EU space in the first decade of 2000, coupled with poor economic performances and harsh living conditions, enabled the opening of a window of opportunity for emigration, especially for women who thus assumed the breadwinner role in an open contestation to traditional gender roles.<sup>243</sup> Simultaneously, in Italy it has been registered a displacement of migrant already installed on the territory from manufacturing industries and service sectors in urban areas

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<sup>238</sup> Dinas, Elias, Tobias Heidland, Martin Ruhs, and Alina Vrânceanu. "The European refugee crisis and public support for the externalisation of migration management." *European Journal of Political Research* (2022).

<sup>239</sup> Prandi, Stefania. *Oro rosso. Fragole, pomodori, molestie e sfruttamento nel Mediterraneo*. Settenove, 2018.

<sup>240</sup> Palumbo, Letizia, and Alessandra Sciarba. "The vulnerability to exploitation of women migrant workers in agriculture in the EU: The need for a human rights and gender based approach." European Parliament, Policy Department for Citizens' Rights and Constitutional Affairs Directorate General for Internal Policies of the Union, 2018.

<sup>241</sup> Ibid.

<sup>242</sup> Palumbo, Letizia. "Trafficking and labour exploitation in domestic work and the agricultural sector in Italy." European University Institute, 2016.

<sup>243</sup> Bezzi, Cristina. "Romanian women having to look for work abroad are often accused in their country of abandoning their children. The picture, however, is more complex." *Osservatorio Balcani e Caucaso. Transeuropa* 18 (2014).

towards agriculture.<sup>244</sup> Letizia Palumbo and Alessandra Scirba pointed out that “*In the case of Eastern EU migrants, and especially Romanians, the growth in the number of workers arriving from this area has led to an increase in the presence of women workers, due to a complex overlapping of specific gender and familial dynamics and labour market forces and processes*”.<sup>245</sup> As a matter of fact, with men incapable of finding satisfying employment opportunities in country of origin, and with the high demand of female labour in countries of destination, female labour migration has come to represent an “*alternative global circuit*”<sup>246</sup> for survival under the broader dynamic of feminisation of international labour migration.

In the portrait designed by Maria Carmela Macrì, the migrant workforce tends to be concentrated in seasonal employment. This is true especially for the EU segment, as a consequence of the elimination of intra-EU borders and an easier perspective of mobilisation, which allows them to easily return to their countries at the end of the season and come back to Italy for the following one.<sup>247</sup> From a different perspective, Letizia Palumbo has highlighted that in view of the possibility to legally reside in Italy, they tend to be employed in more continuative and intensive kinds of employment, such as in greenhouses.<sup>248</sup> In reality, in the lack of strong and reliable quantitative data, it seems legitimate to argue that trying to establish general rules would be counterproductive, especially in light of the important heterogeneity that characterises the personal trajectories of Romanian women employed in Italy.<sup>249</sup>

Nevertheless, general traits emerge from the analysis of particular cases. The Italian labour market is characterised by crucial levels of segmentation, with migrant women being segregated in particular sectors of the market economy on the basis of class, gender, and nationality lines.<sup>250</sup> As Maria Grazia Giammarinaro and Letizia Palumbo have correctly pointed out that:

*“In a sector like agriculture, where the exploitation of labour, in particular of migrant labour, constitutes one of the main strategies to reduce production costs, the asymmetry of gender power*

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<sup>244</sup> Caruso, Francesco Saverio, and Alessandra Corrado. “Migrazioni e lavoro agricolo: un confronto tra Italia e Spagna in tempi di crisi. Rapporto 2015 sulle migrazioni interne in Italia.” In Colucci, Michele and Stefano Gallo. *Tempo di cambiare*. Donzelli Editore, 2015.

<sup>245</sup> Palumbo and Scirba, ‘The vulnerability to exploitation of women migrant workers in agriculture in the EU: The need for a human rights and gender based approach,’ 240.

<sup>246</sup> Sassen, Saskia. “The feminization of survival: Alternative global circuits.” In Morokvasic, Mirjana, Umut Erel and Kyoko Shinozaki. *Crossing borders and shifting boundaries Vol. I: Gender on the Move*. Wiesbaden: VS Verlag für Sozialwissenschaften, 2003.

<sup>247</sup> Macrì, ‘*L’impiego dei lavoratori stranieri nell’agricoltura in Italia Anni 2000-2020*,’ 174.

<sup>248</sup> Palumbo and Scirba, ‘The vulnerability to exploitation of women migrant workers in agriculture in the EU: The need for a human rights and gender based approach,’ 240.

<sup>249</sup> Interview with Emilia Spurcaci, representative of Inca-Fillea-Flai CGIL Romania.

<sup>250</sup> Anthias, Floya, and Gabriella Lazaridis. *Gender and migration in Southern Europe. Women on the move*. Routledge, 2020. See also: Ciniero and Papa, ‘Il lavoro agricolo nell’area jonico-brindisina dagli anni ’70 a oggi: tra modernizzazione, caporalato e patriarcato’ 213.



*relations produces specific forms of exploitation. These are often even more ruthless than those suffered by male workers, and are based on the abuse of the particular conditions of vulnerability in which many women find themselves, especially migrant women, within a system in which structural inequalities between the genders intersect with those on the basis of nationality, class, etc.*”<sup>251</sup>

As a matter of fact, the agricultural sector is the only viable option for migrant women, apart from work in the domestic and care area. The second one, however, distinguishes itself for the deep isolation to which women are condemned, obliged to leave behind their own family to take care to that of others, in the agricultural domain the family unit is sometimes envisaged, which makes it a preferable choice for mothers wishing to carry their children with them.<sup>252</sup> As a consequence, women employed in this circuit are often younger and with fewer skills if compared to their co-nationals in other sectors. The presence of children and the younger age further expands the grounds for threats and the dependency on the hirer.<sup>253</sup> This remains true even for those who have left children in countries of origin but are nevertheless identified as mothers and therefore as easy subjects to blackmail. The entrance of women in agriculture has also been fostered by gender stereotypes concerning natural female roles, responsibilities, and attitudes. Women are particularly appreciated to deal with fragile crops that require a certain level of delicacy in the handling of the products. This is coupled with the fact that, for highly perishable plants, the process of packaging has to occur at an early stage. The sense of aesthetics and the manual skills that are associated with women make them even more demanded for this kind of task. A third level of analysis allows to understand that the employment of women is characterised by a certain level of porosity of the agricultural work with other labour duties that are conceived as naturally pertaining to female *savoir-faires*. In particular, job cleaning and similar duties are often carried out for the company in which they are employed. Simultaneously, their main employment as agricultural workers can be complemented with other job positions as caregivers or housemates carried out on certain days or parts of the year.

Another reason that has crystallised such a pattern of migration is the circularity of recruitment: thanks to the pivotal role covered by the network in recruiting new personnel to be employed in the fields as well as to manage the practical necessities of transferral, a further level of saving is granted to Italian recruiters, who will then privilege such kinds of flows within their business.<sup>254</sup> This kind of migration condemns to social immobility, considering that once in a given circuit is practically

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<sup>251</sup> Giammarinaro and Palumbo, ‘Le donne migranti in agricoltura: sfruttamento, vulnerabilità, dignità, autonomia,’ 182. Translated by the author.

<sup>252</sup> Ibid.

<sup>253</sup> Ibid.

<sup>254</sup> Macrì, ‘L’impiego dei lavoratori stranieri nell’agricoltura in Italia Anni 2000-2020,’ 174.

impossible to upgrade its situation and find new horizons in different sectors<sup>255</sup>, also keeping in mind that their presence in countries of destination is allowed as long as it is relegated to sectors where “*the risk of discrimination, exploitation and abuse are compounded by absence of social security access, health coverage and other social protection provisions such as maternity protection.*”<sup>256</sup> This is, indeed, the ultimate reasoning to retrieve: despite all possible explanations, the employment of Romanian women should be explained in light of the fact that, in a sector that is based upon exploitation, they qualify as the most exploitable individuals.

### 3.2.5 ONGOING INNOVATION AT THE EU LEVEL: SOCIAL CONDITIONALITY AND DUE DILIGENCE

Considering the persistence of the phenomenon of labour exploitation in European countries, it seems legitimate to also take into consideration the impact of policies undertaken at the EU level. The Common Agricultural Policy (CAP) has indeed oriented its priorities towards ambitions of “*competitiveness, growth, productivity and profit*”<sup>257</sup>, while human rights mechanisms have been left outside the formulation of instruments. This approach has led to an oversupply of food products with consequent market-distorting effects. A positive shift has been marked by the introduction of social conditionality to have access to the new CAP (2021-2027) income support and rural development funding – considering the important role of financial EU support for national agricultural markets.<sup>258</sup> In 2020, Italy has received 5,8 billion of euro to implement the CAP, being the first country for market investments, the second for rural development and the fourth for direct payments to farmers.<sup>259</sup> The measure is nevertheless weakened by the fact that until 2025 member states can decide to adhere to this provision on a voluntary basis.<sup>260</sup> In addition, up to this moment there are no specific requirements on which particular obligations should be respected, so that the gender dimension of labour exploitation is not addressed.<sup>261</sup> From a different perspective, gender equality is included for the first

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<sup>255</sup> Palumbo and Sciarba, ‘The vulnerability to exploitation of women migrant workers in agriculture in the EU: The need for a human rights and gender based approach,’ 240.

<sup>256</sup> Taran, Patrick. “Migrant Women, Women Migrant Workers. Crucial challenges for Rights-based Action and Advocacy.” OHCHR-UNWOMEN side event to 64th Session of the UN Committee on the Elimination of Discrimination Against Women (CEDAW): “*Promoting and Protecting Women Migrant Workers’ Labour and Human Rights through CEDAW and CMW*”. Geneva, 21 July 2016.

<sup>257</sup> Mori, Stefano. “Migration and Agricultural Labour Force in Italy and Europe. The agricultural migrant labourer caught between exploitation and irregularity: stories from Southern Europe.” Crocevia Centro Internazionale, 2016.

<sup>258</sup> European Parliament and Council of the European Union. “Regulation (EU) 2021/2115 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435).” 2021.

<sup>259</sup> CREA. “L’agricoltura italiana conta 2021.” Consiglio per la ricerca in agricoltura e l’analisi dell’economia agraria (CREA), 2021.

<sup>260</sup> European Parliament and Council of the European Union, ‘Regulation (EU) 2021/2115,’ 258.

<sup>261</sup> Ibid.

time in the new formulation of the CAP.<sup>262</sup> EU institutions have reasserted their commitment to tackling gender problems, by explicitly asserting that:

*“Equality between women and men is a core principle of the Union and gender mainstreaming is an important tool in the integration of that principle into the CAP. There should therefore be a particular focus on promoting the participation of women in the socio-economic development of rural areas, with special attention to farming, supporting women’s key role. Member States should be required to assess the situation of women in farming and address challenges in their CAP Strategic Plans. Gender equality should be an integral part of the preparation, implementation and evaluation of CAP interventions. Member States should also strengthen their capacity in gender mainstreaming and in the collection of data disaggregated by gender.”*<sup>263</sup>

Italy is among the very few countries to commit to social conditionality directly starting in 2023. In its CAP strategic plan, Italy established a reduction of direct payments for those who are not able to comply with EU labour standards contained in EU Directive 2019/1152 *on transparent and predictable working conditions in the European Union*<sup>264</sup>, Council Directive 89/391/EEC *on the introduction of measures to encourage improvements in the safety and health of workers at work*<sup>265</sup>, and Directive 2009/104/EC *concerning the minimum safety and health requirements for the use of work equipment by workers at work*.<sup>266</sup> In these three instruments no reference is made to women’s specificities or to the inclusion of a gender perspective more in general. By contrast with provisional drafts, gender equality and the role of women in national agriculture are nonetheless included.<sup>267</sup> The document particularly insists on the necessity to create new entrepreneurial opportunities, improving informative and formative offers, support employment and social inclusion in rural areas, increase occupation opportunities, and solve salary disparities.<sup>268</sup> The rights of female workers are explicitly addressed only in one point of the text, where it is affirmed the commitment to *“Promoting quality work and safety in the workplace at work in order to ensure the protection of workers’ rights, fairness*

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<sup>262</sup> Ibid.

<sup>263</sup> Ibid.

<sup>264</sup> European Parliament and Council of the European Union. “Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union. (OJ L 186).” 2019.

<sup>265</sup> Council of the European Union. “Council of the European Union. “Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183).” 1989.

<sup>266</sup> European Parliament and Council of the European Union. “Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 260).” 2009.

<sup>267</sup> Italy CAP Strategic Plan 2022. Available at: [https://www.reterurale.it/downloads/PSP\\_Italia\\_15112022.pdf](https://www.reterurale.it/downloads/PSP_Italia_15112022.pdf).

<sup>268</sup> Ibid.

*in contracts and conditions for the emersion and regularisation of workers, with particular attention to the role of women.*”<sup>269</sup>

Without questioning the innovation that could eventually be brought through the application of this instrument, it seems relevant to point out that the main target of this practice is the category of producers, which as it has already been demonstrated appears consistently fragilised in the entire supply chain.<sup>270</sup> In addition, this instrument remains partial, insofar as no conditionality is contemplated for access to private forms of credit. In light of all these considerations, the proposal of a new EU Directive aiming at imposing “*Corporate Sustainability Due Diligence*” in line with the EU strategy to promote decent work should be positively welcomed.<sup>271</sup> In other words, this means that large companies in the EU would be considered responsible not only for their direct actions but also for failures in respecting human rights obligations that may occur along the supply chain.<sup>272</sup> According to the proposal, companies will have the mandate to detect, prevent and mitigate violations of human rights standards. While the commitment to ensure supply chain transparency will be met, this legislation would result in a concrete process of empowerment for those individuals and communities whose rights are being violated, inasmuch as it provides a civil liability regime that gives the possibility to bring a European company in front of EU Courts, which will have to judge on the case with high standards concerning the protection of labour rights.<sup>273</sup> The present proposal could be refined through the addition of the burden of proof in reverse, which requires the person accused of human rights violations to provide proof of their innocence, thus representing an innovative element compared to the classic scheme in which culpability has to be demonstrated.<sup>274</sup> In addition, the decision to apply this instrument only to large corporations excludes small and medium enterprises, which represent 99% of European companies.<sup>275</sup> In gender optics, this data is extremely relevant, considering that women are more exposed to human rights violations in those sectors in which small and medium enterprises are overrepresented, such as horticulture, garment, and tourism industries.<sup>276</sup> The proposal leaves wide margins for circumvention. New conduct clauses could be

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<sup>269</sup> Ibid.

<sup>270</sup> European Parliament and Council of the European Union, ‘Regulation (EU) 2021/2115,’ 258.

<sup>271</sup> European Commission. “Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937 (COM/2022/71 final).” 2019.

<sup>272</sup> Ibid.

<sup>273</sup> Ibid.

<sup>274</sup> Cavazzini, Anna. “Proposal for a Directive on Corporate Sustainability Due Diligence: initial.” 2022.

<sup>275</sup> ActionAid. “EU’s gender-blind corporate due diligence proposal risks leaving women behind.” Actionaid. 24 February 2022. Available at: <https://actionaid.org/news/2022/eus-gender-blind-corporate-due-diligence-proposal-risks-leaving-women-behind>.

<sup>276</sup> Ibid.

added in contracts with supplier partners, so that large companies will be able to free themselves from the obligation of supervision by transferring the responsibility to other actors along the chain.<sup>277</sup>

In the following section, it is deemed necessary to analyse this phenomenon from the perspective of contrast and correction. In legal and judicial reasoning, exploitation is framed as a relationship between a perpetrator and a victim.<sup>278</sup> While the importance of repression and criminalisation should not be dismissed, the construction of the exceptionality of exploitation and abuse in labour relationships results in their humanisation, placing the attention on responsibility at the individual level. From a different perspective, this initial overview of the Italian agricultural system aimed at demonstrating that the asymmetrical relations of power and, more in particular the crystallisation of patterns of subalternity, marginalisation and precarity for a segment of the population – enabled by the reconfiguration and the resemantisation of borders – is functional and essential to the maintenance of the system of accumulation of surplus value for a minority of actors. Gargi Bhattacharyya has built this type of reflection upon the critique on racial capitalism, where the maintenance of structures of social exclusion aims at the creation of a group of disposable beings, whose appeal can be sought by virtue of mechanisms of expropriation of resources as well as of rights.<sup>279</sup> In the formation of such groups, it is essential to capture the continuity between gender and racial dynamics of domination. The participation of Romanian women in what can be defined as a hierarchical regime coercively demands compliance with specific norms of material production and social reproduction. Revolving around the insights offered in Bhattacharyya's *'Rethinking racial capitalism: questions of reproduction and survival'*, Enrica Rigo has insisted on the fact that *"The (productive) biopolitics of control and discipline of life and the (improductive) necropolitics of corporal destruction are not an alternative for each other, because none of them is an end in itself, but both are outcomes that are comfortable in the process of capitalistic accumulation."*<sup>280</sup>

### 3.3 LEGAL PROVISIONS AND POLITICAL INSTRUMENTS TO CONTRAST THE EXPLOITATION OF MIGRANT WOMEN IN THE ITALIAN AGRICULTURAL SECTOR

#### 3.3.1 THE EU APPROACH: INTRODUCING A HUMAN RIGHTS-BASED PERSPECTIVE WHILE ENSURING FREE INTERNAL MARKET AND STRONG EXTERNAL BORDERS

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<sup>277</sup> Impresa 2030. "UE: Nuove regole sulla responsabilità sociale d'impresa." 2022.

<sup>278</sup> Rigo, Enrica. "Braccianti stranieri e retorica umanitaria." *Gli Asini* 4 (2015).

<sup>279</sup> Bhattacharyya, Gargi. *Rethinking Racial Capitalism. Questions of Reproduction and Survival*. Rowman & Littlefield International, 2018.

<sup>280</sup> Rigo, Enrica. *La straniera. Migrazioni, asilo, sfruttamento in una prospettiva di genere*. Carrocci Editore, 2022. Translated by the author.

At the EU level, the will to correct the mechanisms preventing the protection, respect, and fulfilment of human rights of migrant women employed in such a sector has materialised in crucial legal impetus in the field of human trafficking with the aim of labour exploitation. With regard to this, while Directive 2011/36/EU *on preventing and combating trafficking in human beings and protecting its victims*<sup>281</sup> covers a pivotal role in placing the attention on the human rights of victims of trafficking<sup>282</sup>, other legislations fail to embrace such a perspective, limiting themselves to contrast illegal migration through the punishment of traffickers or to further enhance the advantages of the EU common market. It has been demonstrated, however, that a repressive and punitive method appears to be quite limited when trying to enhance the rights of those living in a situation of severe exploitation. In light of this, relying on the approach contained in previous instruments on the matter, namely the UN Palermo Protocol *to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children* (2000)<sup>283</sup> and the Council of Europe Convention *on Trafficking in Human Beings* (2005)<sup>284</sup>, the merit of Directive 2011/36/EU is to draw a line between vulnerable persons and persons in vulnerable situations, thus demolishing the idea that inner characteristics of individuals may be taken as a weakness to place the focus on structural and circumstantial causes.

The EU Directive is built upon the heritage of the UN Palermo Protocol (2000), which defines trafficking in human beings (THB) as follows:

*“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.”*<sup>285</sup>

Dwelling upon the elements of act, means, and purpose, the protocol establishes a clear link between THB and exploitation, although explicit references to labour exploitation are not visible also in the

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<sup>281</sup> European Parliament and Council of the European Union. “Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101).” 2011.

<sup>282</sup> Palumbo and Sciarba, ‘The vulnerability to exploitation of women migrant workers in agriculture in the EU: The need for a human rights and gender based approach,’ 240.

<sup>283</sup> General Assembly of the United Nations. “Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”. 2018.

<sup>284</sup> Council of Europe. “Convention against trafficking in human beings”. 2005.

<sup>285</sup> General Assembly of the United Nations, ‘Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,’ 283.

following instruments that have been inspired by this formulation. Representing a standpoint in such a field, it has succeeded in replacing the focus from children and women towards persons when trying to define victims of THB, further shedding light on the fact that exploitation can overcome the sexual dimension.<sup>286</sup> In addition, the factor of victims' consent becomes irrelevant for the purpose of establishing the occurrence of such circumstances.<sup>287</sup> This landmark approach has been englobed in regional, EU, and national policies, although provoking a certain vagueness and inhomogeneity in practical interpretations.<sup>288</sup> Being a criminal law treaty, the central focus of this instrument remains on the prosecution component. While provisions on victims' protection are incorporated into the Protocol, their nature remains discretionary insofar as they are rarely presented as obligations.<sup>289</sup>

To complement this treaty, the Council of Europe Convention *on Action against Trafficking in Human Beings* (2005)<sup>290</sup> carries the intention to guarantee gender equality both to prevent and combat trafficking in human beings as well as in protecting and assisting the rights of victims and witnesses. The devotion to the human rights scope is reasserted through the recognition of THB as “*a violation of human rights and an offence to the dignity and the integrity of the human being*” in the Preamble.<sup>291</sup> Revolving around the rhetoric promoted by the *Travaux Préparatoires* to the Palermo protocol with regard to the definition of abuse of a situation of vulnerability, the Convention specifies that “*The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. (...) In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited.*”<sup>292</sup> The relational and social extent of vulnerability is deemed crucial to take into account, emphasising the structural and systemic components culpable of framing specific subjectivities as prevented from undertaking free choices. Considering the priority role given to the protection of victims, this instrument particularly insists on the duty of state parties to ensure that competent authorities are equipped with adequate preparation to identify and help victims.<sup>293</sup> Trying to address the victim's needs at a 360° perspective, this instrument also promotes complementary measures such as basic social, psychological and economic assistance, unconditional assistance (disregarding the victim's willingness to cooperate with authorities), guarantee of a period

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<sup>286</sup> Gallagher, Anne T. “The international law of human trafficking.” Cambridge University Press, 2012.

<sup>287</sup> Ibid.

<sup>288</sup> Ibid.

<sup>289</sup> Allain, Jean. *Slavery in international law of Human Exploitation and Traffick*. Leiden: Martinus Nijhoff Publishers, 2013.

<sup>290</sup> Council of Europe, ‘Convention against trafficking in human beings’, 284.

<sup>291</sup> Ibid.

<sup>292</sup> United Nations Office on Drugs and Crime. “Travaux Préparatoires of the negotiations for the elaboration of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.” New York: United Nations, 2006.

<sup>293</sup> Palumbo, Letizia, and Serena Romano. “Evoluzione e limi del sistema anti-tratta italiano e le connessioni con il sistema della protezione internazionale.” In *Prostituzione e lavoro sessuale in Italia. Oltre le semplificazioni, verso i diritti*. Torino: Rosenberg & Sellier, 2022.

of recovery and reflection of at least 30 days' and legal shield in those cases in which victims become perpetrators themselves by engaging in unlawful activities.<sup>294</sup> The creation of the Group of Experts on Action against Trafficking in Human Beings (GRETA) by the Council of Europe Anti-Trafficking Convention aimed at monitoring the behaviour of national states on such matters.<sup>295</sup>

Taking a closer look at the EU situation, a crucial reflection should be made on the fact that several instruments elaborated to fight THB are addressed to third-country nationals without a regular residence permit and do not take into account intra-EU mobility. In particular, it is the case of Council Directive 2004/81/EC *on the residence permit issued to third-country nationals*<sup>296</sup> and Directive 2009/52/EC *providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals*.<sup>297</sup> The fact that the principal aspiration of these measures is to tackle illegal migration explains the otherwise arbitrary exclusion of EU workers, which appears to be negative if we focus on the presence of some beneficial elements, such as the possibility for third-country nationals to make claims against their employers for wrongdoings in retribution matters.<sup>298</sup> Another remarkable trait is furnished by the definition of “*particularly exploitative working conditions*”, described as “*those resulting from gender based or other discrimination, where there is a striking disproportion compared with the terms of employment of legally employed workers which, for example, affects workers' health and safety, and which offends against human dignity*”.<sup>299</sup> This component, which is the only definition of labour exploitation contained in EU provisions, clearly asserts that labour exploitation, including those forms established on gender-based discrimination, is contrary to human dignity.<sup>300</sup> This Directive was late integrated in Italian legislation through Legislative Decree 109/2012<sup>301</sup>, where the national legislator has made the choice to use a restrictive definition not conform to the EU instrument.<sup>302</sup> From an opposite perspective, the

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<sup>294</sup> Ibid.

<sup>295</sup> Ibid.

<sup>296</sup> Council of the European Union. “Council 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 (OJ L 261).” 2004.

<sup>297</sup> European Parliament and Council of the European Union. “Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168).” 2009.

<sup>298</sup> Pittaluga, Chiara, and Cecilia Momi. “L’impatto della direttiva 52/2009/CE sul fenomeno dello sfruttamento lavorativo tra i braccianti agricoli.” In Rigo, Enrica. *Leggi, migranti e caporali. Prospettive critiche e di ricerca sullo sfruttamento del lavoro in agricoltura*. Pisa: Pacini giuridica, 2016.

<sup>299</sup> European Parliament and Council of the European Union, ‘Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168),’ 297.

<sup>300</sup> Palumbo and Scirba, ‘The vulnerability to exploitation of women migrant workers in agriculture in the EU: The need for a human rights and gender based approach,’ 240.

<sup>301</sup> Legislative Decree 109/2012.

<sup>302</sup> Corrado, Alessandra. “Is Italian agriculture a ‘pull factor’ for irregular migration—and, if so, why?.” Open Society Foundations, 2018.



harshening of financial and criminal prosecutions against those who hire irregular workforce created an incentive to rely more consistently on the EU labour force, and this without putting into question the broader exploitative framework at the basis of certain sectors of the economy.<sup>303</sup> This situation led the EU Parliament to solicit member states to “*ensure that in their national legislation EU nationals who are victims of trafficking are protected from labour exploitation, and relevant sanctions are put in place*”.<sup>304</sup>

Besides the regulation of migration, another crucial concern of EU policymakers is to provide unqualified seasonal workforce to be employed in labour-intensive sectors of the economy, without substantive protections of labour and social rights.<sup>305</sup> On this path, another fundamental legal text is Directive 2014/36/EU *on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers*.<sup>306</sup> Once again, the exclusion of EU workers needs to be evaluated in front of important provisions of the Directive, whose most important element can be found in Article 23, where it is affirmed the principle of equal treatment of third-country workers with nationals with regard to core elements such as terms of employment, working conditions, health and safety requirements in the workplace, strike and freedom of association, back payments, and some provisions on social security, education and tax concessions. Furthermore, Article 15 stipulates the possibility to be employed by a different employer to reduce the risk of abuse associated with the fact of being employed by a single employer – although this provision is discretionary. Additional requirements concern the need to ensure decent living conditions in accommodations (Art.20), monitoring and inspections (Art.24), and the facilitation of complaints and compensation (Art.17). The discretionary power of member states in the implementation of obligations concerning the rights of seasonal workers is maintained, which suggests the employer-oriented nature of this instrument.<sup>307</sup>

From an opposite perspective, the rights of EU citizens are framed in a different manner. The already mentioned Article 45 TFEU *on freedom of movement for workers*<sup>308</sup> entails the abolition of any discrimination based on nationality between workers of the member states regarding employment, remuneration and other conditions of work. This element is complemented by Regulation (EU)

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<sup>303</sup> ActionAid, ‘Cambia Terra. Dall’invisibilità al protagonismo delle donne in agricoltura,’ 178.

<sup>304</sup> European Parliament. “Unfair *trading practices*. Bruxelles.” 2018.

<sup>305</sup> Rijken, Conny, and Tesseltje de Lange. *Towards a decent labour market for low waged migrant workers: An introduction*. Amsterdam: AUP, 2018.

<sup>306</sup> European Parliament and Council of the European Union. “Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (OJ L 94).” 2014.

<sup>307</sup> Corrado, ‘Migrazioni e lavoro agricolo in Italia: le ragioni di una relazione problematica,’ 192.

<sup>308</sup> European Union. “Consolidated version of the Treaty on the Functioning of the European Union – Part three: Union policies and internal actions – Title IV: Free movement of persons, services and capital – Chapter 1: Workers - Article 45 (ex Article 39 TEC) (OJ C 115).” 2012.

No 492/2011 *on freedom of movement for workers within the Union*<sup>309</sup> and Directive 2004/38/EC *on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States*.<sup>310</sup> Simultaneously, the expansion of the Single Market and the subsequent increase in salary gaps between countries developed over the past 20 years generated incentives for people to utilise posted or subcontracted work as a way to take advantage of these asymmetries, relying on loopholes and ambiguities in EU as well as member states legislation to pursue aspirations of profit.<sup>311</sup> In this situation, a series of instruments were created with the aim of regulating atypical employment contracts, in doing so addressing the situation of intra-EU mobility of workers. In particular, reference should be made to Directive 97/81/EC *on part-time work*<sup>312</sup>, Directive 99/70/EC *on fixed-term work*<sup>313</sup>, and Directive 2008/104/EC *on temporary agency work*.<sup>314</sup> The three tools are guided by the principle of *flexicurity* – explicitly established in Directive 2008/104/EC –, aimed at protecting the rights of workers while ensuring a significant amount of flexibility and deregulation of employment. In particular, Directive 2008/104/EC stipulates the principle of equal treatment in relation to basic working and employment conditions between temporary agency workers and those hired directly by companies to perform the same work. Ultimately, these Directives demonstrated important shortcomings as far as it concerns enforcement potentials of provisions on workers’ rights. On this matter, Salomè Archain noted that “*The atypical directives adopt reflexive law-making techniques so that Member States and social partners are given opportunities to decide on levels and scope of implementation. (...) This means that the impact of the Directives on each Member State is diversified depending on their own labour institutions and traditions, as fostered by those qualified instrument chosen.*”<sup>315</sup> In front of this situation, Directive 96/71/EC *concerning the posting of workers in the framework of the provision of services*<sup>316</sup> and

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<sup>309</sup> European Parliament and Council of the European Union. “Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union Text with EEA relevance (OJ L 141).” 2011.

<sup>310</sup> European Parliament and Council of the European Union. “Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (OJ L 158).” 2004.

<sup>311</sup> Verschueren, Herwig. “The role and limits of European social security coordination in guaranteeing migrants social benefits.” *European Journal of Social Security* 22, no. 4 (2020).

<sup>312</sup> Council of the European Union. “Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC - Annex : Framework agreement on part-time work (OJ L 14).” 1997.

<sup>313</sup> Council of the European Union. “Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 175).” 1999.

<sup>314</sup> European Parliament and Council of the European Union. “Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327).” 2008.

<sup>315</sup> Archain, Salomè. “The Transnational Supply of Workforce within the European Union. Issues of equal treatment for migrant workers.” 2017.

<sup>316</sup> European Parliament and Council of the European Union. “Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJL182111997).” 1996.

Directive 2014/67/EU (the so-called ‘*Enforcement Directive*’)<sup>317</sup> were elaborated with the scope of reconciling the exercise of companies’ fundamental freedom to provide cross-border services under Article 56 TFEU with the need to ensure a climate of fair competition and respect for the rights of workers. Disregarding the important results obtained in such a matter, it can be affirmed that the contrast to social dumping has proven to be effective only to a limited extent, specifically because only a restricted amount of working conditions are covered.<sup>318</sup> In particular, if the commitment to ensure minimum working and employment conditions in force in the country has been asserted, the Directive has restrained from interference with national provisions regulating workers’ social security. Some of these shortcomings have been overcome by Directive 2018/957/EU<sup>319</sup> (implemented in Italy by Legislative Decree 122/2020<sup>320</sup>), where core questions such as remuneration (particularly relevant insofar as it replaced the old formulation “*minimum rates of pay*”, thus including allowances or reimbursement of expenditure to cover travel, board and lodging expenses for workers where they are required to travel by their employer), employment through internal agencies, and long-term posting have eventually been addressed. At the present moment, however, the main unsolved issue concerns the fact that some temporary employment agencies with headquarters in one country could establish a branch in another where social security contributions made by employers are lower, and then send temporary employees to work there or in the agency’s home country. The agency gains as a result of the less favourable working conditions that are in effect in the nation where the subsidiary is headquartered.<sup>321</sup>

In this scenario, the introduction of Directive 2011/36/EU represents a real change of perspective. More in particular, the ‘*abuse of position of vulnerability*’ is identified as one of the possible means in the commission of THB, where position of vulnerability is defined as “*a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved*”.<sup>322</sup> In line with its commitment to assist and protect victims, attention is directed towards the investigation of pre-existent elements of vulnerability and on the consequences of severe human rights violations as well as on those dynamics that represent a specificity of the process of victimisation occurring in the context of trafficking, namely isolation, and economic and psychological dependence. On the

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<sup>317</sup> European Parliament and Council of the European Union. “Directive 2014/67/UE of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (OJ L 159).” 2014.

<sup>318</sup> Archain, ‘The Transnational Supply of Workforce within the the European Union. Issues of equal treatment for migrant workers,’ 315.

<sup>319</sup> European Parliament and Council of the European Union. “Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (OJ L 173).” 2018.

<sup>320</sup> Legislative Decree 122/2020.

<sup>321</sup> Corrado, ‘Migrazioni e lavoro agricolo in Italia: le ragioni di una relazione problematica,’ 192.

<sup>322</sup> European Parliament and Council of the European Union, ‘Directive (EU) 2018/957,’ 319.

other side, in order to fulfil the requirement of abuse, the highlighted condition of vulnerability needs to be instrumentally seized by a separated agent who in this way obtains an advantage. Following this reasoning, abuse is caught in its connection with the concept of exploitation, which presupposes an asymmetric power relation in which the performance of one of the individuals involved in such a relation exclusively or disproportionately benefits the other individuals involved in the relation.<sup>323</sup> Analysing the instrument in detail, the most innovative elements are represented by the affirmation of the principle of unconditional assistance of victims (Art.11), the requirement for member states to undertake necessary measures to avoid the prosecution or the penalisation of victims involved in criminal activities as a direct consequence of their situation (Art.8), and the duty to provide legal counselling and representation without delay as well as specific protection programmes to avoid secondary victimisation (Art.12).<sup>324</sup> This kind of action has also been pursued by Directive 2012/29/EU *establishing minimum standards on the rights, support and protection of victims of crime*<sup>325</sup>, which specifically addresses the situation of victims of gender-based violence, establishing, among the others, the right to receive information (Articles 4 and 6); the right to interpretation and translation (Articles 5 and 7); the right to access victim support services (Art. 8); the right to be heard (Art. 10); rights in the event of a decision not to prosecute (Art. 11); the right to legal aid (Art. 13); the right to a decision on compensation in the course of criminal proceedings (Art. 16).

The link between THB, slavery, servitude, and labour exploitation should be clarified.<sup>326</sup> In its sentence for the case *Rantsev v. Cyprus and Russia* (2010), the European Court of Human Rights (ECtHR) affirmed that “*trafficking in human beings, by its very nature and aim of exploitation, is based on the exercise of powers attaching to the right of ownership*”<sup>327</sup>, therefore establishing that the crime of THB falls within the scope of Article 4 of the European Convention on Human Rights

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<sup>323</sup> United Nations Office of Drugs and Crime. “Issue Paper, The Concept of «Exploitation» in the Trafficking in Persons Protocol.” (2015).

<sup>324</sup> European Parliament and Council of the European Union, ‘Directive (EU) 2018/957,’ 319.

<sup>325</sup> European Parliament and Council of the European Union. “Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315).” 2012.

<sup>326</sup> To have a general overview, slavery is enhanced by a series of different instruments. Under international law, the prohibition of slavery was introduced by the League of Nations of 1926 and the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956. Slavery, servitude and forced labour are further addressed by a series of other instruments, including the Convention to suppress the Slave Trade and including Article 4 of the 1948 Universal Declaration of Human Rights; Article 8 of the 1966 International Covenant on Civil and Political Rights (ICCPR); Art. 11 of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW); Article 4 of the European Convention on Human Rights (ECHR); Article 5 of the Charter of Fundamental Rights of the European Union. Simultaneously, the International Labour Organisation has elaborated a series of tools to condemn forced labour, starting from Convention Concerning Forced or Compulsory Labour No. 29 (1930)<sup>326</sup>, the Convention Concerning the Abolition of Forced Labour (No.105) (1957), and the Protocol of 2014 to the 1930 Forced Labour Convention (No. 29)161 and Forced Labour (Supplementary Measures) Recommendation (No. 203).

<sup>327</sup> European Court of Human Rights. “Rantsev v. Cyprus and Russia” 2010.

(ECHR) on the Prohibition of slavery and forced labour. The Explanatory Report of the European Convention on Action against Trafficking goes a step further in clarifying the difference between slavery and servitude, specifically drawing a line based on intensity rather than on nature, delimiting a border between the two practices on the question of ownership that specifically characterises the subjection to the status of enslavement.<sup>328</sup> With regard to this element, it seems relevant to point out that, embracing a wider definition of the aforementioned Article 4 of the ECHR, the ECtHR assumes that “*the traditional concept of slavery has evolved to encompass various contemporary forms of slavery based on the exercise of any or all of the powers attaching to the right of ownership*”.<sup>329</sup>

The resemantisation of the concept of vulnerability should be considered as the pillar of Directive 2011/36/EU. In a substantialist approach, women are framed as intrinsically vulnerable as a consequence of their representation in the patriarchal society. In the traditional meaning, vulnerability is indeed an ontological and necessary characteristic attributed to specific categories of subjects, such as women, children and disabled persons. In reality, the condition of vulnerability is determined by their inferior and subaltern position in hierarchic relations of power, both in countries of origin and of destination, determined by the intertwining between personal, social, economic, and cultural factors.<sup>330</sup> Following this reasoning, vulnerability belongs to all human beings as a result of their corporality and the fragility of life<sup>331</sup>, although some persons are deprived of the possibility to prevent risks and react to aggressions and offences. In general, women are usually exposed to discrimination and structural inequalities in terms of access to resources, access to education and job opportunities, decision-making processes both in the private and the public sphere and are more exposed to sexual and domestic violence.<sup>332</sup> This objective situation is often coupled with the subjective perception of women in relation to their margin of possibility, where exploitation is often outlined as the only viable option to accomplish the gendered role which is assigned to women in a specific situation. This account seems particularly suitable to describe the situation of those women who migrate in order to provide for their family, especially their children, and are therefore prone to accept in an apparently consensual attitude any form of subjugation, as a consequence of the strong psychological and emotional pressure that is placed upon them.<sup>333</sup> This is all the more relevant considering that the border between sexual and labour exploitation is often extremely faded for women. Referring to this assumption, Maria Grazia Giammarinaro and Letizia Palumbo have correctly expressed that:

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<sup>328</sup> Council of Europe. “Explanatory Report to the Council of Europe Convention on Action against Trafficking in Human Beings.” 2005.

<sup>329</sup> European Court of Human Rights, ‘Rantsev v. Cyprus and Russia,’ 327.

<sup>330</sup> Giammarinaro and Palumbo, ‘Le donne migranti in agricoltura: sfruttamento, vulnerabilità, dignità, autonomia,’ 182.

<sup>331</sup> Butler, Judith. *Precarious Life. The powers of mourning and violence*. Verso, 2004.

<sup>332</sup> Giammarinaro and Palumbo, ‘Le donne migranti in agricoltura: sfruttamento, vulnerabilità, dignità, autonomia,’ 182.

<sup>333</sup> Ibid.

*“The subjectivity 'situated' in a historical social context characterised by a certain social and economic hierarchy, does not call for the protection of subjects considered ontologically vulnerable, but rather calls for the redefinition of power relations, and thus for a political and legal response inspired by social justice and the recognition and effectiveness of fundamental rights, including social rights among which is the right of vulnerable subjects to avail themselves of services and activities aimed at their empowerment.”*<sup>334</sup>

Following this perspective, it seems legitimate to argue that the experience of a situation of vulnerability does not deprive persons of their agency. Victims of exploitation should, indeed, be considered capable of making negotiated life projects and strategically engaging in decision-making processes, although with a limited margin of action and in a context characterised by structural inequalities and injustices. In light of this, they should be deemed capable of covering a central role in their pathway out of the abusive situation. Notwithstanding the increasing attention directed towards the contrast of labour exploitation in agriculture both from a legal and a political perspective, the inclusion of transformative interventions with the potential to empower migrant women to foster their economic and social inclusion are therefore still missing.<sup>335</sup>

Despite the obstacles in concealing this positive theoretical transformation with the objectives of migration management and employment deregulation at the EU level, a further level of analysis should focus on the Italian scenario, observing how it is still characterised by a predominance of repressive and criminalising approaches – mainly because of the obstacles in the practical translation of provisions regarding the protection and assistance of victims as well as mechanisms for their social and economic reintegration.

### *3.3.2 THE ITALIAN LEGAL FRAMEWORK TO ADDRESS LABOUR EXPLOITATION: A DIFFICULT EQUILIBRIUM BETWEEN CRIMINALISATION AND CONCERNS ON VICTIMS' ASSISTANCE, PROTECTION, AND REINTEGRATION*

The Italian judicial framework for the criminal repression of labour exploitation is articulated through different types of crimes. In particular, the main labour exploitation crimes can be classified according to two levels of severity: (1) crime of “*Reduction or maintenance in slavery or servitude*” (Art. 600 of the Penal Code) and crime of “*Trafficking in Persons*” (Art. 601 of the Penal Code); (2) crime of “*employment of third-party nationals without a regular permit*” (Art. 22 co. 12 and 12 bis of Legislative Decree 286/98) and crime of “*Illegal intermediation and exploitation of labor*” (Art. 603

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<sup>334</sup> Ibid. Translated by the author.

<sup>335</sup> Ibid.

*bis* of the Penal Code amended by Law 199/2016).<sup>336</sup> However, it is necessary to point out that to date the jurisprudential framework shows several shortcomings in the uneasy application of many of these measures.

In demonstration of the above, it is useful to start with the limits of application of Article 600. As it is well known, the article in question provides that: “*Whoever exercises over a person authority corresponding to that of the right of ownership or whoever reduces or maintains a person in a state of continuous subjection [...] shall be punished by imprisonment for a term of eight to twenty years*”.<sup>337</sup> The vagueness of the concept of “*state of continuous subjection*” is one of the most problematic aspects of the provision, which has significantly affected its difficult application, especially in the agricultural sector. The jurisprudence of the Supreme Court has over the years established that the state of continued subjection must be such as to impair the subject’s ability to self-determine. Thus, a significant limitation of the victim’s autonomy and freedom is necessary for the crime to subsist. However, absolute subjection is often difficult to prove in cases of labour exploitation.<sup>338</sup>

Differently, Article 601<sup>339</sup>, amended by Legislative Decree 24/2014<sup>340</sup>, meets the definition of trafficking in persons contained in Directive 2011/36/EU. Although the article appears in the first instance to be particularly useful in addressing serious forms of labour exploitation that do not integrate enslavement and are often not related to a previous transfer of the person from one country to another, or within the same territory, it does not contain some important provisions of the Directive 2011/36/EU.<sup>341</sup> Indeed, despite the fact that the Directive allowed for the abolition of the necessity of recruitment in a different state from the one in which the exploitation is being undertaken, as well as the necessity for a “*total and continuative subjection*”, the provision still lacks the definition of a position of vulnerability and the provision regarding the irrelevance of the victim’s consent.<sup>342</sup> In light of that, one may argue that the absence of these two important points of the Directive may affect significantly the effectiveness of the measure.<sup>343</sup>

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<sup>336</sup> Trucco, Lorenzo. “La tutela giuridica della vittima nelle situazioni di grave sfruttamento lavorativo.” In Osservatorio Placido Rizzotto, Flai, Cgil. *Agromafie e caporalato. Secondo rapporto*. Roma: Ediesse, 2017.

<sup>337</sup> Article 600 of the Italian Penal Code.

<sup>338</sup> Palumbo, ‘Trafficking and labour exploitation in domestic work and the agricultural sector in Italy,’ 242.

<sup>339</sup> Article 601 of the Italian Penal Code.

<sup>340</sup> Legislative Decree 24/2014.

<sup>341</sup> *Ibid.*

<sup>342</sup> *Ibid.*

<sup>343</sup> *Ibid.*

With regard to the already mentioned Legislative Decree 109/2012<sup>344</sup>, Italy implemented, with considerable delay, Directive 2009/52/EC concerning “*minimum standards on sanctions and measures against those who employ third-country nationals without a residence permit.*”<sup>345</sup> Despite the fact that the Legislative Decree 286/98 already provides for such hypothetical crime, the Legislative Decree 109/12 provides for some amendments to its Article 22<sup>346</sup>, introducing a specific circumstance of aggravation of punishment (from one-third to one-half) when such a situation occurs if the workers employed are more than three, if they are minors or if they are subjected to conditions of particular labour exploitation, recalling Article 603 *bis* co. 3 of the Penal Code.<sup>347</sup> Beyond the fact that this measure does not combat labour exploitation but rather represents an incentive to replace non-EU workforce with European one, the application problems appear to be rather obvious in this case. First, the rule refers to situations involving more than three workers – thus leaving uncovered other situations – and, secondly, the reference to Article 603 *bis* of the Penal Code is limited only to the third paragraph and merely provides for an additional aggravating circumstance.<sup>348</sup>

As for Article 603 *bis*<sup>349</sup>, it is worth noting that it was amended by Law 199/2016.<sup>350</sup> In particular, important changes introduced by the new piece of legislation concern the increase of punishment with reclusion from 1 to 6 years and a fine from € 500 to € 1000 for a person who “*recruits labour for the purpose of assigning them to work for third parties under exploitative conditions, taking advantage of the state of need of the worker*” or a person who “*uses, recruits or employs labour, including through the activity of intermediation referred to in paragraph 1), subjecting the workers to exploitative conditions and taking advantage of their state of need*”, with an aggravation up to 8 years of reclusion and € 2000 of fine if the acts are committed by means of “*violence, threats or intimidation*”.<sup>351</sup>

The new configuration of the Article, following the amendment introduced by the law, allows for the take in charge of a greater number of situations, including those in which workers accept, or even offer themselves, to be exploited by virtue of their status of necessity.<sup>352</sup> The fact that violence,

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<sup>344</sup> Legislative Decree 109/2012.

<sup>345</sup> European Parliament and Council of the European Union. “Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168).” 2009.

<sup>346</sup> Legislative Decree 286/98.

<sup>347</sup> Article 603 *bis* of the Italian Penal Code.

<sup>348</sup> Trucco, Lorenzo, ‘La tutela giuridica della vittima nelle situazioni di grave sfruttamento lavorativo,’ 336.

<sup>349</sup> Article 603 *bis* of the Italian Penal Code.

<sup>350</sup> Law 199/2016.

<sup>351</sup> Luciani, Giulia. “LEGGE N. 199 DEL 2016 PER IL CONTRASTO DEL CAPORALATO”. *Avviso pubblico*. <https://www.avvisopubblico.it/home/home/cosa-facciamo/informare/osservatorio-parlamentare/attivita-legislativa/legge-n-199-del-2016-per-il-contrasto-del-caporalato/>.

<sup>352</sup> Santori, Emilio and Chiara Stoppioni. “Luci e ombre della Legge 199/2016. Cosa cambiare?.” In Osservatorio Placido Rizzotto, Flai, Cgil. *Agromafie e caporalato. Quinto rapporto*. Roma: Ediesse, 2020.



threats, and intimidation no longer represent constitutive elements for the recognition of the crime of exploitation is particularly useful considering that, in many cases, practices of power and control pertain more to the sphere of manipulation rather than coercion and are therefore harder to detect.<sup>353</sup> When considering the situation of Romanian women, it seems useful to remind that in many cases exploitation takes place in the presence of regular contracts. Employers often use flexible contractual schemes, such as on-call, fixed-term, seasonal, occasional, part-time and renewable solutions to pursue a similar kind of exploitation that occurs for non-contracted persons. In the agricultural sector, the scenario is worsened by the possibility for employers to regularise workers' ex-post, which means following reports and inspections.<sup>354</sup> Disregarding the contractual specificity, labour exploitation in poorly qualified sectors such as agriculture is characterised by a reticence from the part of employers to effectively remunerate working hours according to provincial salaries, resulting in the obligation to work overtime without being adequately remunerated and, in some cases, even in the imposition to give back a portion of the perceived salary to work employers or caporals. The absence of recognition of the real number of workdays is all the more detrimental if we consider that it usually obstructs access to public aid, such as for maternity, injury, sickness, and retirement.<sup>355</sup>

Moreover, an important innovation is brought by the fact that the Article can be now used not only against caporals, but also directly against employers, which previously remained unpunished unless a clear involvement in the activity of recruitment was demonstrated (Art.110 of the Penal Code) – very difficult evidence to obtain.<sup>356</sup> Until this provision, crucial and systemic violations had been institutionally overlooked in light of the absence of a caporal, as in the case of the abuses against Romanian women perpetrated in greenhouses in the province of Ragusa. Thus, it can be argued that the presence of a corporal acted as a shield against employers, who made strategic use of the intermediation.

The importance of the amendments brought by Law 199/2016 also lies in the envisaged possibility, according to Article 2, of a reduced sentence from 1/3 to 2/3 in case of collaboration with authorities as well as the mandatory “*confiscation of things that served or were intended to commit the offence and of things that are the price, product or profit*”.<sup>357</sup> On the same course of action, Article 4 modifying Article 380 of the Code of Criminal Procedure establishes the requirement of the arrest of persons caught *in flagrante delicto* in the commission of the crime of illicit intermediation and

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<sup>353</sup> Ibid.

<sup>354</sup> Interview with Azmi Jarjawi, head of Immigration Department of CGIL Puglia.

<sup>355</sup> Ibid.

<sup>356</sup> Santori and Stoppioni, ‘Luci e ombre della Legge 199/2016. Cosa cambiare?’, 352.

<sup>357</sup> Ibid.

exploitation of labour behind violence, threat, and intimidation.<sup>358</sup> Furthermore, pursuant to Article 6, the crime of illegal intermediation and exploitation of labour is added among those that provide the “*administrative liability of entities*.”<sup>359</sup>

Thus, if on the one hand, as demonstrated so far, the reform enhances the tools available to investigators to counter the exploitative conduct, on the other side the law in question has developed specific provisions in order to enhance the safeguard of victims of labour exploitation, thus preventing further disincentives to denounce irregular conditions.<sup>360</sup> To this end, it is worth mentioning the extension of the social integration pathway under Article 18 of Legislative Decree 286/1998<sup>361</sup> to all victims of labour exploitation, being them Italian, EU citizens or third-country nationals.<sup>362</sup> With the same aim of minimising repercussions on workers, Article 3 provides for the judicial control of the company, which should allow the organisation involved in the proceedings to continue its activity in conditions of legality.<sup>363</sup> Article 8, instead, favours the inclusion of the industry in the ‘*Rete del lavoro agricolo di qualità*’, a national registry accessible to those industries that have not been convicted of any criminal offences in the field of labour and social legislation and in the field of income tax and value-added tax, that have not been subject to administrative sanctions in the last three years, and that have paid their social security contributions and insurance premiums.<sup>364</sup> Such an institution has been reinforced, particularly by updating and including the list of obstructive offences and specifying that administrative sanctions for violations of issues of labour, social legislation, and taxation should not be intended as a definitive criterion of exclusion. Additional requirements are also imposed to enter the net, namely the application of the national, territorial or company collective agreements concluded by comparatively more representative trade union associations at the national level and company collective agreements concluded by their company trade union representatives or by the RSU (unitary trade union representation), as well as the prohibition to be controlled or connected to persons that do not respect all the aforementioned requirements.<sup>365</sup> Furthermore, Article 8 precisely addresses the situation of seasonal workers, while Article 10 introduces the gradual realignment of retribution in the agricultural sector by establishing that the provincial realignment agreements may demand, in

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<sup>358</sup> Ibid.

<sup>359</sup> Law 199/2016.

<sup>360</sup> Ibid.

<sup>361</sup> Article 18 of Legislative Decree 286/1998.

<sup>362</sup> Santori and Stoppioni, ‘Luci e ombre della Legge 199/2016. Cosa cambiare?’, 352.

<sup>363</sup> Ibid.

<sup>364</sup> Camera dei Deputati. “Temi dell’attività parlamentare. Il contrasto al caporalato nella legge n. 19 del 2016.”

<sup>365</sup> Ibid.

whole or in part, the definition of the realignment programme to the transposing company agreements, provided they are signed with the same parties that signed the provincial agreement.<sup>366</sup>

Besides the provision of a powerful legal framework, important shortcomings have arisen in the concrete application of the above-mentioned instruments. In particular, the equilibrium between repressive/punitive and preventive/correcting mechanisms seems to lean in favour of the first dimensions. As a matter of fact, it has been registered a certain mistrust from the part of workers, who consider the law as a threat to their only means of subsistence rather than as a medium to redress a situation of injustice. This reality is testified not only by the reluctance to make complaints, but also to cooperate in ongoing investigations. This is all the more relevant considering that return to the country of origin usually translates into an abandonment of the lawsuits on the part of employers.<sup>367</sup> The provision of social care envisaged by Article 18, which consists in prompt and effective availability of alternative methods of gain as well as immediate material relief, often fails to be enacted. Simultaneously, the role of judicial control undertaken by an administrator supporting to preserve the employment of workers during prosecutions while, at the same time, eliminating the conditions of exploitation and ensuring compliance with legal requirements is rarely implemented. This situation can be explained in light of the fact that the timeframes are usually very tight, and compliance to legal obligations is often translated into an expulsion from the market.<sup>368</sup> On the other side, adhesions to the *Rete del lavoro agricolo di qualità* have been hampered by the feat of companies to have an increase in control mechanisms and related sanctions in front of poor advantages.<sup>369</sup> In addition, the absence of a gender perspective represents a major obstacle to address the specific situations of female workers within the sector. In the parliamentary investigation elaborated to furnish a heterogenous ensemble of opinions over the efficacy of the law, the specific situation of women in agriculture is only addressed quickly in concluding remarks, to highlight how the necessity for '*presa in carico sociale*' (first aid, health care, legal protection, social support and work reinsertion) is fostered by the fact that, when women, victims of labour exploitation are also victims of sexual abuses, and that in this situation any claim usually translates into an exacerbation of conditions of marginalisation and subalternity. The investigation goes further in suggesting that, overall, measures should be oriented towards favouring occupation, and this without excessively punishing small industries but fostering their legality and compliance with national and international norms.<sup>370</sup>

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<sup>366</sup> Ibid.

<sup>367</sup> Interview with Azmi Jarjawi.

<sup>368</sup> Santori and Stoppioni, 'Luci e ombre della Legge 199/2016. Cosa cambiare?,' 352.

<sup>369</sup> Ibid.

<sup>370</sup> Camera dei Deputati. "Indagine conoscitiva sul fenomeno del cosiddetto "Caporalato" in agricoltura." 2021.

### 3.3.3 ITALIAN POLITICAL INSTRUMENTS TO ADDRESS EXPLOITATION IN AGRICULTURE: THE LACK OF A GENDER-SENSITIVE APPROACH IN PLANNING AND IMPLEMENTATION STRATEGIES

Overall, Italian political instruments to address exploitation in agriculture fail to incorporate an intersectional perspective. While an important effort must be noted in order to include women in national strategic plans, references are usually very vague and seem to pertain more to a general commitment and an enunciation of purposes. This trait persists even in the case of documents oriented towards very specific phenomena, where the female component does represent an important portion of the population targeted by policy interventions. The same approach has not been extended to the inclusion of the migrant population. In the very few cases where they are cited, the reference is directed toward men. In any case, women and migrants are framed as mutually exclusive categories, barring the way to the acknowledgment of the specificities that characterise the existence of migrant women.<sup>371</sup>

In 2018, the government has created a special Operational Table chaired by the Minister of Labour and of Social Policies or his delegate, and composed of representatives of competent Ministries and Departments of the Presidency of the Council of Ministers, particularly pertaining to the areas of interior, justice, agricultural food and forestry, infrastructure and transport, territorial cohesion and equal opportunities, as well as a variety of different actors, including the National Agency for Active Labour Policies (ANPAL), the National Labour Inspectorate, the National Social Security Institute (INPS), the Carabinieri Command for the protection of labour, the Corps of Guardia di Finanza, the National Association of Italian Municipalities (ANCI), envisaging the participation of different stakeholders and organisations of the Third Sector and of the civil society, as well as of representatives of workers and employers.<sup>372</sup> The mandate of the table is to organise and oversee the planning and execution of institutional actions as well as intervention activities outlined in the *Three-year Plan to tackle labour exploitation and unlawful recruitment in agriculture (2020-2022)*.<sup>373</sup> The Plan is built upon four main areas of intervention, namely prevention, monitoring and contrast of the phenomenon, protection and assistance, and social and labour reintegration of victims of exploitation. The action is conceived as a tripartite structure: analysis of the phenomenon, emergency intervention in high-risk areas, and long-term strategic planning at a national level. This synergic and transversal is based on an interinstitutional model of governance, where actors at a national, regional, and local level are involved. In particular, 10 priority actions are envisaged. In order to effectively contrast

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<sup>371</sup> Interview with Maurizio Alfano.

<sup>372</sup> <https://www.lavoro.gov.it/temi-e-priorita/immigrazione/focus-on/Tavolo-caporalato/Pagine/default.aspx>.

<sup>373</sup> Ministry of Labour and Social Policies. “Three-Year Plan to Combat Labour Exploitation in Agriculture and Caporalato 2020-2022.” 2020. Translated by the author.

gender discrimination and violence and harassment in workplaces, the Plan has mandated the establishment of the figure of the equality adviser at a national, regional, and local level. The acknowledgement of the importance of including a gender perspective is clearly affirmed in the enunciation of strategic assets, where it is asserted that “*operational definition and realisation of previewed initiatives within each priority action will take into account differences and will integrate gender specificities when relevant.*”<sup>374</sup>

An omnicomprehensive intersectional approach is nevertheless still missing.<sup>375</sup> Maria Grazia Giammarinaro has identified a series of elements to be included in order to enhance gender equality and contrast gender-specific forms of violence throughout the Plan.<sup>376</sup> As far as it concerns the development of an information system for the planning and the management of the agricultural labour market, the author has insisted on the necessity to include mechanisms of detection and elaboration based on gender disaggregation for any kind of data, as well as on the introduction of a series of indicators which will enable to map the presence of female labour force altogether with the occurrence of exploitation phenomena which are particularly related to the female condition (Priority action 1).<sup>377</sup> The access to incentives on supply chain contracts for investments, technological innovation, corporate social responsibility of enterprises and aggregation of producers, as well as to loans for innovation - previewed by Priority Action 2 - should reward the employment of female labour force and investments to professional formation targeting and enabling the participation of women.<sup>378</sup> Concerning Priority action 3 on the reinforcement of the *Rete del lavoro agricolo di qualità*, it is suggested to include *ad hoc* institutional tables on the gender dimension within each territorial section. Ethic certification systems to foster transparency on labour conditions within the agricultural market should simultaneously take into consideration gender-sensitive parameters, such as the employment of a given amount of women in conditions of dignity, the provision of decent housing, the introduction of care and scholar services for children.<sup>379</sup> The planning of workforce flows and the improvement of services to match supply and demand (Priority action 4) should additionally ensure that the collaboration between Public Centers for Employment and private entities dealing with the distribution of labour services explicitly work to incentivise female occupation, to monitor

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<sup>374</sup> Ibid.

<sup>375</sup> ActionAid, ‘Cambia Terra. Dall’invisibilità al protagonismo delle donne in agricoltura’, 178.

<sup>376</sup> Giammarinaro, ‘Analisi di genere delle politiche di prevenzione e contrasto dello sfruttamento lavorativo in agricoltura,’ 223.

<sup>377</sup> Ibid.

<sup>378</sup> Ibid.

<sup>379</sup> Ibid.

intermediation activities for the employment of female labour force, and to control the adherence to contractual provisions.<sup>380</sup>

It is also recommended that the implementation of decent housing solutions for agricultural workers as an alternative to spontaneous settlements and other degrading housing options (Priority action 5) and the organisation of transportation means (Priority action 6) take into consideration the specific needs of women in relation to their care responsibilities.<sup>381</sup> In particular, as far as it concerns transportation services, it is preferable to establish flexible and on-call options. Considering the process of information and sensibilisation enhanced by Priority action 7, the action envisaged to inform workers about their rights and the social legislation on agricultural work should explicitly target women. The Collaboration Protocol between ANPAL and private companies, with guidelines for the implementation of the principles of fair recruitment, must provide for a gender-sensitive risk assessment.<sup>382</sup> Programmes concerning the strengthening of surveillance activities and combating exploitation (Priority action 8) already consider the inclusion of a gender-sensitive formation for those engaged in the activities of surveillance and contrast, particularly providing for the development of training modules on the identification and contrast of labour exploitation with particular reference to gender violence and harassment. While aiming at a positive target, an effort of this kind is not sufficient to enable the instauration of a successful dialogue with women victims of exploitation – in all its different shades. In particular, additional provisions should include specialised teams composed also of female inspectors and that make use of the active participation of civil society associations and cultural mediators, as well as alternative forms of outreach, such as the convening of women workers considered to be at high risk of exploitation in environments other than the workplace, where they do not feel controlled and can confidentially report on particularly sensitive or painful aspects of their work and life experience. In addition, the training, which is to be carried out according to the INL guidelines and which is to be extended to all personnel with enforcement tasks must include modules dedicated to the gender analysis of labour exploitation in agriculture and to the identification of intersectional factors of vulnerability. These training sessions should be organised at the regional level, with a focus on the most problematic areas. The modules should also be dedicated to analysing situations of violence and sexual harassment, in order to enable supervisory and law enforcement personnel to identify indications of violence and harassment, even in the absence of a specific complaint by female workers, and put in place a referral activity to existing dedicated services in the area, in cooperation with private social organisations, in particular those specialised in accompanying

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<sup>380</sup> Ibid.

<sup>381</sup> Ibid.

<sup>382</sup> Ibid.

women victims of gender-based violence and/or trafficking. The Guidelines produced by INL on the elements that constitute labour exploitation and the most serious forms of illicit intermediation and forced labour and on the principles of referral of persons exploited to responsible entities for protection and assistance already envisage a gender perspective at different points – especially through the reference to gender-based violence and anti-violence centers –, but should further include gender-sensitive indices of exploitation, and in particular the intersectional vulnerabilities of female workers and referral principles that take into account the rights, needs and aspirations of female workers.<sup>383</sup>

Priority Action 9 is devoted to the planning and implementation of an integrated system of referral for the protection and first assistance of victims of labour exploitation in agriculture and strengthening interventions for their socio-labour reintegration. Access to territorial care and social and labour reintegration must be considered a right of all persons subjected to labour exploitation, regardless of their residence status, the legal qualification of the facts, and the willingness to make a complaint or to cooperate in criminal proceedings. In this context, the care and social reintegration of women subjected to labour exploitation must take particular account of their specific needs, in particular regarding care responsibilities both in relation to housing and in relation to a decent work alternative. Furthermore, the creation of training courses is deemed fundamental in order to allow women to have a confrontation on the violation of their rights, with the aim of building organisational capacity that will eventually enable them to develop proposals for local and national institutions.<sup>384</sup> These objectives are outlined in concertation with the *National Action Plan against Trafficking and Severe Exploitation of Human Beings (2022-2025)*<sup>385</sup> and the *Plan on male violence against women (2021-2023)*<sup>386</sup>, both under the responsibility of the Department for gender equality. The main aspiration should be the elaboration of immediate, medium, and long-term individual solutions adapted to the life situation and the needs of female workers, enabled by the signature of protocols of understanding at the territorial level. The guidelines to be adopted for the social and labour reintegration of victims of exploitation under Priority Action 10 must provide, among other things, pathways of long-term insertion based on the vocational training of women, especially young women, in order to put an end to the segregation of agricultural workers and more in general to that of women in feminised occupation.<sup>387</sup>

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<sup>383</sup> Ibid.

<sup>384</sup> Ibid.

<sup>385</sup> Council of Ministers. “National Action Plan against Trafficking and Severe Exploitation of Human Beings 2022-2025.” 2022.

<sup>386</sup> Council of Ministers. “Plan on Male Violence against Women 2021-2023.” 2021.

<sup>387</sup> Giammarinaro, ‘Analisi di genere delle politiche di prevenzione e contrasto dello sfruttamento lavorativo in agricoltura,’ 223.

The pillars of a victim-oriented management of the phenomena of trafficking and labour exploitation, namely assistance, protection, and social and labour reintegration, are nevertheless recognised as a crucial component of Italian legal and political instruments. The *National Action Plan against Trafficking and Serious Exploitation of Human Being*<sup>388</sup> and the *Three-year Plan to Combat Labour Exploitation in Agriculture and Caporalato*<sup>389</sup> already present important features at the present stage. In particular, reference should be made to the fact the identification of victims is composed by a double structure: a first part, namely preliminary identification, where immediate assistance is offered to the victim (especially in matters such as housing, healthcare, and information), and a second phase, better known as formal identification, in order to orient victims to more specialised and dedicated services.<sup>390</sup> This second task can be undertaken by different actors, including supervisory and enforcement authorities, social services, trade unions, the public prosecutor's office and non-governmental organisations, on the basis of the suggestions offered by the guidelines of the INL. Assistance to victims of human trafficking is provided through the Single Programme for the Emergence, Assistance and Social Integration<sup>388</sup> of Victims of Trafficking and Exploitation. Protection, assistance and integration services for victims are given in management by the Department for Equal Opportunities to local actors (regions, autonomous provinces, municipalities, civil society organisations) for a maximum period of 15 months.<sup>391</sup> To be approved, project proposals must necessarily include the following activities: a) First contact with persons at risk of exploitation, including refugees and asylum seekers; b) Identification of victims and provision of protection and first aid services, health and legal assistance; c) Support in obtaining a temporary residence permit; d) Training: language skills, job search, vocational training; and e) Support for social inclusion: individual inclusion plan, vocational guidance, skills development and employment programmes.<sup>392</sup> Despite this overall positive structure, it can be demonstrated that when references to gender elements are vague and indefinite in programmatic documents, they are completely lost in the practical translation in interventions on the ground, as we will try to demonstrate in the following paragraph.

As far as it concerns the migrant population, the documents specify that the European social fund will be utilised for the elaboration of regional operational programmes to decline at a territorial level the actions foreseen at a national level for the programming and development of an integrated system of

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<sup>388</sup> Ministry of Labour and Social Policies. “Three-Year Plan to Combat Labour Exploitation in Agriculture and Caporalato 2020-2022.” 2020.

<sup>389</sup> Council of Ministers. “National Action Plan against Trafficking and Severe Exploitation of Human Beings 2022-2025.” 2022.

<sup>390</sup> Ibid.

<sup>391</sup> Corbanese, Valli, and Gianni Rosas. *Lavoro dignitoso e inclusione sociale delle vittime di sfruttamento lavorativo. Un'indagine comparativa*. Roma: International Labour Organisation, 2020.

<sup>392</sup> Ibid.



interventions aimed at fostering the social integration and labour insertion of migrants legally present in Italy. With regard to this point, it must be mentioned the initiative Su.Pre.ME (*The South Protagonist in overcoming Emergencies in the area of severe exploitation and severe marginalisation of regular foreigners in the 5 least developed regions*).<sup>393</sup> Financed by the Asylum, Migration and Integration Fund (AMIF) of the European Commission – Department of Migration and Home Affairs and guided by the Ministry of Labour and Social Policies – Directorate General for Immigration and Integration Policies, the principal axes of the project revolve around five areas, namely hospitality, labour, services, integration, and governance. In this case, the multilevel nature of the plan brings together the National Labour Inspectorate (INL), the International Organization for Migration (IOM) and *Nova consorzio nazionale per l'innovazione sociale*, as well as regional actors of Puglia, Basilicata, Calabria, Campania e Sicilia. In tandem with this kind of activity, the project P.I.U.SU.Pr.Eme (individualised Pathways out of Exploitation)<sup>394</sup> was implemented. Financed by the National Operational Programme of Inclusion of the European Social Fund, as well as by the Ministry of Labour and Social Policies, Directorate General for Immigration and Integration Policies. An additional contribution is offered by A.L.T. Caporalato, which is directed towards the training of staff employed in inspection operations, the establishment of multi-agency inspection task forces with IOM cultural mediators, the strengthening of technical and instrumental equipment available to staff and the organisation of promotion and information campaigns aimed at migrants who are victims of labour exploitation.<sup>395</sup>

Overall, the outlined strategy is likely to provide a general improvement in the condition of life of migrant workers, especially in terms of monitoring and contrast of exploitative working conditions, improvement of housing solutions in areas characterised by a high concentration of seasonal workforce, reinforcement of access to dedicated health services as well as information on available options. More concretely, positive outcomes have been registered as far as it concerns the institution of Social Poles to orient the access to services on the territory and to inform individuals about their rights, the creation of specific and free means of transportation, and the launch of pilot projects of social agriculture aiming at fostering working and housing autonomy for migrant workers. In the newsletter provided to monitor the implementation of actions within the framework of both programmes, women are almost completely invisible. The very rare references are directed to extra-European women, with an important impact on material outcomes as well as in terms of representation. As presented in the final document released to offer an evaluation of the programmes,

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<sup>393</sup> For an overview of the project, see: <https://integrazionemigranti.gov.it/it-it/Dettaglio-progetto/id/7/SUPREME-Italia>.

<sup>394</sup> Ibid. <https://integrazionemigranti.gov.it/it-it/Dettaglio-approfondimento/id/8/SUPREME-e-PIUSUPREME>.

<sup>395</sup> Interview with Maurizio Alfano.

EU migrants are usually less represented in investigations of *ad hoc* task forces composed by labour inspectors, policemen and cultural mediators of the International Organization for Migration.<sup>396</sup> In particular, they account for 17% out of 13246 positions controlled, 15.6% of the subsequent irregularities, 5% of victims of illicit intermediation and labour exploitation.<sup>397</sup> As far as it concerns outreach and sensibilisation activities, EU and European nationalities do not figure among top represented nationals.<sup>398</sup> When it comes to gender, it is significant to observe that 98% of outreached individuals are male.<sup>399</sup> Regarding individual cases, among the persons that have benefited from the referral mechanisms cited above, only 1% were women. In addition, European nationals were once again not represented in the top 10 nationalities affected by this process.<sup>400</sup> In contrast with a quite extended picture of labour exploitation and abuse to which Romanian women are condemned, the aforementioned results reveal that the ensemble of these actions, including monitoring and inspections, outreach and sensibilisation, referral, protection and reinsertion fail to reach this category. Another obstacle may arise in the fact that the focus on *caporalato* fails to enlighten the more extended and highly heterogenous situations of labour exploitation. To give a practical example of the exclusion of EU women, reference can be made to the *Helpdesk anticaporalato*<sup>401</sup>, build with the scope to shorten the distance between competent organs and victims of labour exploitation, which represents a very positive instrument insofar as it offers a straight line to get in touch with personnel and offers clear and concise information to empower workers in recognising a situation of abuse or human rights violation.<sup>402</sup> The choice to showcase information in different languages should be pleased, although contents are provided only in Italian, English, Arabic and French, thus excluding certain individuals from the benefit of this option.<sup>403</sup>

Particular attention should be devoted to the *National Recovery and Resilience Plan (PNRR)*<sup>404</sup>, considering its ambitions to address the damages caused by the pandemic crisis while intervening on the structural weaknesses of the national economy. The national strategy to enhance the national agricultural sector is mainly directed towards the mission of reducing environmental impact, promoting a circular economy and green communities, and enhancing a modern and sustainable agrifood chain. Here the lack of a gender perspective should be englobed in a more general negligence

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<sup>396</sup> Available at: <https://www.ispettorato.gov.it/it-it/notizie/Documents/Conferenza-finale-Supreme-INLOIM-181022.pdf>.

<sup>397</sup> Ibid.

<sup>398</sup> Ibid.

<sup>399</sup> Ibid.

<sup>400</sup> Ibid.

<sup>401</sup> Available at: <https://www.helpdeskanticaporalato.org/>.

<sup>402</sup> Ibid.

<sup>403</sup> Ibid.

<sup>404</sup> “National Recovery and Resilience Plan (PNRR).” 2021.

towards the social component, in clear asymmetry to the shift of perspective in the making at the EU level. Nevertheless, the question of undeclared work is envisaged by the document, which foresees the creation of a National Plan to fight against undeclared work explicitly framed as in connection with the aforementioned National Plan to tackle labour exploitation and unlawful recruitment in agriculture. These objectives should be interpreted in light of a general will of reinforcement of the National Labour Inspectorate (INL) through the recruitment of 2,000 additional units. Furthermore, overcoming the phenomenon of illegal settlements has been inserted as a priority area of intervention in order to promote decent housing solutions for workers in the agricultural sector and protect them from infiltration of criminal groups and caporals to favour exploitation.

Throughout the plan, there is no reference to the migrant and foreign component of the population located on the Italian territory. In the face of such evidence, it is not surprising that women migrants' peculiar conditions and necessities are not taken into account. Their absence is all the more grievous if we consider that many of the instruments proposed to pursue the goal of gender equality – applied transversally to the explored areas of action – are particularly suitable to address the challenges faced by migrant women in the agricultural sector. In particular, the expansion of welfare measures, especially directed towards a fairer distribution of commitments related to parenthood, is being added to the political agenda. More specifically, Mission 4 on Education and Research explores the urgency to raise the take-up rate of kindergartens as well as of childhood education services, along with the extension of full-time schooling. Simultaneously, the strengthening of proximity and home care support services contributes to reducing the burden of care activities, which are mainly provided in the family by women. A gender perspective is also included in Mission 6 on Infrastructures for sustainable mobility, considering that women use public transport more than men while tend to have more broken and complex daily travel chains.<sup>405</sup>

To guide the implementation of PNRR in terms of female empowerment and contrast to gender discrimination, the Department for Equal Opportunities has drafted a National strategy for gender equality (2021-2026).<sup>406</sup> In this complementary instrument, mainstreaming gender-sensitive approaches in agriculture has consisted in enlarging the national gender equality certification system to those companies operating in the context of social agriculture, in order to enhance the quality of work of women in agriculture. In this scheme, virtuous companies can demand to obtain a formal acknowledgment of their positive performances in terms of gender parity issues. As was the case for the previous text, no reference is made to the condition of migrant women and, therefore, the specific

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<sup>405</sup> Ibid.

<sup>406</sup> Department for Equal Opportunities. “National Strategy on Gender Equality 2021-2026.”

vulnerabilities of migrant women in agriculture are still neglected. The budget law of 2022 established a Fund for training activities preparatory to obtaining gender equality certification, with an allocation of EUR 3 million for 2022. A positive element has been introduced by the establishment of rewarding schemes, allowed by the approval of Law 162/2021.<sup>407</sup> Being able to show a “*gender certificate*” entitles the holder to tax relief, to a bonus score for the evaluation of project proposals for the granting of state aid and co-financing mechanisms for investments by national and regional European fund authorities, as well as to bonus criteria in the awarding of public contracts. The parameters that have to be respected in order to obtain this label are set out in the Decree of the Presidency of the Council of Ministers, adopted in April 2022, containing the “*Guidelines on the management system for gender equality that provides for the adoption of specific KPIs (Key Performance Indicators) related to Gender Equality Policies in gender in organisations*”.<sup>408</sup> Once again, no reference is made to intersectional manoeuvres, capable of capturing the needs of migrant women workers. Law No. 162/2021 has also extended the obligation to draw up the biennial report on the condition of employees and the various aspects concerning equal opportunities in the workplace to companies with less than 100 but more than 50 employees. It should also be recalled that Decree-Law 77/2021 establishes the obligation for economic operators participating in the procedures relating to public investments financed by the PNRR or PNC to submit the biennial report on the personnel situation when submitting the request to participate and to provide to the contracting authority within six months after the conclusion of the contract a gender report on the situation of male and female staff, if they are not required by law to prepare the aforementioned report but have at least 15 employees.<sup>409</sup>

As part of the commitments made by Italy through the adoption of PNRR, at the end of 2022 the *National Plan to fight against undeclared work 2023-2025* was adopted.<sup>410</sup> Introduced by the Ministry of Labour and Social Policy with Decree 221, the Plan aims at improving techniques of data collection and sharing through a strengthening of mechanisms of interinstitutional cooperation, and this while fostering a deeper knowledge of the evolution of the phenomenon to enhance monitoring and prevention mechanisms of scenarios of irregularities. The regularisation of undeclared work through the adoption of direct and indirect measures is also envisaged. In line with the indication of the EU Commission, a further objective of the Plan is to deepen the knowledge of all the actors employed in the work chain with regard to the costs and risks associated with undeclared work, and this while committing to convert advantages of engaging in illegal modes of organisations into

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<sup>407</sup> Law 162/2021 modifying Legislative Decree 198/2006.

<sup>408</sup> Department of Equal Opportunities. “Guidelines on the management system for gender equality which provides the adoption of specific KPIs (Key Performance Indicator) relating to gender equality policies in organisations.” 2022.

<sup>409</sup> Available at: [https://temi.camera.it/leg19/temi/19\\_t118\\_parit\\_di\\_genere.html](https://temi.camera.it/leg19/temi/19_t118_parit_di_genere.html). Translated by the author.

<sup>410</sup> “National Plan to fight against undeclared work 2023-2025.”

disincentives. The creation of a governance structure tasked with the duty to monitor the effectiveness of implementation efforts is coupled with the establishment of specific quantitative targets, namely an increase of at least 20% in the number of inspections compared to the period 2019-2021 by the end of 2024 and the reduction of the incidence of undeclared work by at least 2 percentage points in the economic sectors covered by the National Plan. This task force will be deployed at a national level through the establishment of an operational Coordination Table under the direction of the National Labour Inspectorate (INL) as well as at the local level through the establishment of regional tables coordinated by the INL territorial managers. It is particularly interesting to observe that all along the document, women and immigrants or foreigners are delineated as mutually exclusive categories, thus closing the door to the recognition of the specific situation of women migrants.<sup>411</sup>

### 3.4 PRELIMINARY CONCLUSION

In the first part of this chapter, the attention was oriented on the geopolitical reconstruction of the different stages that eventually crystallised axes of migration from Romania towards Southern European countries, Italy in the first place. The economic stagnation provoked by communist policies resulted in a massive deterioration of purchasing power and life quality. The interdiction of human mobility – with the exception of ethnic and national minorities – has contributed to shape the imaginary of the national population over the existence of a better elsewhere. The structural weaknesses of political elites in accompanying the country's transition into the post-communist era did not alter the material and economic motivation behind migration projects. The Romanian exodus in the 90s and in the early moments of the 2000s was irregular to a large extent, and could thus be observed by those sectors of the economies where this status was tolerated. The massive entrance of Romanian people in agriculture was stimulated by the increasing skepticism in the Italian population about the willingness to work in such a field, as a result of better education and work opportunities. The reiteration of such a pattern over time has contributed to the enhancement of mechanisms of circular migration, where the workforce is able to auto-reproduce itself providing fresh workers over time. The model of the disaggregated family – introduced in the urbanisation process undertaken by Ceaușescu – was pursued under the new possibilities offered in the liberal era. The entrance into the EU in 2007 represented a new incentive for the employment of migration strategies, considering the coupling of the benefits furnished by geographical proximity with new administrative advantages,

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<sup>411</sup> Ibid.

although new opportunities were not translated into an outflow from marginal positions in receiving countries.

In a second moment, the focus was placed on the characteristics of the Italian agricultural sector. The process of modernisation, the mechanisation of modes of production, and the entrance into the global liberal market have fostered unsustainable demand for food supplies and, in return, a constant need for a low-skilled and low-demanding workforce. In particular, evidence was provided concerning the unequal power distribution along supply chains - provoked by processes of deregulation and flexibilization of the national market - which has eventually consecrated the role of large-scale retailers as hegemonic actors in the process. Through a large recourse to a quite vast ensemble of unfair commercial practices, they exercise an important pressure upon producers to obtain a consistent downward of prices. On the other side, the high fragmentation which characterises small and medium enterprises charged with productive tasks, coupled with an increase in adjoint costs as a consequence of environmental precarity, strongly affects their bargaining capacity. This macro-level panorama fits in the Italian panorama, demarked by the historical presence of the phenomenon of *caporalato*, and, more in general, by a strong collusion with illegal and criminal modes of management. In this scenario, the female migrant is presented as the most exploitable labour force for a segmented market along gender and national lines. In conjunction with the already mentioned concept of gendered networks, which has a significant relevance for the regeneration of the female workforce, the presence of foreign women is indeed particularly appreciated as a result of cultural norms that drive up this specific demand in certain sectors of the economy but also as a consequence of a harsher situational vulnerability determined by a perpetual and evolving influence of patriarchal structures.

Lastly, the legal and political efforts risen to correct the imbalances of a system of labour exploitation have been taken into account. In the first moment, efforts undertaken at the EU level have been analysed. Directives to combat trafficking in human beings for the purpose of exploitation seemed particularly suitable in order to address the situation of migrants employed in agriculture. Relying on benchmarking international instruments, such as the UN Palermo Protocol and the Council of Europe Convention *on Action against Trafficking in Human Beings*, the Directive 2011/36/EU has succeeded in recognizing trafficking for purposes other than sexual exploitation, and this while establishing a border between vulnerable persons and persons in situation of vulnerability, placing the emphasis on those structural elements that undermined the possibility of free choice of individuals. Under a victim oriented-approach, concern is directed toward the protection, assistance and reintegration of persons who have experienced such a situation. From a different perspective, the regulation of labour and

human mobility has often followed a different prerogative, which is tackling illegal migration – in the case of extra-EU workers – or ensuring a certain degree of deregulation and flexibility of labour and employment to allow member states to benefit from atypical contracting forms (such as subcontracting and posting) while downgrading social and labour rights. While the innovative perspective introduced at the EU level was not implemented in Italian provisions on THB, Law 199/2016 against undeclared work and labour exploitation in agriculture has made a significant effort in trying to strengthen the mechanisms of assistance and care of victims. Nevertheless, the predominance of the criminalising and repressive approach is at the same time the cause and the consequence of a certain resistance in meaningfully addressing and reversing the structural elements at the basis of the vulnerability experienced by Romanian women. Following this perspective, despite the presence of significant victim-oriented provisions in the elaboration of national strategies to contrast exploitation in the agricultural sector, the lack of an omnicomprehensive and specific array of action targeting the specific situation of EU migrant women in the conceptual framework of major political instruments translated into the incapacity of implementation efforts on the ground to detect and manage their presence in the sector.

Overall, the chapter wishes to provide a framework of the ensemble of legal, political, and cultural structures contributing to the creation of the situational vulnerability experienced by Romanian women in the sector. While the macrostructural perspective has been fundamental in view of this purpose, the next chapter will be devoted in the investigation of the concrete translation of this broader dynamic in the daily life of these people, with the broader aspiration to identify patterns of reinforcement of challenge to pre-existing gender identities, roles, and hierarchies.

#### 4. ENLIGHTENING THE EXPERIENCE OF ROMANIAN WOMEN IN THE ITALIAN AGRICULTURAL SECTOR: REFLECTIONS FROM THE GROUND

After a critical observation of the ensemble of those institutions co-participating in the construction and regulation of the presence of Romanian women in the Italian agricultural sector, the present chapter will be devoted to the analysis of their concrete life conditions. The scope of this reflection consists in the practical application of a theoretical posture presented in chapter I, which lies on the examination of the impact of the actual configuration of migration processes on Romanian women as gendered beings. More in particular, the aspiration of the following discussion is not only to establish to what extent and in which modes original norms on gendered are challenged or reinforced, but to consider the resemantisation of gendered identities, roles, and hierarchies throughout migration. With such a purpose in mind, attention will be devoted to the renegotiation of gendered norms in the transnational spaces where the migration process originates and takes shape, as well as to the evolution of the inner perception of migrant women.

A useful conceptual tool to begin to understand the position of exclusion, marginalisation, and subalternity occupied by agricultural workers can be found in Erving Goffman's definition of a "*Total social institution*" as "*a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life.*"<sup>412</sup> This association seems all the more admissible if we recognize the existence of a *continuum* between open and closed institutions, as it was deemed eligible by the author himself. Although in lower and varying degrees of intensity, the specificities of a '*Total social institution*' seem suitable to describe the experience of Romanian women in the Italian agricultural landscape.

Among these peculiar traits, attention should be first placed on '*batch living*', which corresponds to a situation in which "*each phase of the member's daily activity is carried on in the immediate company of a large batch of others, all of whom are treated alike, and required to do the same thing together.*"<sup>413</sup> Although the condition of agricultural workers may transcend the boundaries of this concept when formulated as such – as it will be demonstrated, not all individuals are obliged to experience all aspects of life in the same place and under the same authority – it can nevertheless be legitimately affirmed that in the best scenario the rules that pertain specifically to the working sphere critically govern the other spheres of existence. In line with this, the arrangements that typically

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<sup>412</sup> Goffman, Erving. *Asylums: Essays on the social situation of mental patients and other inmates*. Aldine Transaction, 1961.

<sup>413</sup> Ibid.



characterise existence in modern Western societies – especially as long as it concerns the personal and individual management of a significant portion of one’s time – are sacrificed.

Life within this kind of institution is demarked by a sharp division between groups of people occupying antithetical positions in asymmetrical power relations and belonging to separate social and cultural universes. The work relation in this field is indeed characterised by a “*blind dependency*” of one component to the other, fuelled by a feeling of being “*inferior, weak, unworthy and guilty*” that characterises the self-perception of “*inmates*” – in this case workers – and a stereotypical and dehumanising representation made by actors involved in managing tasks where they are portrayed as “*bitter, secretive and untrustworthy*”.<sup>414</sup>

The group of inmates is forged along processes of “*disculturation*” and “*role-stripping*”<sup>415</sup>, which comports an almost perfect adherence between the person and the role it covers in the institution and a progressive abandonment of the traits that differentiate one’s subjectivity before the entrance into the institution. The admission into this new group is pursued through acts of “*abasements, degradations, humiliations and profanations of self*”, where persons are forced to progressively become other than themselves.<sup>416</sup>

Gradually, Romanians have been included in field reports on the situation of migrant people employed in the Italian agri-food sector. Taking into consideration some of the most illustrative works on the matter, namely the analysis carried out by authors such as Leogrande, Palmisano, and Omizzolo, the acquisition of prominence by Romanians has been reported in contrast with a previous prevalence of migrants coming from Africa. In the 90s, racialised labour force was indeed substituted with white foreigners in a state of need coming from Eastern European countries. While a gender analysis is undoubtedly insightful to better comprehend their condition, it seems just as much important to focus the attention on women, whose specificities have been explored sideways or presented as appendices of the male-dominated analysis.

The present chapter aims at enlightening the concrete experience of Romanian women on the ground. When engaging in such an effort, a mandatory premise concerns the fact that their presence in the Italian agricultural sector is characterised by an important heterogeneity of situations. This is coherent with the vast number of Romanian migrants present in the Italian territory. In light of this diversity, it would be simply erroneous to try to depict Romanian women as a homogenous bloc, considering how other factors come to shape their existence in the national territory. The following reflections are

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<sup>414</sup> Ibid.

<sup>415</sup> Ibid.

<sup>416</sup> Ibid.

based on interviews conducted with Romanian women employed in the agricultural field in the territory of Arco Ionico, as well as on conversations with actors participating at different levels in the investigation of workers' condition in agriculture and thus benefiting from a privileged point of view on the matter.

While it must be reasserted that the words of subjectivities experiencing the situation whose account is being made should be prioritised, it seems nevertheless important to advance two different concerns. Considering the commitment to safeguard the anonymity of respondents, no indication will be furnished over their precise area of residency, as well as their work engagements. What should be noted is the fact that their characteristics in terms of pre-migratory situations, modes of recruitment, family relations, type of employment, and housing conditions are essentially similar and peculiar at the same time. In light of this, their reports should not be taken as the foundation to draw general conclusions on the condition of Romanian women in the Italian agri-food sector. On the contrary, while their testimonies should be regarded as a precious piece of information, it seems useful to remind that they cannot arbitrarily be constructed as spokespersons of the whole Romanian female community. In line with these premises, this analysis does not aim to produce a comprehensive and exhaustive portrait of the situation, but rather its purpose is to suggest patterns of inquiry to orientate future inquiries on the ground.

#### 4.1 SOCIAL ISOLATION, MATERIAL PRECARITY, AND GENDERED TRADITIONS: INVESTIGATING THE ZERO POINT OF MIGRANT WORKERS IN NORTH-EAST RURAL ROMANIA

As already introduced in the previous chapter, the crystallisation of Romania as a country of emigration has led to the stabilisation of specific migratory axes. It has been highlighted the relevance of path-dependency in the trajectory of movements originating in the North-East part of the country, more in particular in the region of Moldova, towards low-paid and unqualified economic sectors in Italy. This area is indeed characterised by crucial levels of precarity if compared to other regions. The sharp inequalities between territories reflect the qualification of Romania as a double-speed country, characterised by a severe urban-rural divide. Social and economic inequalities have indeed increased in the post-89 period.<sup>417</sup>

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<sup>417</sup> Fina, Stefan, Bastian Heider, and Cristina Rat. *Unequal Romania Regional Socio-Economic Disparities in Romania*. Foundation for European Progressive Studies and Friedrich-Ebert-Stiftung, 2021.

Starting from the 90s, inhabitants of major urban centers have experienced a critical shift in their living conditions, above all because of the resemantisation of borders with other foreign countries and the transition towards democratic and liberal market economy institutions. EU investments have been extensively used to capitalise on the connectivity and infrastructures of growth pole cities.<sup>418</sup> In addition, this region has attracted foreign capital as a consequence of the outsourcing of transnational production chains and business processes.<sup>419</sup> Emilia Spurcaciuc shed a light on the fact that the lower cost of labour resulted in the emergence of pull-factors for delocalising companies, thus creating new job opportunities for the local population. GDP *per capita* has experienced crucial growth in the region of Bucharest-Ilfov, where it has jumped from 136% of the national average in 1993 to 227% in 2018.<sup>420</sup>

By contrast, in the same year the North-East region recorded only 63% of the average national GDP *per capita*.<sup>421</sup> Poor performances in labour development have made this region highly dependent on subsistence agriculture.<sup>422</sup> Coherently with such findings, in 2019 the poverty rate in North-East amounted to 41%, thus accounting for the highest data in the country.<sup>423</sup> This figure is compatible with a broader pattern that can be identified in rural areas – where 46% of the national population lives.<sup>424</sup> The share of employees has shifted from 30,73% in 2005 to 29,66% in 2017, whereas in urban territories 70% of the population is employed.<sup>425</sup> As a consequence, the poverty and social exclusion rates in rural areas are more than twice as high as urban areas<sup>426</sup>, and 26,3% of rural people live with less than 5,50 dollars/day.<sup>427</sup> As noted by the EU Commission, “*Romania still displays a paradox of social inequality and poverty, while the country’s economic growth stays above the European Union average. The rural area and children remain among the disadvantaged groups.*”<sup>428</sup> Inequalities along urban-rural binarism have a crucial impact on the daily life of people living in the countryside, especially in terms of access to basic services such as health, education, social protection,

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<sup>418</sup> Benedek, József, Ștefana Varvari, Cristian Marius Litan. “Urban growth pole policy and regional development: old wine in new bottles?.” In Lang, Thilo, and Franziska Görmar, *Regional and Local Development in Times of Polarisation: Re-Thinking Spatial Policies in Europe*, 173-195, Springer Nature: 2019.

<sup>419</sup> Fina, Heider, and Rat, *Unequal Romania Regional Socio-Economic Disparities in Romania*, 417.

<sup>420</sup> National Institute of Statistics (INS). *Tempo online dataset*. 2020.

<sup>421</sup> Ibid.

<sup>422</sup> Băncescu, Irina. “Rural-urban income gap and labour market in Romania.” *SHS Web of Conferences* 95, 2021.

<sup>423</sup> Statista. “Poverty rate in Romania 2007-2019”, 2023. <https://www.statista.com/statistics/1191508/romania-poverty-rate/>.

<sup>424</sup> World Bank. *Rural population (% of total population) – Romania*, 2021.

<sup>425</sup> European Commission. “Commission Staff Working Document Country Report Romania 2019 Including an In-Depth Review on the prevention and correction of macroeconomic imbalances”, 2019.

<sup>426</sup> Ibid.

<sup>427</sup> World Bank Group, “Romania Gender assessment,” 2018.

<sup>428</sup> Romania Insider. “EC: Inequality & poverty, still present in Romania despite economy growth.” 2018. <https://www.romania-insider.com/ec-inequality-poverty-romania>.

offer in leisure activities, availability of utilities and infrastructures.<sup>429</sup> A further level of analysis allows to take into consideration the effect of prejudice and discrimination on ethnic basis, with the Roma population experiencing the worst conditions in terms of social segregation and access to education and employment opportunities<sup>430</sup>, as well as poor standards of living as a consequence of irregular and unhygienic settlements.<sup>431</sup>

In the countryside, people live in small villages which are often exposed to a situation of spatial and social isolation.<sup>432</sup> Daily life is still governed by traditional norms and expectations of behaviour.<sup>433</sup> As a consequence of the rootedness of the Orthodox Church in these areas, they are indeed characterised by a predominance of stereotyping gender roles within family and community structures.<sup>434</sup> Most common beliefs are related to the idea that working women are less capable of taking care of their children, and that men are more adapted to engage in business activities and should not have the responsibility of children and family care.<sup>435</sup> These areas also present higher difference in employment rate between men and women (21 percentage points). In addition, 5.1% of men are unemployed compared to 3.5% of women.<sup>436</sup> Once again, gendered norms have harsher consequences of Roma women, who experience higher levels of adolescence fertility, child marriages, maternal mortality, sexual and reproductive pathologies.<sup>437</sup>

#### 4.2 THE FEMINISATION OF INTERNATIONAL LABOUR MIGRATION AND THE CONSTRUCTION OF MIGRANT WOMEN AS PRIVILEGED ACTORS WITHIN MARGINAL SECTORS OF THE ITALIAN ECONOMY

In this scenario, the male component was globally more exposed to the loss of jobs provoked by deindustrialisation, while the female population struggled to enter the labour market. In the loss of the main source of income for households, women were led to challenge dominant gender norms and assume breadwinning responsibilities.<sup>438</sup> This contingency has to be interpreted in conjunction with

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<sup>429</sup> Gazibar, Manuela, and Loredana Giuglea. "Inequalities in Romania." In *Falling through the cracks exposing: inequalities in the EU and beyond*, SDG Watch Europe and Make Europe Sustainable for All and Faces of Inequality, 2019.

<sup>430</sup> Fina, Stefan, Bastian Heider, and Cristina Rat, *Unequal Romania Regional Socio-Economic Disparities in Romania*, 417.

<sup>431</sup> European Commission. "Commission Staff Working Document Country Report Romania 2019 Including an In-Depth Review on the prevention and correction of macroeconomic imbalances", 2019.

<sup>432</sup> Interview with Emilia Spurcaci.

<sup>433</sup> Ibid.

<sup>434</sup> Interview with Silvia Dumitrache, president of *Associazione Donne Romene in Italia* (ADRI).

<sup>435</sup> Gazibar and Giuglea, 'Inequalities in Romania,' 429.

<sup>436</sup> Ibid.

<sup>437</sup> World Bank Group, 'Romania Gender Assessment,' 427.

<sup>438</sup> Interview with Silvia Dumitrache.

a crucial request for female labour force in other European countries. At first moment, the massive entrance of women from Eastern European countries targeted the sector of care and domestic work.<sup>439</sup> Such an increase in the demand for migrant labour force to be employed in degrading tasks has to be explained in terms of a significant improvement in education and employment opportunities for Italian women, traditionally responsible for the management of reproductive work within households. In front of the lack of institutional and public-led initiatives to compensate for the gradual ousting of the national female labour force, the burden of domestic and care work has been taken over by migrant women.

On this matter, Maria Iftimoaiea argued that, if the fact of being foreigner is crucial to be employed in what is extensively considered as an undignified type of job – even when conducted under regular contractual arrangements –, being acknowledged as white and European is fundamental in order to obtain the trust of employers.<sup>440</sup> It seems relevant to specify that the renegotiation of domestic tasks among female and male members of Italian family units is not envisaged, to the point that women remain competent on the recruitment and retribution of employees. Eastern European women are considered to have sufficient standards of cleanliness and are generally entrusted with the required level of reliability to lend keys and be allowed to move around private spaces without supervision.<sup>441</sup> This same posture has been confirmed by Maurizio Alfano, who insisted on a diffuse reluctance to employ non-white women to assist elderly, considering that a job of this kind often entails the obligation to live in the same house and share a vast portion of time together.<sup>442</sup> In this optics, Romanian women are maintained in a position of controlled proximity, being considered similar enough to replace Italian women as mistress of the houses but guarded in marginal positions to hamper the opportunity to benefit from the redistribution of privileges and achievements gradually obtained by Western women. The attitude of Italian private employers can be justified in view of the existence of a hierarchical classification of migrant women on racial grounds. Keeping the focus on the cleaning and service sector, it is indeed easier to find non-white women in occupations that do not require direct contact with the person or with one's private space. Azmi Jarjawi has also insisted on the fact that, compared to other national clusters present on the ground, the Romanian culture has a lower resistance for women entering the labour market.<sup>443</sup> At the present moment, however,

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<sup>439</sup> Interview with Maurizio Alfano and Adriana Patrichi, community leader for the project *Cambia Terra*.

<sup>440</sup> Interview with Maria Iftimoaiea, community leader for the project *Cambia Terra*.

<sup>441</sup> Ibid.

<sup>442</sup> Interview with Maurizio Alfano.

<sup>443</sup> Interview with Azmi Jarjawi.

caregiving roles are monopolised by Ukrainian women, while recruiting of Romanian workers is almost exclusively destined to jobs in agriculture and construction.<sup>444</sup>

Only in a second phase it is possible to assist in the passage of women – already present on the ground or attracted by their relatives already in Italian territories – in the agricultural sector.<sup>445</sup> While employment as caregivers presupposes a certain knowledge of the language, the preference of agriculture could also be explained by virtue of the entitlement to a higher level of autonomy, which may also contemplate the presence of other members of the family.<sup>446</sup> More often than not, the choice of a particular kind of employment does not reflect a preference but rather the only proposed alternative.<sup>447</sup> At least a part of them assumed roles traditionally conceived as a masculine prerogative.<sup>448</sup> The recruitment of labourers, especially when undertaken by intermediate actors searching for seasonal workers directly in Romanian villages, does not necessarily implement preferential schemes along gender lines<sup>449</sup> – although in many situations the target of individual women is explained in light of their specific situation of vulnerability and their greater propensity to be lured.<sup>450</sup> In similar circumstances, being employed as part of a mixed team does not entail rigid divisions of mansions and can ultimately represent an advantage to women, considering that this situation fosters their possibility to be equally remunerated with reference to their male colleagues.<sup>451</sup> In addition, these groups are often constituted by people that share long time relationships, which help them to divert the spectrum of loneliness.<sup>452</sup> In many areas, the presence of old migratory enclaves, especially originating from North Africa, has been gradually substituted by labour force from Eastern European countries.<sup>453</sup> This shift was facilitated by a certain inclination of new clusters to accept to be employed at worse working conditions and for lower remuneration, in addition to the fact that the chance to employ an entire group composed of several workers season after season represents an important advantage for companies.<sup>454</sup> This mindset has contributed to fuel rivalry between different migrant groups, with Romanians being accused to selling out themselves to best bidders.<sup>455</sup> The results obtained through years of labour struggles carried out by migrant labourers with a longer history of residence in the territory, powerful connection with local realities, and better

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<sup>444</sup> Palmisano, Leonardo, and Yvan Sagnet. *Ghetto Italia: i braccianti stranieri tra caporalato e sfruttamento*. Fandango Libri: 2015.

<sup>445</sup> Interview with Leonardo Palmisano, writer and investigative reporter.

<sup>446</sup> Interview with Azmi Jarjawi.

<sup>447</sup> Interview with Adriana Patrichi.

<sup>448</sup> Interview with Maria Iftimoaiea.

<sup>449</sup> Interview with Azmi Jarjawi.

<sup>450</sup> Interview with Emilia Spurcaci.

<sup>451</sup> Interview with Azmi Jarjawi.

<sup>452</sup> Ibid.

<sup>453</sup> Ibid.

<sup>454</sup> Ibid.

<sup>455</sup> Interview with Silvia Dumitrache.

levels of unionisations have thus been boycotted.<sup>456</sup> Furthermore, the consolidation of the female presence in agriculture was fostered by the gradual transferral of men – disregarded their country of origin – into more remunerative sectors, especially the building industry.<sup>457</sup>

As already introduced in the previous chapter, the labour force of Romanian women was also absorbed by those segments within the agricultural sector where female work was explicitly sought by employers. Given the exceptionality of its microclimate and the peculiarity of the soil, the region of *Arco Ionico* is particularly rich in fruits and vegetables. Considering the reduced size and elevated fragility of some of them, employers resort to women since they generally have smaller hands and are more delicate in touching the product.<sup>458</sup> Women are specifically requested for processing table grapes and strawberries.<sup>459</sup> Vineyards concentrated in the area of Bari attract women residing in surrounding provinces who face daily journeys of several hours to reach the fields.<sup>460</sup> A phase which requires particular attention is the so-called *acinellatura*, which consists in the removal of small and unripe fruits in order to preserve the homogeneity of the grape.<sup>461</sup> Traditionally, such tasks have been undertaken by young students or women, in view of the necessity of a '*virgin fingertip*'.<sup>462</sup> Grapes mostly necessitate workers in the harvesting period, whereas strawberries grow in greenhouses in the provinces of Taranto and Matera demand labour force through the year.<sup>463</sup> By contrast with other fruits, this kind of products are more exposed to the risk of being damaged during the harvesting. In addition, their high perishability imposes to locate the phase of packaging at an early stage of the whole process.<sup>464</sup> Teresa Diomede referred that "*Besides the taste, what is sought in these products is their ornamental function, often used to give a semblance of fanciness to tables and meals. They need to be visually appealing to the consumer. The choice of women responds to such a necessity, by virtue of their sense of taste and aesthetic.*"<sup>465</sup>

This type of reasoning is extensively mobilised in order to legitimate the employment of women in those activities that apparently presuppose a certain level of engagement and attachment to the product. In a similar manner, the widespread presence of women in assembly plants or in the garment

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<sup>456</sup> Giammarinaro and Palumbo, 'Le donne migranti in agricoltura: sfruttamento, vulnerabilità, dignità, autonomia,' 182.

<sup>457</sup> Ciniero and Papa, 'Il lavoro agricolo nell'area jonico-brindisina dagli anni '70 a oggi: tra modernizzazione, caporalato e patriarcato,' 213.

<sup>458</sup> Interview with Azmi Jarjawi.

<sup>459</sup> Ibid.

<sup>460</sup> Interview with Leonardo Palmisano.

<sup>461</sup> Ibid.

<sup>462</sup> Ibid.

<sup>463</sup> Interview with Maurizio Alfano.

<sup>464</sup> Ibid.

<sup>465</sup> Interview with Teresa Diomede, owner of the company '*Racemus*' (Rutigliano, Bari) and regional coordinator of the national association '*Le Donne dell'Ortofrutta*'.

industry is indeed justified through a functional valorisation of their “*nimble fingers and agreeable disposition*”.<sup>466</sup> Furthermore, a *continuum* between their employment in care and service activities must be identified.<sup>467</sup> Leonardo Palmisano explains that the labour force of migrant women hired to work in the fields is usually not limited to the fulfilment of such acts. The author has identified a general pattern of *polimansionamento*, which encompasses the already investigated task of packaging to englobe the care of workplaces and, sometimes, of employers’ private spaces.<sup>468</sup>

#### 4.3 IMPLEMENTING INTERSECTIONALITY: ANALYSING THE VULNERABILITIES OF ROMANIAN WOMEN IN THE ITALIAN AGRI-FOOD SECTOR

While the analysed system of argumentation in order to justify the recourse to this specific labour force reinforces gender stereotypes, it seems legitimate to argue that the most valuable explanatory factor to comprehend the widespread preference for migrant women is their stronger predisposition to accept to be employed in poor working conditions without challenging at any level the *status quo*.<sup>469</sup> Employers do take advantage of this kind of situation. Although sharing some traits in common with the condition of migrant male workers or Italian female employees, the experiences of Romanian women are more than just the sum of the two.<sup>470</sup> All of the interviewers have confirmed the fact that, compared to their Italian colleagues, migrant women are obliged to cover heavier working schedules. Mandatory unpaid overtime labour becomes a prerogative of Romanian women.<sup>471</sup> Similarly, weekends off are usually a privilege granted to national workers.<sup>472</sup> Even in the case of regular workforce, there is a general tendency from the part of employers to disrespect contractual arrangements, which do not report the totality of actual worked days.<sup>473</sup> In most cases, this denies access to a series of instruments to support and assist women and workers more in general, such as allowances for maternity, unemployment, sickness, and injury, as well as contributions to finance retirement and pensions.<sup>474</sup> Discrimination from the part of employers also concern the nature of tasks. As already suggested throughout this reflection, Romanian women are assigned more strenuous and degrading tasks, sometimes overlapping with those assigned to men or representing a

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<sup>466</sup> Mannon, Susan E., et al. “Keeping them in their place: Migrant women workers in Spain’s strawberry industry.” In *The International Journal of Sociology of Agriculture and Food* 19, no. 1 (2012).

<sup>467</sup> Interview with Azmi Jarjawi.

<sup>468</sup> Interview with Leonardo Palmisano.

<sup>469</sup> Interview with Maurizio Alfano, Silvia Dumitrache, Azmi Jarjawi, Leonardo Palmisano.

<sup>470</sup> Interview with Azmi Jarjawi.

<sup>471</sup> Interview with Maria Iftimoaiea.

<sup>472</sup> Ibid.

<sup>473</sup> Interview with Azmi Jarjawi.

<sup>474</sup> Ibid.



*continuum* with female domestic role within households.<sup>475</sup> In contrast with this portrait, the salary perceived by Romanian women is tendentially inferior as opposed to their male co-nationals on the basis of less laborious duties.<sup>476</sup> By comparison, migrant women tend to be paid less than Italian women as well.<sup>477</sup> Maria Iftimoaiea has suggested that migrants are usually not entrusted with higher levels of responsibility, especially when the national element is present.<sup>478</sup> What seems to be a determinant factor in acquiring privileges is the seniority of workers, with long-experienced employers benefiting from privileges in front of newcomers.<sup>479</sup> By contrast, young and unexperienced girls, most notably when migrants, poor, and uneducated, are more easily subjected to extortion and abuse.<sup>480</sup>

Irregular or semi-regular situations remain quite diffuse, although on the decline. Women without formal or regular contracts have the order to run away in the case of rare controls – although in the majority of cases employers are informed in advance.<sup>481</sup> A widespread practice is that of hiring *falsi braccianti* (*fake employers*), where contracts indicate the name of a person other than the actual worker, which is the one receiving the benefits that should be allocated to the real employee.<sup>482</sup> The dependency to employers is fostered by the fact that payments are distributed only at the end of each working days.<sup>483</sup> This is particularly true where the intermediation of caporals is envisaged, in which case women are transported from a field to another throughout the day. Early in the morning, workers are reunited in squares where they can be collected to reach the fields. When they go back, it is in those same squares that they receive the money for the work they have carried out. Usually, they are paid *a cottimo*, which means for the number of cases they have filled. This form of retribution gives no means of assurance on the outcome of the following days.<sup>484</sup> In addition, in many cases they have to return a part of their compensation in order to pay for services provided by their superiors, such as housing or transportation, an element that fosters mechanisms of allegiance towards caporals.

A gender-sensitive analysis of the phenomenon allows for the detection of female-specific issues. In the space of a few hours, women handling packaging duties switch between extremely high temperatures and levels of humidity when gathering crops in the fields or in greenhouses and cold rooms to store products. The lack of acknowledgement of this situation in contractual arrangements

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<sup>475</sup> Interview with Maria Iftimoaiea.

<sup>476</sup> ActionAid, ‘Cambia Terra. Dall’invisibilità al protagonismo delle donne in agricoltura’, 178.

<sup>477</sup> Ibid.

<sup>478</sup> Interview with Maria Iftimoaiea.

<sup>479</sup> Interview with Annarita Del Vecchio, community psychologist for the project *Cambia Terra*.

<sup>480</sup> Interview with Leonardo Palmisano and Silvia Dumitrache.

<sup>481</sup> Interview with Maria Iftimoaiea.

<sup>482</sup> Interview with Maurizio Alfano.

<sup>483</sup> Palmisano and Sagnet, *Ghetto Italia: i braccianti stranieri tra caporalato e sfruttamento*, 444.

<sup>484</sup> Ibid.

translated into the lack of provision of essential protective shields. This increases the exposure to professional pathologies that are predominantly associated with women and that are not recognised as such.<sup>485</sup> The design of working places does not take into consideration female-specific needs. Fields are often not equipped with appropriate sanitation and hygiene facilities.<sup>486</sup> While this represents a quite uncomfortable condition to carry out ordinary physiological needs, the situation is even more unpleasant when they have to deal with the menstrual period.<sup>487</sup> The exposure of parts of the female body as a consequence of having to work in extremely hot temperatures, makes them additionally exposed to undesired attentions.<sup>488</sup> It has also been reported that employers make the choice to deploy pesticides, chemicals, fertilisers, and harmful fumes when women are in the fields.<sup>489</sup>

Vulnerability in the workplace is coupled with unsafe and degrading housing conditions. Although on this matter the situation of women consistently varies – as explained by Azmi Jarjawi and Leonardo Palmisano, a very important number of Romanian women employed in Puglia live in private houses in urban centers<sup>490</sup> –, in many cases women workers are obliged to reside in settings made available by their employers. This is especially true for seasonal workers, who have to share living areas with their colleagues in accommodations whose quality arbitrarily depends on the goodwill of the businessman for which they work.<sup>491</sup> According to the report of Maurizio Alfano and Adriana Patrichi, the situation is quite worse for women working in greenhouses in the areas of Calabria and Basilicata.<sup>492</sup> In other cases, it is the recruiter that offers the availability of housing services. In this case, they arrange makeshift settlements where seasonal workers are host.<sup>493</sup> While the housing options made available often neglects the specific need of the female body, the element that is most associated with female-specific risk is the lack of private and safe areas in spaces dedicated to sleep or hygiene necessities. As it has been acknowledged for any other woman living in this kind of situation, this contributes to fostering their vulnerability towards sexual threats from the part of other inmates. Even when not fully accomplished, the systematic tension to which these women are subjected by their awareness to be in constant danger is likely to have a negative impact on their psychological wellbeing.<sup>494</sup>

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<sup>485</sup> Ibid.

<sup>486</sup> Interview with Emilia Spurcaci.

<sup>487</sup> Ibid.

<sup>488</sup> Ibid.

<sup>489</sup> Interview with Leonardo Palmisano.

<sup>490</sup> Interview with Leonardo Palmisano and Azmi Jarjawi.

<sup>491</sup> Interview with Azmi Jarjawi.

<sup>492</sup> Interview with Maurizio Alfano and Adriana Patrichi.

<sup>493</sup> Interview with Adriana Patrichi.

<sup>494</sup> Ibid.

Symbolic practices are worthy of special attention. Not all the actions carried out by supervisors are directed towards an immediate increase in productive outputs. On the contrary, many of them are part of a broader anthropological process of dehumanisation, where people are transformed from human beings into arms. Maria Iftimoaiea has denounced the recurrent practice from the part of employers to arbitrarily decide when a person has to remain home for the day, thus preventing the possibility to obtain the payment for that work day. In her situation, this action takes place any time she has what has been defined as inappropriate behaviour, such as when she laughs or talks too much.<sup>495</sup> Marco Omizzolo has described a quite diffuse solution employed by chiefs, which consists in the prohibition for migrants coming from the same country to speak their native language, in order to be able to control their conversation and to make them receptive only to commands.<sup>496</sup> In reality, many of the testimonies have confirmed that the segregation of Romanian women is marked by the foreclosure of mechanisms of communication due to their ignorance of the Italian language<sup>497</sup>, although some Romanians manifest a certain shame in being heard talking in Romania and refuse to use it with their children.<sup>498</sup> A far more common custom is that of abandoning their real names to assume an Italianised version of it. Workers are thus deprived of the traits that constitute their subjectivity and are transformed into bodies at the service of their employers. While this imposition is justified in light of the necessity to find an easier alternative to pronounce for Italian employers, the fact that more broadly Anglo-Saxon, French, or German names are hardly ever accommodated to such a necessity is eloquent by itself.

Perhaps the most specific trait of the condition of Romanian women in the Italian agri-food sector is their constant exposure to a process of hypersexualisation.<sup>499</sup> While it assumes different faces, it often translates into real sexual abuses and violences.<sup>500</sup> Azmi Jarjawi has shed a light on the fact that in some cases the choice of recruiting women from East European countries is guided by a premeditated sexual predatory scheme from the part of employers or intermediaries.<sup>501</sup> Young women are increasingly targeted by this dynamic by virtue of their attractiveness, but also because they are usually less shielded in front of abusive male behaviours.<sup>502</sup> At the present moment, bosses have encoded a system of practices to make their pressure on certain employees clearly intelligible. When caporals are tasked with the role of getting women in the fields, they leave the front seat available to

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<sup>495</sup> Interview with Maria Iftimoaiea.

<sup>496</sup> Melting Pot Europa. "Riconquistare diritti. Agire per la tutela delle persone contro lo sfruttamento e il caporalato." Padova, 3 December 2022. <https://www.youtube.com/watch?v=3oRo1v9NUkU>.

<sup>497</sup> Interview with Adriana Patrichi.

<sup>498</sup> Interview with Emilia Spurcaci.

<sup>499</sup> Interview with Silvia Dumitrache.

<sup>500</sup> Ibid.

<sup>501</sup> Interview with Azmi Jarjawi.

<sup>502</sup> Interview with Emilia Spurcaci.

their target, with a coffee and a croissant on the dashboard.<sup>503</sup> Eating breakfast is taken as a sign of welcoming, which often means an assurance in terms of further employment possibilities. On the return journey, trajectories are planned so as to accompany the woman of their interest last.<sup>504</sup> This system is so rooted that as soon as a certain posture of the voice is assumed, Romanian women intercept the intentions of their bosses.<sup>505</sup> Sexual advances are often presented as the only viable option to obtain or secure work positions.<sup>506</sup> It is difficult to contrast this situation: in the absence of any meaningful information, the first thing that is thought to women is the names of those that cannot be touched.<sup>507</sup> While employers and caporals are often preserved by a network of protection which also permeates public institutions, if a woman decides to denounce her boss, she is aware of the fact that she would be unable to find other jobs insofar as she would be put on the blacklist of those who cause problems.<sup>508</sup> This regime of terror is also fostered by threats against relatives of the victim, especially when children. While violence is normalised, women remain nevertheless aware of the systemic abuse to which they are subject.<sup>509</sup> To provide exhaustive accounts and proof of the violence that they have experienced is often too difficult for women to share with strangers who often lack the professional competence to handle this situation.<sup>510</sup> Other women do not represent valid allies to contrast this situation, despite the fact that all of them are subjected, although in different ways, to this dynamic. Annarita Del Vecchio confirmed that women from Eastern European states, especially Romanians, are transversally recognised as loose and disreputable women, whose proximity should be feared by virtue of their consolidated reputation as men hunters and husband-stealers.<sup>511</sup> One may argue that this kind of vulnerability is particularly felt by those who stand in this situation by themselves. It has also been suggested that the presence of male relatives is by no means an assurance in front of sexual threats. From an opposite perspective, many cases have been reported in which male partners were aware of the sexual exploitation to which Romanian women were condemned and did not make any resistance to prevent such a dynamic from perpetuating. In many cases, continuative sexual abuses against one or more female employers are the *conditio sine qua non* for the distribution of agreed payments, in the absence of which the whole team or at least immediate partners lose the retribution for the work they have already accomplished.<sup>512</sup>

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<sup>503</sup> ActionAid, 'Cambia Terra. Dall'invisibilità al protagonismo delle donne in agricoltura,' 178.

<sup>504</sup> Interview with Annarita Del Vecchio.

<sup>505</sup> Interview with Maurizio Alfano.

<sup>506</sup> Ibid.

<sup>507</sup> Interview with Adriana Patrichi.

<sup>508</sup> Interview with Annarita Del Vecchio.

<sup>509</sup> Ibid.

<sup>510</sup> Interview with Adriana Patrichi.

<sup>511</sup> Interview with Annarita Del Vecchio.

<sup>512</sup> Interview with Silvia Dumitrache.

#### 4.4 CONTEXTUALISING TRADITIONAL IDENTITIES, ROLES, AND HIERARCHIES UNDER THE CHALLENGE OF THE NEW SCENARIO

##### 4.4.1 THE EVOLUTION OF THE FEMININE IDEAL IN ROMANIA

Before engaging analysing the transformation of women's identities, as well as the evolution of patterns of behaviour and positions in asymmetrical power relationship, it is useful to investigate the construction of womanhood in Romania, devoting particular attention to the *fil-rouge* that connects femininity in its transition through different periods and considering them as the mandatory precondition to comprehend the reinterpretation of gendered subjectivities throughout the migration process.

In Romania, the feminine ideal par excellence revolves around the image of a “*sacrificial being that is expected to experience pleasure in her sacrifice, for it promises her the acceptance of the social authority.*”<sup>513</sup> This echoes mythical representations where, in order to fulfil their gender roles, women genuinely commit and adhere to their self-destruction. This reflection is based on a quite diffuse ballad in the Balkan area, ‘*The Craftsman Manole*’, also known as ‘*The walled-up wife*’. This tale narrates the story of Manole, a craftsman, who could not manage to complete the construction of an orthodox monastery requested by the King because its edification was rendered impossible by the fact that the work completed during the day was mysteriously destroyed overnight. In a dream, Manole received advice to wall in the first wife or sister to come the next day at dawn bearing food for her husband or brother if he genuinely wanted the walls to survive the night. Manole's wife, Ana, was the first woman to enter the construction area. To fulfil her destiny and reassert her devotion to her duties, Ana is buried alive behind the monastery's walls. This act of immolation should always be considered in a synchronic relationship of submission towards different variations of a same male authority, being it in the familial – the husband – or in the social and collective sphere – the king and its modern versions.<sup>514</sup> In this narration, the female body is symbolically constructed as the pivotal means for the accomplishment of male destiny as well as the foundation of the architectural construction of the community. This peculiar portrait of womanhood is shaped in the realm of peasantry. For the traditional rural population, the subordination and submissiveness of women to men materialises through the passage from the control of the father under that of the husband. The only place where a woman is free to exercise her command is the care of the hearth. While always emotionally available, women have to perform as sexually passive. Marriage acts as a sickle

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<sup>513</sup> Andreescu, Florentina. “The Changing Face of the Sacrificial Romanian Woman.” In *From communism to capitalism, Nation and State in Romanian cultural production*. Palgrave Macmillan, 2013.

<sup>514</sup> Ibid.

eradicating their desirability, whereas acts of passion even between husband and wife are morally questioned. In this scenario, the model of every girl is the Virgin Mary.<sup>515</sup> What is crucial to imagine here is a liaison between the ideal peasant woman, which is “*nurturing and loving, but also passive, enduring, and obedient*”<sup>516</sup>, and the modern Romanian woman working in the Italian agri-food environment.

During the socialist era, this myth was rielaborated. The submission of women was depicted as a peculiarity of traditional familiar rural values. Besides this kind of propaganda which delegitimise their culture, the peasantry was exposed to a process of physical elimination, imprisonment, and land confiscation.<sup>517</sup> If the female condition remained unaddressed in the communist era, what is crucial to understand is that for peasant women this passage also entailed the rupture of sense-making. Borrowing the words of Doina Pasca Harsanyi, “*although from a modern point of view there was little to be fond of in the harsh, limiting, and brutal world of an archaic and isolated village, it at least formed a coherent world for its inhabitants.*”<sup>518</sup> The communist ideology has intervened on discourses on gender by promoting the mass entrance of women into labour markets, thus breaking their relegation to the domestic sector, creating the precondition to double burden rather than emancipation. Strategically, the natural responsibility to reproductive care was not questioned and neither was the segmentation of labour market and inequalities in education, job opportunities, levels of income, and perspectives of powerful roles. In contrast with official declarations on the matter, communist homes were equipped with radios, TVs, and cars, predominantly destined to male users, while making unavailable domestic appliances or daily-use products as well as childcare services.<sup>519</sup> The Communist party also undertook a process of colonisation of minds and bodies so as to incentivise natality rates in order to compensate for the lack of capital and incentivise growth.<sup>520</sup> In this context, the sexuality of women was subordinated to the interests of the state, thus condemning any incarnation of womanhood which did not entail motherhood as “*immoral or aberration of femininity*”.<sup>521</sup> Any excessive attitude towards physical appearance was summoned by society, with severe communist female leaders such as Ana Pauker, chief of the Communist party (1948–1953), incarnating the ideal of sobriety and modesty being erected to new archetypes of femininity. Women

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<sup>515</sup> Ibid.

<sup>516</sup> Pasca Harsanyi, Doina. “Women in Romania.” In Funk, Nanette and Magda Muller. *Gender Politics and Post-Communism: reflections from Eastern Europe and the Former Soviet Union*. Routledge, 2020.

<sup>517</sup> Ibid.

<sup>518</sup> Ibid.

<sup>519</sup> Pasti, Vladimir. *Ultima inegalitate: Relațiile de gen în România*. Iași: Polirom, 2003.

<sup>520</sup> Kligman, Gail. *The Politics of Duplicity Controlling Reproduction in Ceausescu's Romania*. Berkley: University of California, 1998.

<sup>521</sup> Andreescu, Florentina. *From Communism to Capitalism: Nation and State in Romanian Cultural Production*. Palgrave Macmillan, 2013.

with several kids were awarded public recognition and privileges, being celebrated as two-faced national heroes fulfilling their role as workers and mothers. Simultaneously, the government proceeded to a deep regulation of sexual and reproductive life, with the criminalisation of abortion and withdrawal of contraceptive means.<sup>522</sup> This intrusion into the private life of women had significantly impacted their psyche, determining a form of disconnection of women to their bodies, increasingly felt as the cause of their pain and entrapment.<sup>523</sup> The practical prohibition of leisure and social activities is the last part of the puzzle to frame an overview of what was the female condition for many of the women now employed in Italy or, at least, for the previous generation. Mobilising once again the reflections of Doina Pasca Harsanyi, as was the case in other Western societies, “*women faced the dilemma of either renouncing their identity as women or submitting to male domination, for equality of women was identified with being like men.*”

In the wave of change introduced in the postcommunist era, the propensity of women to feel impure and immoral if demanding something for themselves rather than sacrificing their persons for the benefit of their community remained unaltered.<sup>524</sup> From a different perspective, the regained legitimacy of the Orthodox church contributed to reinforcing this pattern, restoring the traditional servility of feminine attitudes. Notwithstanding this important path-dependency, a main transformation concerned the liberation of sexual behaviours caused by the lifting of repressive political and sexual control. The austere portrait of communist female leaders was rejected in favour of models established at the international panorama<sup>525</sup>, where beautiful women are showcased as accessories to successful men. Romanian women emerged as a virgin target for original consumption patterns, thanks to the liberalisation of what was previously established as sinful practices and therefore prohibited. Romanians present a high level of rejection of everything that could be labelled as ideological, including discourses around female emancipation and gender equality. This is all the more relevant if one considers that, in antithesis with what happens in Western countries, the battle to the myth of beautiful women is seen here as a conquest obtained after years of repressive politics rather than as a form of oppression. Under this fascination, there is the broad emergence of the phenomenon of sex-work, strategically seized by some, while morally rejected by others. It is possible to assist in a bipolar construction of femininity, the wife and the prostitute, where adhering to one

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<sup>522</sup> Ibid.

<sup>523</sup> Băban, Adriana, and Henry P. David. *Voices of Romanian Women: Perceptions of Sexuality, Reproductive Behavior, and Partner Relations during the Ceaușescu Era*. Bethesda, MD: Transnational Family Research Institute, 1994.

<sup>524</sup> Miroiu, Mihaela. “State Men, Market Women: The Effects of the Left Conservatism on Gender Politics in Romanian Transition.” Presentation, Indiana University, 2004.

<sup>525</sup> Salecl, Renata. *The Spoils of Freedom: Psychoanalysis, Feminism and Ideology after the Fall of Socialism*. Routledge, 1994.

model means to stigmatise the other, despite the fact that both lead to painful and traumatic experiences of femininity.<sup>526</sup>

#### 4.4.2 MIGRATION BETWEEN IMAGINARY AND STRATEGY: THE RESEMANTISATION OF GENDERED HIERARCHIES AND NORMS IN THE HOUSEHOLD

An in-depth observation of the pre-migration situation allows to better understand the universe in which the signification of the new identities and roles associated with migrant Romanian women as well as the passage to a new position in social hierarchies of power. Taking into consideration the enormous impact of the closure imposed by the Communist regime on cultural and ideological collective imaginaries, migrations towards Western EU states were connected to a trajectory of success.<sup>527</sup> Information on conditions on the ground was filtered through fictional representations of an elsewhere endowed with opportunities in economic prosperity and symbolic recognition.<sup>528</sup> In a first moment, people were even willing to pay in order to purchase their job position in Italy.<sup>529</sup> In recent years, however, the status symbol associated with the decision to be employed in foreign states has gradually eroded. Following this perspective, the main motive behind the decision to undertake such a path can be explained by the over-representation of migrant stories in the near reality. It is extremely common in this area to have a familial or friendly connection with persons employed in Italy, often in the same sector in which one eventually ends up working in.<sup>530</sup> In a situation of deep material distress, migration opportunities provide a pertinent key of lecture to diagnose the situation and an experimented pathways out of misery. The triggering of imitation schemes thus encompasses the provision of original cognitive frameworks to think about themselves differently as well as concrete mechanisms of action. This information should be read in conjunction with the fact that no obstacle is found by people wanting to pursue this plan. In large numbers Romanian women are attracted in Italy through the proposal of another woman, a friend or a relative.<sup>531</sup> In many of the communities it is possible to isolate specific figures that are socially recognised as bridged to access this job opportunity.<sup>532</sup> From a different perspective, as it was described in the previous chapter, women in particularly vulnerable situations, uneducated and with no significant information on the

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<sup>526</sup> Jill, Massimo. "Love and Marriage Gender and the Transformation of Marital Roles and Relations." In Jill, Massimo. *Ambiguous Transitions: Gender, the State, and Everyday Life in Romania from Socialism to Postsocialism*. Berghahn Books, 2019.

<sup>527</sup> Interview with Emilia Spurcaci.

<sup>528</sup> Ibid.

<sup>529</sup> Interview with Maria Iftimoaiea.

<sup>530</sup> Interview with Adriana Patrichi.

<sup>531</sup> Interview with Adriana Patrichi and Silvia Dumitrache.

<sup>532</sup> Interview with Maria Iftimoaiea.



situation on the ground are identified<sup>533</sup> and directly addressed by Romanian intermediates<sup>534</sup> – the presence of co-nationals as a privileged figure to attract migrant labourers is testified by the increasing presence of men and also few women from the Eastern EU country in this circuit – or temporary work agencies, which have inherited the legacy of caporals and take charge of every single aspect of the transferral.<sup>535</sup>

While in some cases migration is constructed as a project for the couple, women often migrate by themselves. When they are young, children are left in Romania with grandparents, family relatives, or other acquaintances, considering the absence of child facilities in contexts of destination.<sup>536</sup> Help provided by community actors, with special regard towards Christian figures, is crucial in the education of young Romanians. Women often make the decision to spend the first part of their stay by themselves, aware of the fact that the presence of children usually worsens the situation of vulnerability that can be experienced in contexts of destination. It is important to stress, however, that the absence of mothers does not entail a renegotiation of responsibilities within family units along gender lines. The accounts of Romanian workers as well as privileged witnesses on the topic confirmed a general tendency already put forward in the literature on the topic on the fact that child care remains a responsibility of women other than the mother, even when fathers are the only present parental figure. From an opposite perspective, in many cases children left alone with their fathers experience higher levels of psychological distress.<sup>537</sup>

This element is directly linked to the human reaction to challenges in gender roles, with men seeing their identity as breadwinner and head of the family unit questioned by the new configuration. This realignment in intra-family arrangements often increases the level of aggressiveness and violence, which are constructed as alternative attitudes to showcase adherence to gendered standards of behaviour.<sup>538</sup> In the absence of a rapid reabsorption into the labour market, men are suckered into pathological conducts such as alcoholism, conceived as alternative means to perform their masculinity.<sup>539</sup> In extreme situations, the remittances sent by migrant women into households of origins are controlled and managed by husbands in Romania, and thus turns out to be dilapidated.<sup>540</sup> If in a first moment men demonstrate an attitude of possessiveness and jealousy, in a second moment

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<sup>533</sup> Interview with Silvia Dumitrache.

<sup>534</sup> Interview with Adriana Patrichi and Annarita Del Vecchio.

<sup>535</sup> Interview with Leonardo Palmisano.

<sup>536</sup> Interview with Silvia Dumitrache and Azmi Jarjawi.

<sup>537</sup> Interview with Emilia Spurcaci.

<sup>538</sup> Interview with Silvia Dumitrache.

<sup>539</sup> Ibid.

<sup>540</sup> Interview with Emilia Spurcaci.

they manifest a certain appreciation of being financed by their wives.<sup>541</sup> In extreme cases, women are blackmailed by their husbands, who intimate them to send a given quota of money in order to allow them to talk with their children.<sup>542</sup>

Migrant stories are often linked to an important increase in domestic and intimate partner violence.<sup>543</sup> This element remains a reality, disregarding the fact that family reunification is temporary or permanent and whether it takes place in Romania or Italy. Studies have demonstrated that in Romania feminicides committed by intimate partners and followed by suicides of the murderer are consistently higher among emigrants.<sup>544</sup> Similar evidence has been shown in relation to prior abuse.<sup>545</sup> In some situations, however, migration represents an escape in order to get away toxic and violent domestic environments.<sup>546</sup>

Male behaviour should also be analysed considering the alteration in female cognitive frameworks and of gendered standards of behaviour. Despite the experience of different nuances of vulnerability as migrant women in the sector, Romanians seem to benefit from the feeling of independence, first and foremost enhanced by an increased level of material autonomy.<sup>547</sup> In this original setting, women are less prone to accept submissive conditions imposed by their partners.<sup>548</sup> Nevertheless, women show a certain reticence to denounce this situation, coherently with the commandment to not to wash dirty laundry in public.<sup>549</sup> In light of this consideration, it seems pertinent to report that Romanians show a wider tolerance towards gender-based violence compared to other EU countries, despite its normalisation is widespread in Italy as well.<sup>550</sup> A small but still relevant percentage of the population believes that domestic violence should not be tolerated but should not always be addressed with criminal means. Along this reasoning, an important part of the population sticks to an interpretation of domestic violence as an intimate matter that should be dealt with within private spaces.<sup>551</sup>

While female migration to secure needs of subsistence for the households is not criticised and even supported by family members, the societal aptitude towards international female migration is based on an important stigmatisation grounded on the decision of mothers to leave their children, often

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<sup>541</sup> Interview with Adriana Patrichi.

<sup>542</sup> Interview with Maruzio Alfano.

<sup>543</sup> Ibid.

<sup>544</sup> Balica, Ecaterina, and Heidi Stöckl. "Homicide-suicides in Romania and the role of migration." *European Journal of Criminology* 13, no. 4 (2016).

<sup>545</sup> Ibid.

<sup>546</sup> Interview with Silvia Dumitrache.

<sup>547</sup> Interview with Silvia Dumitrache and Emilia Spurcaci.

<sup>548</sup> Interview with Adriana Patrichi.

<sup>549</sup> Interview with Silvia Dumitrache.

<sup>550</sup> Ibid.

<sup>551</sup> World Bank Group, 'Romania Gender assessment,' 427.

depicted as a real form of abandonment.<sup>552</sup> In order to compensate for the sense of guilt that such a narrative inevitably stimulates, women feel obligated to provide their children with any form of material comfort.<sup>553</sup> To reverse the rhetoric where a choice of this kind inevitably and irreversibly qualify them as bad mothers, many women have insisted in the effort of trying to evoke others' admiration or at least comprehension by asserting their willingness to cope with the unbearable pain of being apart from their children and losing an essential part of their childhood to be in a position to provide them with meaningful perspectives for their future.<sup>554</sup>

Without worsening the social mark to which these women are condemned, it seems nevertheless important to shed a light on the negative effects on those children who have been defined as *white-orphans* or *euro-orphans*.<sup>555</sup> More concretely, such sufferance is often translated into a decrease in school performances and attendance, a surge in emotional distress and depression, as well as in a general difficulty in their relation with the broader society.<sup>556</sup> In extreme cases, they also commit acts of self-harm or are swallowed up into criminal activities.<sup>557</sup> Nevertheless, it can be assessed that the revolution of methods of communication and technologies played a crucial role in lifting a part of the damages caused by physical separation. With the democratisation of internet and the innovation brought about by social media, smartphones, and digital points, migrants are able to nurture their relationships with people left in countries of origin, even on a daily basis, thus consistently reducing the heaviness of geographic remoteness.<sup>558</sup> In addition, the nature of commitment and the availability of easily accessible means of transportation consent annual visit to communities of origin.<sup>559</sup>

While benefiting from the right of family unity, the situation of children living with their mothers in the agricultural environment must be acknowledged as filled with issues. In order to reach their workplace, women have to wake up in the early hours of the morning. When available, childcare facilities are not open in this timeslot.<sup>560</sup> Many studies have warned against the risk associated with systematic and continuative interruption of sleep for children in pediatric age.<sup>561</sup> In extreme cases, women are obliged to carry their children in the fields or in greenhouses, leaving them to sleep in

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<sup>552</sup> Interview with Emilia Spurcaci.

<sup>553</sup> Interview with Silvia Dumitrache.

<sup>554</sup> Interview with Emilia Spurcaci.

<sup>555</sup> Rai Radiotelevisione Italiana. "Speciale TG 1 - Figli Sospesi." 2014. <https://www.rai.it/dl/RaiTV/programmi/media/ContentItem-04564afa-5950-4943-8100-2b90f8dba2b4-tg1.html>.

<sup>556</sup> Interview with Silvia Dumitrache.

<sup>557</sup> Bezzi, Cristina. "White Orphans, the enlargement's children." Osservatorio Balcani e Caucaso, 2010. <https://www.balcanicaucaso.org/eng/Areas/Romania/White-Orphans-the-enlargement-s-children-77630>.

<sup>558</sup> Interview with Adriana Patrichi.

<sup>559</sup> Interview with Emilia Spurcaci.

<sup>560</sup> Interview with Adriana Patrichi.

<sup>561</sup> Ciniero and Papa, 'Il lavoro agricolo nell'area jonico-brindisina dagli anni '70 a oggi: tra modernizzazione, caporalato e patriarcato,' 213.

wooden boxes.<sup>562</sup> A parallel possibility is that of leaving children in unofficial and spontaneous networks of night babysitting set up by persons that have no specific formation and that have to deal with large numbers of users, thus being in the impossibility to take care of kids with the required attention.<sup>563</sup> As a consequence of this situation, children are left at home by themselves at a very young age. In some cases, they are walked to bus stations to reach schools by neighbours or acquaintances or are virtually assisted by their mothers who talk to them on the phone along the route.<sup>564</sup> For the nature of work and obligations in terms of schedule, women do not have the time to follow their children – the residual amount of free time when also care duties are accomplished is usually devoted to resting –, who usually raise without being accompanied by adult figures.<sup>565</sup> The situation of loneliness appears to be all the more unbearable for those children who are brought in Italy when they are already old enough to feel the discomfort caused by the sharp rupture of their normal life-process.<sup>566</sup>

Romanian women tend to place crucial faith in the Italian school system. Although they believe it to be less preparing if compared to Romanian institutions, whose heavier programmes and stricter teaching methods are considered better placed to endow young generations with the right education<sup>567</sup>, it is still retraceable a widespread opinion where school is portrayed as the gateway to social ascension.<sup>568</sup> The education of their children is one of the main motives that push Romanian women into employment in the agrifood sector. As a matter of fact, what they wish for their sons and daughters is the pursuit of study and a qualified entrance into the market, so as to prevent the risk of ending up in the same working situation. This trust is partially sabotaged by the emergence of school as a privileged arena for abusive dynamics. The heritage of social stigma is transmitted to young generations. Romanians' children, especially when daughters, are targeted by hard bullying practices from the part of their schoolmates and in some cases are also targeted by their teachers.<sup>569</sup> Girls and young women tend to assimilate the labels that are predominantly associated with their mothers in Italy, where their relational recognition is limited to the role of *badante* or *puttana*.<sup>570</sup> Maria Iftimoaiea recounted when her daughter during her middle school came back home crying, saying that her schoolmates called her a bad word. When her mother asked her which word they used, she

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<sup>562</sup> Interview with Adriana Patrichi.

<sup>563</sup> ActionAid, 'Cambia Terra. Dall'invisibilità al protagonismo delle donne in agricoltura,' 181.

<sup>564</sup> Ibid.

<sup>565</sup> Interview with Leonardo Palmisano.

<sup>566</sup> Interview with Emilia Spurcaci.

<sup>567</sup> Interview with Emilia Spurcaci.

<sup>568</sup> Interview with Leonardo Palmisano.

<sup>569</sup> Interview with Emilia Spurcaci.

<sup>570</sup> Interview with Silvia Dumitrache.

answered 'Rumena'. Similar attitudes can escalate into peaks of violence: Leonardo Palmisano has reported an attempt of rape against a girl carried out by the son of her mother's employees.<sup>571</sup>

This important focus on heterosexual marriage and maternity does not aim at reinforcing the perspective in which attention to female subjects must necessarily be linked to their role as mothers. Notwithstanding this argument, it is crucial to foster that it is exactly by virtue of their role as mothers that Romanian women are constructed as the ideal labour force to be employed in agriculture.<sup>572</sup> Their identity and role in relation to male figures is furthermore the first element advanced by women to introduce their person. If migration represents an exit door from family of origin, heterosexual relations and parenthood is an aspect that almost instantly appears on the horizon of young women. The need to provide for their children, being with them or in Romania, is a guarantee of discipline and obedience in submissive working settings. In contrast with the dominant literature on the subject, it seems admissible to argue that motherhood does not represent an obstacle but rather an incentive to migration.<sup>573</sup> Interestingly enough, this same argument was advanced to explain the situation of Chinese women in industrial factories<sup>574</sup>, Mexican women in Canada<sup>575</sup>, and Moroccan women in the Spanish agriculture.<sup>576</sup> This type of female migration does challenge intra-house gendered roles and hierarchies, but does not question broader gendered dynamics, as it symbolises the passage to a different male master who owns their bodies in a capitalist and global system of production.

#### 4.4.3 REDEFINING IDENTITIES IN NEW RELATIONAL MECHANISMS: ROMANIAN WOMEN IN ORIGINAL COLLECTIVE SPACES

What differentiates the situation of Romanian women is the lack of a network of support and protection.<sup>577</sup> As it will be further explored in following sections, the vacuum caused by the distance with communities of origin is not substituted with the formation of new mechanisms of solidarity on areas of destination. This data is complemented by an important abandonment from the part of Italian actors engaged in the *prise en charge* of persons in vulnerable situations.<sup>578</sup> Grazia Moschetti has narrated the existence of a widespread and institutionalised racism.<sup>579</sup> Cultural and linguistic barriers

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<sup>571</sup> Interview with Leonardo Palmisano.

<sup>572</sup> Interview with Silvia Dumitrache and Emilia Spurcaci.

<sup>573</sup> Mannon, Susan E., et al. 'Keeping them in their place: Migrant women workers in Spain's strawberry industry,' 466.

<sup>574</sup> Lee, Ching Kwan. *Gender and the South China miracle: Two worlds of factory women*. University of California Press, 1998.

<sup>575</sup> Preibisch, Kerry L., and Evelyn Encalada Grez. "The other side of el otro lado: Mexican migrant women and labor flexibility in Canadian agriculture." *Signs: journal of women in culture and society* 35, no. 2 (2010): 289-316.

<sup>576</sup> Mannon, Susan E., et al. 'Keeping them in their place: Migrant women workers in Spain's strawberry industry,' 466.

<sup>577</sup> Interview with Silvia Dumitrache.

<sup>578</sup> Interview with Maurizio Alfano.

<sup>579</sup> Grazia Moschetti, member of ActionAid and responsible for the project *Cambia Terra*.

do play a role in the crystallisation of this situation of marginalisation and exclusion.<sup>580</sup> Even when available, services that could on the long-term contribute to escape this situation, such as language courses, they are *de facto* inaccessible to these women because of an incompatibility with their working schedule or located in unreachable spots.<sup>581</sup> As confirmed by Maurizio Alfano, the exclusion of these people is reinforced by a diffuse ignorance concerning the specific rules and procedures that should be applied in the case of European citizens. As highlighted in the previous chapter, many of the public and private resources mobilised to address exploitation in agriculture have been diverted to account only for the situation of non-EU male migrants. Emilia Spurcaciuc has referred to a dynamic of ‘*analphabeticism of rights*’ to describe a situation in which Romanian women are completely unaware of their entitlements.<sup>582</sup> This situation is strategically seized by employers and intermediaries, who fuel fictional narratives in order to discourage workers from engaging in complaints.<sup>583</sup> An illustrative example of this situation is the reported case of a woman who was in the position to file a lawsuit against her employers and had important chances to win the case, but eventually desisted for the fear of being arrested for having accepted to work in irregular conditions – and this despite the intervention of labour unions.<sup>584</sup>

On this matter, the situation of Roma Romanians needs to be further investigated. If the access to public services is difficult for Romanian migrants, the fact of being classified according to their ethnic identity rather than as Romanian precludes the possibility to benefit from their rights as EU citizens. By reason of a severe penetration capacity of a system of stereotypes that associate the Roma community to nomadic people into the cognitive system of operators, who apply a brutal system of discrimination based on their treatment as stateless persons. This is all the more paradoxical if one considers the fact that, as a consequence of the ethnic persecution under the communist regime and of systemic discrimination in Romania, their presence on the Italian territory is often older if compared to their co-nationals. This posture negates even the most basic form of assistance and protection. To offer a practical example, Alfano has reported the fact that Roma women are rebounded between institutions charged with the mandate to provide health mechanisms, with counselling centers refusing to deal with them as not recognised as non-EU citizens whereas emergency rooms in public structures refuse their hospitalisation denying their EU citizenship, resulting in the *de facto* abandonment from the part of institutions. This portrait has to be embedded in a broader matrix of anti-gypsyism, pursued by Italians as well as Romanians, who particularly suffer the fact of being

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<sup>580</sup> Ibid.

<sup>581</sup> Ibid.

<sup>582</sup> Interview with Emilia Spurcaciuc.

<sup>583</sup> Ibid.

<sup>584</sup> Interview with Emilia Spurcaciuc.

erroneously mistaken for Roma and strive to purify themselves from this label. Roma identity is violently reduced to the roles that they are forced to perform in the collective imaginary, where they are depicted as baby snatchers, thieves and beggars. Roma people usually migrate as a family nucleus, and often as a part of a broader movement of the group. Employment in agriculture corresponds to a strategy of diversification of income sources, under which a member of the family may have access to this sector. According to Azmi Jarjawi, the Roma women present on the territory are hardly employed as agricultural workers. Despite their scarce presence in the sector, their specific condition should be further explored.

What should be also considered is the difficult if not inexistent horizon of unionisation or even informal collective organisation in workplaces of Romanian women. As it has been explicated so far, the presence of children or even the simple fact of recognising themselves as mothers diverts the primary focus of attention to their parental responsibility.<sup>585</sup> In trying to explain this state of things, perhaps the first element that should be considered is that, at the end of exhausting working days, women have to comply with domestic and care tasks. The absence of public mechanisms of assistance or the support furnished by communitarian networks consistently worsens this burden.<sup>586</sup> As it can be highlighted for other categories of workers, lens of analysis should concentrate on the material level in the first place. To challenge employers means to lose daily work pay, the account of crucial hours in order to reach the minimum amount of workdays demanded to access services, and the possibility to find employment in the near future. In addition to this, an historical explanation can also be furnished.<sup>587</sup> Many of these women did live under the communist regime, where union labours were highly masculinised and represented an instrument in the hands of the national *intelligentia*.<sup>588</sup> The enhancement of collective memory thus justifies a certain level of scepticism towards similar institutions. Why not confirmed by interviews, it seems admissible that women face a problem of projection into leader roles, usually associated with male figures. Companies have shown a certain capacity to intercept and jeopardise attempts of mobilisation from the part of their employees, creating inner labour unions which *de facto* neutralise any meaningful form of opposition.<sup>589</sup> Romanian women usually thus limit themselves to reach out to unions and working chambers only to obtain very specific and practice assistance, without engaging in a broader commitment to improve their working conditions.<sup>590</sup> Even in this case, it must be assessed that often caporals are able to provide

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<sup>585</sup> Interview with Azmi Jarjawi.

<sup>586</sup> Ibid.

<sup>587</sup> Interview with Azmi Jarjawi

<sup>588</sup> Interview with Silvia Dumitrache, Azmi Jarjawi, and Leonardo Palmisano.

<sup>589</sup> Ibid.

<sup>590</sup> Ibid.

the same services offered by labour unions in a most efficient way.<sup>591</sup> In parallel with such findings, it is important to observe that the gender variable is not the only explanatory discriminant to account for this situation. Romanian men seem absent and invisibilised from any form of collective action, just as much as the female counterpart.<sup>592</sup>

It seems legitimate to argue that possible oppositions between individuals depend on the nature of the task that has to be carried out during working hours. For example, working in the field may trigger competition over the amount of cases to fill.<sup>593</sup> Rather than on the belongingness to a specific national community, solidarity is rooted on membership to a given team, whose composition along national lines is not so strict.<sup>594</sup> Similarly, in the interviews it has not emerged a pattern of rivalry and antagonism along national lines, although this specific trait should be further investigated. As highlighted by Palmisano, the situation is consistently worse in the case of irregular work. Here, the competition between different national groups over job opportunities is merciless. What takes place is a real war among the poor, where the proposal of a new cluster of migrants from caporals often entails a further downgrading of prospects of gain for other workers. This dynamic is based on the difficult process of class recomposition, considering that workers are “*all the more exploitable the less likely they are to produce united claims; often employers can evaluate comparatively the benefits offered and the wages demanded by the labourers of the various nationalities (or, better, their caporals) and put them in competition with each other, counting on the possibility of easily finding teams willing to work at lower wages.*”<sup>595</sup> Besides the situation of women directly employed as agricultural workers, a gender analysis is crucial in determining that the agricultural sector remains an important catalyser for sex-work, where the demand for Eastern European women is crystallised and therefore fuels transnational trafficking and sexual exploitation of human beings.<sup>596</sup>

Another element that is important to take into attention is the fact that employment in agriculture does not entail the formation of identity affiliation. Historically, this sector of the economy has been constructed as a poor domain which is normally not acceded unless any other alternative is provided. This rhetoric is built upon a broader stigma, which underestimates the knowledge component of manual jobs. With the entrance of agrifood business into capitalist modes of production, the standardisation of labour sequences and the unsustainable standards of productivity have hampered

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<sup>591</sup> Interview with Leonardo Palmisano.

<sup>592</sup> Interview with Silvia Dumitrache.

<sup>593</sup> Interview with Annarita Del Vecchio.

<sup>594</sup> Interview with Leonardo Palmisano.

<sup>595</sup> Corrado, Alessandra and Domenico Perrotta. “Migranti che contano. Percorsi di mobilità e confinamenti nell’agricoltura del Sud Italia.” In *Mondi Migranti* 3, 2012.

<sup>596</sup> Ibid.



the valorisation of specific *savoir-faires*.<sup>597</sup> As a matter of fact, women employed in agriculture lack any form of vocation and opt for this kind of employment in the lack of any meaningful alternative. Although many of the Romanian women coming to work as agricultural labourers come from the countryside and may have a certain level of familiarity with work in the fields, this element is completely irrelevant for the purpose of their employment.<sup>598</sup> Their intake does not foresee any pedagogic phase. In the best scenario, they are given basic instructions by older employees.<sup>599</sup> The absence of professional representation in labour unions, where they are usually portrayed as migrants rather than workers, increasingly hampers any meaningful form of identification.<sup>600</sup> The paradigm of contemporary peasants is very distant if compared to that of older generations. While patterns of exploitation and abuse were existing and echoed the structure of the patriarchal organisation of society, life was nonetheless punctuated by a system of rituals that forged the belongingness to this particular social group and that sedimented an ensemble of social and cultural traits which were later recognised as the heritage of the *Civiltà contadina*. Moments of sociality were found in the performing of religious functions as well as in collective rites linked to the work of the land or other typically female activities. In this context, peasant origins were not rejected but even claimed, as it also symbolised a certain attachment to the land which is now missing. In the XX century, women have managed to catalyse movements around their specific situation, as it happened in the rebellion of the *Tabacchine* in the 30s or the riots of labour leagues driven by the demands of women workers in the Brindisi area. More recent uprisings, such as the Rosarno rebellion or the protests of Nardò saw as their main characters black men from Africa. In the public discourse, they are indeed so central that they have ended up incarnating the agricultural worker *par excellence*, contributing to the invisibility of other subjectivities, especially white women.<sup>601</sup> In contrast with this, women employed in agriculture fail to perceive themselves as a group experiencing the same issues and having common needs, urgencies, and aspirations.<sup>602</sup>

One of the most eloquent elements to take into consideration to explain this situation and which specifically characterises the situation of Romanian women is the fact that migration is always perceived as a temporary project moved by an economic advantage.<sup>603</sup> This factor continues to release its effect even when transferral become stabilised and permanent. As a matter of fact, the choice to move to Italy should not be read as the willingness to settle down in a new environment filled with

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<sup>597</sup> CREA, 'L'agricoltura italiana conta 2021,' 259.

<sup>598</sup> Interview with Azmi Jarjawi.

<sup>599</sup> Ibid.

<sup>600</sup> Interview with Leonardo Palmisano.

<sup>601</sup> Interview with Leonardo Palmisano.

<sup>602</sup> Interview with Annarita Del Vecchio.

<sup>603</sup> Interview with Silvia Dumitrache and Azmi Jarjawi.

unexperienced ways of living. The decision to migrate is almost often linked to the accomplishment of very specific scopes that necessitate money in order to be fulfilled.<sup>604</sup> This state of things is testified by the fact that, besides the education of children, much of the money earned in Italy is invested to buy private houses in Romania, which is considered as a pivotal element to acquire a status symbol.<sup>605</sup> In reality, it is uncommon to reach the threshold established as a reference point after which return seems an admissible option. Low salaries and expenditures for basic survival often do not leave the possibility to save the amount of money necessary to achieve initial plans.<sup>606</sup> Despite the fact that Romanians may become aware of the mutation of their programme, it would be inadmissible to them to make return without the possibility to clearly demonstrate the success of their choice.<sup>607</sup>

As a consequence, the only meaningful connection with the Italian territory remains the economic one. The seasonality of the employment of temporary workers additionally prevents them from shaping important ties with local realities.<sup>608</sup> Italy has indeed become a neglected option as soon as more advantageous opportunities have appeared in their visual. As a matter of fact, in recent years many Romanians have seem to prefer other EU countries where exploitation is still present but living conditions are not as harsh as in Italy and gain opportunities are more solid.<sup>609</sup> The lack of female workforce in Romania, in conjunction with an overall improvement in working conditions, is now acting as an element of attraction to places of origin.<sup>610</sup> As a consequence, the number of Romanian seasonal workers in the Italian agriculture have consistently decreased in the post-pandemic situation.<sup>611</sup> In any case, the fact that return to the motherland is permanently on the horizon prevents these people from engaging in a costly battle to boost their rights, more easily deciding to devote their loyalty to those who pay the most.<sup>612</sup> This posture could also be explained in light of the fact that their EU citizenship make them feel more integrated and entitled of privileges if compared to other community, thus making the necessity to challenge employers or constitute alternative relational system inconsistent.<sup>613</sup> This reasoning is pushed to its extreme in those cases in which Romanian women are married with Italians and are able to picture themselves as part of the Italian community.<sup>614</sup>

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<sup>604</sup> Interview with Silvia Dumitrache.

<sup>605</sup> Interview with Leonardo Palmisano.

<sup>606</sup> Interview with Maria Iftimoaiea and Adriana Patrichi.

<sup>607</sup> Interview with Adriana Patrichi.

<sup>608</sup> Ibid.

<sup>609</sup> Interview with Azmi Jarjawi.

<sup>610</sup> Ibid.

<sup>611</sup> Interview with Azmi Jarjawi and Adriana Patrichi.

<sup>612</sup> Ibid.

<sup>613</sup> Ibid.

<sup>614</sup> Ibid.

If the code of silence is widespread in the agrifood system, disregarding specific traits of sex and nationality, Romanians seem to be further attached to this practice. Marco Paggi has indeed warned against the different cultural conceptions of exploitation.<sup>615</sup> What is crucial to understand is that Romanians are often initiated to the migration process by a person with whom they share a close relationship and who, at least in their perception, is considered as a friend. When asked to provide details on the process of recruitment, many women refer to those who *de facto* act as *caporali* as friends.<sup>616</sup> Similarly, one of the women respondents has dwelled upon the fact that her employer was present in the most significant moments of her life, both in terms of active support and in the participation to intimate and private situations. While women have shown awareness of experiences of injustices – although complaints focus on mere material issues –, perpetrators of exploitation, abuses, and violations may be nevertheless conceived as among the closest relations in the new background. In a dynamic denounced by Sarah Jaff, the construction of the link between employers and employees as a familial type of relation reinforces the normalisation of their situation in a pattern of projection of women workers into normal female responsibilities within households. In less intimate situations, Romanian women seem to cherish the posture of certain employers, especially in the southern part of Italy, who manifest a certain appreciation of their work, despite the absence of respected contractual arrangements. Even in a situation of complete detachment, it would be inadmissible for workers to “*bite the hand that feed you*”.<sup>617</sup> It is crucial to understand that, disregarding the depictable condition of workers in agriculture, many of them experience a qualitative leap if compared to pre-migratory situations.<sup>618</sup> Women generally prefer to work hard and be deprived of a social life than going back to their previous situation.<sup>619</sup> In this sense, Italy represents the land where they have obtained this accomplishment, and their employers are those who have allowed for this change to happen. This perception explains the fact that migration continues to be proposed as a valuable living option to Romanian women, where systemic abuse and violation are presented as a risk that one should be ready to assume if wishes an improvement in living conditions.<sup>620</sup> From an opposite perspective, the sense of protection and faith evoked by competent public institutions is almost virtually absent. In the rare occasions in which women do denounce, cases often end up in friendly mediations without legal disputes, usually very costly in timely and material resources and without the guarantee to provide immediate relief and correction.<sup>621</sup>

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<sup>615</sup> Melting Pot Europa. *La tutela delle vittime di sfruttamento lavorativo e capolarato*. 2022.

<sup>616</sup> Interview with Grazia Moschetti.

<sup>617</sup> Interview with Silvia Dumitrache.

<sup>618</sup> Ibid.

<sup>619</sup> Ibid.

<sup>620</sup> Interview with Annarita Del Vecchio.

<sup>621</sup> Interview with Silvia Dumitrache.

What Romanian women share in common is a vast sense of pride and resilience, which escapes narrations where they are portrayed as victims.<sup>622</sup> As a consequence of their socialisation in countries of origin, they crave to be regarded as deserving and reliable labourers, which fosters their unwillingness to ask and receive.<sup>623</sup> Mechanisms of solidarity, even among Romanians, are overshadowed by a sharper desire to perform their resiliency to stand out as the most productive and resourceful employee.<sup>624</sup> This desire of revenge permeates into the gendered dimension, where work represents an opportunity for women to demonstrate that they are equal, if not better, than men.<sup>625</sup> In the binary construction of masculinity and femininity, women perceive themselves as open towards change, challenge and flexibility, endowed with a dynamic spirit of adaptation, in contrast with a stronger rigidity that seems to characterise men.<sup>626</sup> Originating in the working context, this dynamic seems to transcend the simple will to obtain the approval of employers, aiming at solidifying the legitimacy of their presence on the Italian territory. EU citizenship seems to be interpreted more as a reason to distinguish themselves from other migrants on the territory rather than as an element in common with the Italian population.<sup>627</sup> In the years, Romanians have interiorised a position of inferiority in power relations with Italians, which has translated into a naturalised inclination towards prostration and submissiveness.<sup>628</sup> In the lack of self-recognition of their value and merit originated in the intersection of their identity as women and Romanians, the fulfilment of their rights seems like something that has to be conquered rather than claimed and obtained as the fruit of their opposition against dominant groups. It is registered a quite diffuse effort in being relieved from the label of Romanians, considering the diffuse equation between the national element and the idea of poverty.<sup>629</sup> This system of behaviour is transmitted to second generations, who are extremely conscious of the work of their mothers and carry the weight to become the physical representation of the success of their sacrifice.<sup>630</sup> Migrant children of children of migrant parents are among the students with the most diligent attitude and the highest academic merits.<sup>631</sup>

By contrast with other national groups, such as Albanians or North Africans, Romanians fail to recreate an original nucleus in migration settings where new mechanisms of social cohesion and solidarity may be built.<sup>632</sup> Despite their important number, the Romanian population remains quite

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<sup>622</sup> Interview with Emilia Spurcaci.

<sup>623</sup> Interview with Maria Iftimoaiea.

<sup>624</sup> Interview with Silvia Dumitrache and Maria Iftimoaiea.

<sup>625</sup> Interview with Leonardo Palmisano.

<sup>626</sup> Interview with Maria Iftimoaiea and Silvia Dumitrache.

<sup>627</sup> Interview with Azmi Jarjawi.

<sup>628</sup> Interview with Emilia Spurcaci.

<sup>629</sup> Interview with Silvia Dumitrache and Emilia Spurcaci.

<sup>630</sup> Ibid.

<sup>631</sup> Ibid.

<sup>632</sup> Interview with Emilia Spurcaci.

fragmented and is unable to reconstitute itself as a real community.<sup>633</sup> Adriana has investigated the mechanisms of interiorisation of environmental degradation detectable in the withering of Romanian women, as a consequence of the lack of any cultural offer or, more simply, of any meeting point or moment of socialisation.<sup>634</sup> In this scenario, Romanian women are increasingly adopting what are traditionally conceived as male vices, such as alcoholism.<sup>635</sup> Taking into account the witnesses of Romanian women, what it seems to be the principal tendency is to have few and extremely close relationships, who are seen as points of reference in case of necessity but are not regarded as comrades with whom they can spend moments of distraction and leisure.<sup>636</sup> Contexts of origin were certainly characterised by sharper material deprivation, although a general sense of sharing was diffused and missed in the isolation that features new conditions of living. This posture of solidarity could be interpreted as the heritage of the rationing and deprivation experienced under the communist regime, where it not only acted as an effective response to material necessities, but also nurtured a sense of belonging through frequent moments of gathering.<sup>637</sup> Especially for those who have left their land in a different time period, Romania was remembered as a place where the collective dimension was omnipresent, in acute contrast with individualism and materialism experienced in later stages of life.

In this scenario, the only actor which guards a privileged communication channel with Romanian women is the Church. This situation clearly represents a legacy of the authority that the Christian orthodox structure has in the areas of origin of migrants, where it plays a pivotal role in primary socialisation of individuals and crucially contributes to a specific construction of women as social beings. This primacy is echoed by the fact that Romanian governmental authorities have decided to establish a partnership with ecclesiastic actors in order to spread informative contents to women who may decide to engage in migration processes.<sup>638</sup> What is interesting to observe is that, on the Italian territory, there is no Romanian Cultural Institute. In revanche, there is a sprawling diffusion of Orthodox churches.<sup>639</sup> These institutes do not necessitate since they already benefit from unbreakable ties of allegiance supervised by the eye of God.<sup>640</sup> In new settings, the Church is the only space, being it physical or symbolic, where Romanian women can cultivate a glimpse of sociality and

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<sup>633</sup> Ibid.

<sup>634</sup> Interview with Adriana Patrichi.

<sup>635</sup> Ibid.

<sup>636</sup> Interview with Azmi Jarjawi, Maria Iftimoaiea, Romanian workers.

<sup>637</sup> Interview with Emilia Spurcaci.

<sup>638</sup> Interview with Emilia Spurcaci.

<sup>639</sup> Available at: [https://www.chiesa-ortodossa.com/le-sedi/#LEGAZIONI\\_APOSTOLICHE](https://www.chiesa-ortodossa.com/le-sedi/#LEGAZIONI_APOSTOLICHE).

<sup>640</sup> Interview with Silvia Dumitrache.

maintain their communitarian traditions, also acting as a point of contact for labour demand and offer and for the crossroad for practical communications.<sup>641</sup>

What should be analysed in following investigations is the change of paradigm between old and new generations of women employed in agriculture. The Romanian youth has not inherited the posture of servility of their parents, and in particular, of their mothers, which determine the fact that they are not willing to sacrifice their lives to work in extremely degrading situations to have material gains. While the cultural element is fundamental, what is also important to observe is the fact that new generations have not experienced the distress of their parents.<sup>642</sup> Instead, many of them have grown up filled with material comfort, and do not share the mentality to accept certain working and living conditions, especially considering the fact that they are aware of the emotional, relational and psychological trauma that they provoke.<sup>643</sup> At the present moment, only poor, isolated, and uneducated young women are recruited to come to work in the Italian agri-food system.<sup>644</sup> Young women have not directly experienced the passage from the communist regime to the post-revolution era. The myth of hard work has gradually eroded, thanks to the fact that their imaginary is shaped by the globalised culture by which they are reached through social media.<sup>645</sup> They have partially benefited more from the laicisation of gender relationship, where the subjection of women is not so easily accepted or, at least, is reinterpreted in alternative ways.<sup>646</sup> Leonardo Palmisano has indeed highlighted the fact that young women no longer try to reject the sexual drive that they are capable to evoke in Italian men. On the contrary, they seem to be interested in strategically exploit this aspect in order to obtain advantages in the workplace, additionally blackmailing their partners when having extramarital affairs.<sup>647</sup> This behaviour is harshly stigmatised by older women, who have struggled in order to erase their reputation of being prostitutes and husband-stealers and look at young women in this situation as victims to be rescued.<sup>648</sup>

#### 4.5 PRELIMINARY CONCLUSION

This chapter has highlighted the experience of Romanian women employed in the Italian agricultural sector. The reflections proposed were based on the accounts of a group of Romanian workers

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<sup>641</sup> Ibid.

<sup>642</sup> Interview with Silvia Dumitrache, Leonardo Palmisano, and Emilia Spurcaci.

<sup>643</sup> Ibid.

<sup>644</sup> Interview with Adriana Patrichi.

<sup>645</sup> Interview with Leonardo Palmisano.

<sup>646</sup> Ibid.

<sup>647</sup> Ibid.

<sup>648</sup> Ibid.

employed in the area of *Arco Ionico*, as well as on the witnesses and perspectives of a heterogeneous ensemble of actors in direct contact with agricultural workers. In line with the aspiration to render the diversity which characterises the plurality of situations on the ground, the overall interest of this work is to unveil the specificities of a group which is nonetheless subject to high degrees of invisibility.

As highlighted throughout the analysis, the majority of Romanian women employed in agriculture originates from isolated villages in the North-Eastern part of the country, especially from the region of Moldova, where life is governed by traditional norms which include strict gendered codes of behaviour. The rural population in this part of Romania is affected by more significant levels of poverty, which explains poor and low standards in all spheres of life, including access to health, education, employment, and political opportunities. The loss of job for men as a consequence of the deindustrialisation that followed the fall of the communist regime forced women to assume breadwinning roles by seeking labours in low-pay sectors of other EU countries' markets, including Italy. From the sphere of domestic work, Romanian women were subsequently and gradually transferred into the agricultural sector, where the preference for this specific labour force has been justified by virtue of a natural predisposition towards delicacy and attention, particularly needed when dealing with fragile products such as strawberries or grapes. In reality, the original attractiveness of this group depends on their condition of vulnerability, which renders them the most exploitable and docile workforce in the panorama. Elaborating upon on the concept of intersectionality, it has been demonstrated that the set of problems experienced by Romanian women are not simply a sum of the issues faced by migrant men or women. Taking into account material aspects, it seems particularly discriminated as far as it concerns level of retribution, working schedules, and nature of tasks. They also face the absence or at least the partial disregard of contractual arrangements, which prevents their access to crucial public services. In addition, they are more prone to accept the intermediation of *caporals*, by which they are often intercepted directly in contexts of origin and upon which they become dependent for each aspect of their daily life, including employment and retribution, housing, transportation, and other means of subsistence. The design of workplaces does not reflect the specific needs of the female body, thus creating unsafe and unhealthy working conditions. In some cases, this situation is fostered in housing solutions, especially for seasonal workers who do not have access to private spaces and are forced to live in settings where they do not benefit with proper hygiene and sanitation facilities as well as private areas. The peculiar trait of their vulnerability is characterised by a pervasive presence of sexual threats, abuses, and violences, as a consequence of a deep rooted and self-sustaining stereotype which depicts Romanian women as hypersexualised individuals prone to sexual promiscuity and looseness. Overall, many of the dynamics employed by bosses do not

directly aim at increasing productive outputs, but rather translate in a total subjugation accomplished through mechanisms of expropriation of subjectivities.

This portrait has to be explained in light of the renegotiation and reconfiguration of gender identities, conceived as an original interpretation of traditional roles as well as a new position in asymmetrical relations of power. Through the years, in the Romanian society the project of migration has been presented to women as a powerful strategy to escape situations of material discomfort and improve social and economic status. While the choice to abandon one's family has traditionally been condemned by the community, the omnipresence of migration stories in the near reality contributed to making this prospect more acceptable. As far as it concerns intra-house arrangements, female migration is often associated with an increase in domestic violence and a rupture of couple relations, provoked by the challenging of the traditional male: breadwinner/female: caretaker model. In the absence of women, reproductive tasks are not transferred to the male component, but are undertaken by another woman within the family nucleus. Children left by her mothers with other members of the family, including their fathers, show important levels of emotional distress, with important consequences on their lives. In the rare cases in which women take their sons and daughters with them in Italy, the absence of formal childcare mechanisms increases both for mothers and for children. Motherhood represents an advantage to female employability in the agricultural context, where it is taken as a further guarantee of dependency and obedience. The presence of Romanian women in the agriculture sector is characterised by a rupture of pre-existing mechanisms of solidarity and by the missed formation of original networks. The *prise en charge* by public institutions and even private actors on the ground is hampered by a widespread institutional racism that characterise Italian actors, as well as by unawareness of specific rights and entitlements both from the part of Romanian workers and competent national staff. Romanian women fail to recognise themselves as agricultural workers, which means as a group with similar problems, needs, and aspirations. This element, coupled with a low confidence in labour unions and the burden of reproductive care, constitutes a major obstacle in perspectives of collective organisation within workplaces. The reticence to challenge their employers originated in the fact that they represent their only means of subsistence: while bosses are often recognised as agents of support even in the presence of exploitation and injustice of which women are nonetheless aware. This picture can be further complemented considering the fact that, in contrast with other national groups, Romanians remain quite isolated and do not reconstitute themselves as a community. The perception of migration as a temporary project functional to economic gain prevents women from undertaking any process of expensive investments to improve their situation on the ground. This overview is also compatible with a general attitude of Romanian women who, through a modern reincarnation of Romanian ideals of femininity based on servility, tolerance, and



unwearyingness, emerge as resourceful and resilient workers who are willing to work hard to earn the approval of the Italian society, freeing themselves of the stigma of strangers in the national territory.

## 5. CONCLUSION

The first part of this research aimed at offering an overview of the gradual inclusion of a gender perspective into migration studies. The first effort in this sense has been provided by the urge to free the female experience from its position of invisibility and marginalisation in migration research. The attempt to map the presence of women across migration flows has been eventually accompanied by the commitment to critically engage in comprehending its specificities, without assimilating or subordinating female movements to those of men. The inclusion of the insights offered by material feminism has allowed to reconsider the situated experience of migrant women within a hierarchical and asymmetrical division of power built upon gender, class, and race/ethnic lines, observing how specific migratory regimes contribute to the perpetuation of inequalities and to the reinforcement of dynamics of oppression. A further level of complexity has been offered by antiessentialist and deconstructivist demarches, namely critical race theory and intersectionality, queer studies, and transnationalism. This theoretical evolution does not frame different theoretical approaches as distinct and mutually exclusive blocs, but rather as complementary tools of investigation. Each contributes to enlightening a particular issue of contemporary migration and provides intuitions that will be included in the empirical portion of the research. Overall, the spreading of constructivism has allowed to consider gender as a plastic and fluid element that can be either reaffirmed or questioned through social interactions during migration. While gender is reproduced through the repetition of specific rituals that lead to the interiorisation of norms and expectations, it is also subjected to a constant process of adaptation, negotiation, and resemantisation. The design and implementation of migration schemes crucially impact the process of gender construction, altering or reinforcing pre-existing elements.

Pursuing the research through the practical application of such a conceptual framework in the object of study of this thesis, the second chapter has been dedicated to a critical analysis of the *total social institution* of agriculture, and in particular of the economic, legal, and political structures that constrain and discipline the experience of Romanian women. This portion of the text is pivotal to consider the incorporation of norms and expectations of behaviour and comprehend outcomes that cannot be fully predicted but can be better comprehended if considered within the system that offers the context and the meaning of human behaviour. The insights contained in this part aim at unclosing the embeddedness of migrant stories into a modern EU configuration of the core-periphery model, where the international division of labour under global capitalism has resulted in the emergence of women from Romania, encoded in gendered and racialised meanings, as the perfect incarnation of a *reservoir army of cheap labour*. The reconstruction of the history of Romania as a country of

emigration allows to consider the path-dependency of a stratified heritage composed of irregular and unsafe networks of transit and mechanisms of relegation in subaltern and marginalised positions in destination contexts. In this system, those sectors of the market economy of EU Mediterranean States characterised by low levels of qualification, prestige, and remuneration, have attracted labour force from Eastern EU countries. The tradition of emigration consolidated in Romania combines itself with systemic and crystallised patterns of exploitation in the Italian agricultural sector, where the modernisation of mechanisms of production and commercialisation has fostered a disequilibrium in the balance of power between producers and the supply chain that connect them to the final consumer, championed by large-scale retail trade. In light of a compromised bargaining capacity, the cost of marketing manoeuvres is outsourced to producers through the imposition of unethical arrangements that can be sustained only through the exploitation of the labour force and the leveling of costs necessary to guarantee dignified working conditions. The needs of the modern configuration of agriculture production rely on the reinvention of the traditional machinery of *caporalato*, where intermediate figures have specialised in the recruitment of a considerable contingency of seasonal workers with short notice to answer the need of producers while also providing for accessory concerns such as wage delivery, housing, transportation, and the obtainment of other basic commodities. This facilitation is all the more crucial for the migrant labour force, which lacks the knowledge and the connections needed in order to satisfy their basic necessities. Focusing more specifically on a gender dimension, the preference for Romanian women can be explained in light of stereotypical beliefs on female responsibilities and attitudes, as well as on the projection of female reproductive work into productive labour. The most important explanatory factor in understanding the employment of Romanian women in this type of labour can nevertheless be found in the vulnerability experienced by women as a consequence of the resignification of the patriarchal structure, which makes them the most flexible and exploitable labour force. In order to understand the endurance of this institution, a further step of the analysis has focused on legal and political attempts to correct and contrast the imbalances of the system while indirectly reinforcing its perpetuation. At the EU level, important insights advanced through the introduction of the concept of situational vulnerability, exploitation beyond the sexual dimension, and victims' protection and assistance have been undermined by the parallel and still pervasive necessity to tackle extra-EU migration while ensuring market deregulation and flexibility within EU borders. In the Italian context, the excessive reliance on criminal and repressive methods does not allow to capture the systemic and structural nature of exploitation in agriculture, failing in questioning the structural elements that construct and transmit vulnerability. The inclusion of a gender perspective in most prominent political instruments on the topic still pertains to general commitments and purposes, without being followed by specific and concrete

interventions. From a different perspective, the rarer attention on migrant subjectivities is often monopolised by non-EU men. Migrants and women are thus constructed as mutually exclusive categories, which boycotts meaningful attempts to focus on the intersectional experience of Romanian women.

The last part of this work is devoted to a more direct focus on the concrete condition of Romanian women, in order to highlight the material and symbolic impact of the specific migration regime in which they are embedded in their experiences as gender beings. The purpose is to intercept the influence of migration on the constant process of gender construction, capturing not only the reinforcement or challenge of original norms, but also a more general alteration and resemantisation of gender identities, roles, and hierarchies. With such a scope in mind, it was important to focus on pre-migration settings to unveil the fact that the majority of Romanian women employed in agriculture come from isolated rural villages in the North-East part of the country, especially from the region of Moldova, where life is punctuated by material precarity and traditional norms, including strict gendered codes of behaviour. The conjunction between unemployment in Romania brought about the deindustrialisation stage that characterised the fall of the Communist regime and the manifestation of appreciation for the intake of women from Eastern European countries in Western states has acted as a magnet for migrant female labour force in Italy. Traditional gender norms are reinforced through the projection of domestic tasks into workplaces as well as by the absence of renegotiation on responsibilities of reproductive work. As a matter of fact, in an initial phase the work of Romanian women consisted in taking over the responsibilities of Italian women in the domestic sector, while in a successive moment they were gradually transferred in agriculture. Their presence was justified by virtue of gender stereotypes, where they are depicted as designed to deal with fragile products such as grapes and strawberries in light of their natural delicacy and gentleness as well as to undertake complementary tasks related to the care of products and spaces, although their attractiveness consisted in the fact that they represented the most docile, submissive and exploitable labour force in the panorama. In line with this assumption, the system of discrimination, oppression, and violence experienced by Romanian women does not simply amount to the sum of issues of male migrants or Italian women. Located at the basis of the wage pyramid, they are usually obliged to cover worse working schedules and heavier working tasks if compared to Italian women employed in the same activities. More prone to accept to be employed under irregular or semi-regular contractual schemes, their access to crucial social services turns out to be crucially hampered. In most cases, they rely on *caporals* on which they are dependent from the moment of departure to fulfil even the most basic necessities in contexts of destination. As women, they have to deal with the fact that their working conditions, in terms of space and organisation, neglect the specific needs of the female

body. In some cases, this situation is prolonged in housing schemes, especially for seasonal workers who have to live in degrading environments where the lack of private spaces affects their health and security. The widespread stereotype according to which women from the East are depicted as sexually promiscuous and loose comes to define the experience of Romanian women through the pervasive and constant exposure to sexual threats, abuses, and violences. The overview of the material condition of Romanian women has to be accompanied by a reflection on the reconfiguration of gender identities that are built upon an original interpretation of traditional gender roles into new gendered hierarchies of power. Migration triggers the rupture of mechanisms of solidarity and communitarian links that fail to be reconstructed in contexts of arrival. The possibility of building ties with the local reality is hampered by a widespread institutional racism, coupled with the fact that Romanian women are often unaware of the paths that would allow the enhancement of their rights and entitlements. The stigmatisation that characterised agriculture prevents the formation of identity perspectives, to the point that Romanian women fail to recognise themselves as agricultural workers and are prevented from building collective demands based on common problems and aspirations. The historical lack of trust with regard to labour unions and the priority allocated to reproductive work in time management outside working commitments hampers the horizon of organisation in workplaces. In any case, to challenge employers is rarely taken into account in the absence of other earning opportunities. This finding is compatible with the modern embodiment of Romanian ideals of femininity, according to which women are servile, tolerant, and unwearying beings. In the agricultural context, their prerogative is indeed to demonstrate their resourcefulness and resiliency in order to find the approval of the Italian society while purifying themselves from the stigma of strangers. Outside the working scenario, the perception of migration as a temporary project functional to the earning of money necessary to the fulfilment of plans in contexts of origin acts as a disincentive to invest personal resources to improve working or living conditions. This element also explains the fact that, by contrast with other migrant communities, Romanians remain isolated and do not undertake processes of socialisation, especially when relations with other people are not functional to practical necessities.

Despite the evolution concerning the inclusion of a feminist perspective into migration studies highlighted in the first chapter of the present thesis, gender sensitive investigations on the condition of workers in the Italian agriculture is still at a primordial stage of analysis. The mapping of the presence of women on the territory is therefore a mandatory basis in order to undertake meaningful qualitative reflections. Gathering quantitative data over a number of sensitive issues is functional to the establishment of general patterns. As denounced on several occasions throughout this work, Romanians are allowed to cross borders without any form of official registration by virtue of their status of EU citizens. Their mobility thus escapes the control of state authorities who often fail to

intercept and acknowledge their movements on the Italian territory. This element should be coupled with the still pervasive irregularity that characterise employment in agriculture, where the lack of any form of link with the surrounding reality often testifies severe stages of vulnerability whose account would be all the more fundamental if one considers the increased exposure to patterns of invisibility. An important limit of this thesis lies in the reiteration of the binary female – male model, where subjectivities are obliged to fit in either of the two categories, thus fostering the lack of representation of different gender identities that fail to be encompassed in this model. Despite the restrictive nature of this choice, the translation of conceptual commitments in research on the ground collides with the necessity to return the self-perception of subjects experiencing the migratory process of our interest, who tend to classify themselves either as men or women. In addition, it has been unveiled how the simple fact of being perceived as gendered beings already carries different practical implications and presupposes precise relational schemes in both contexts of origin and of destination. In this sense, the immersion into the observation of the pragmatical experience of the female body justifies this theoretical approach. Furthermore, there is a *continuum* between women exploitation within households and in the labour market, which justify the otherwise excessive focus on female role as daughters, wives, mothers. The predominance of heterosexuality and monogamy, as well as the persistence of family, biological reproduction and parenthood and erected as a dominant framework of analysis should not be mistaken for a preferred posture of the author, but rather as a reflection of prevailing arrangements encountered on the ground, which once again need to be taken into account in order to fully understand the gendered significance of the object of this study.

On this matter, an additional clarification seems legitimate to be advanced. One of the general trends captured on the basis of the witnesses of Romanian women is the attention devoted to material matters. In the first place, this posture concerns the perception of the migratory process, which in the majority of cases is shaped around material aspirations directed towards very practical and defined objects. Even when the final desire is class upgrading, social ascension is always subordinated to the acquisition of material gains. Following this perspective, it is of paramount importance to avoid a common shortcoming of some feminist interpretations characterised by “*an absence of any credible overarching emancipatory project despite the proliferation of fronts of struggle; a general decoupling of the cultural politics of recognition from the social politics of redistribution; and a decentering of claims for equality in the face of aggressive marketization and sharply rising material inequality.*”<sup>649</sup>

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<sup>649</sup> Fraser, Nancy. “Justice Interruptus: Critical Reflections on the “Postsocialist” condition.” New York: Routledge, 1997.

A separate discourse should be made with regard to the choice to focus specifically on Romanian women. As defined in the introduction, the relevance of this field of research is offered by the systematic negligence of white EU migrant women in narrations on the condition of migrant workers employed in agriculture. This posture is in contrast with the over-representation of this group in certain areas, as well as with the fact that the traits that define their experience are hardly intercepted in broader categories of reference. Despite this definition of the scope of application of this research, efforts have been devoted to seizing the alteration of “*arrangements between the sexes*” by drawing initial guesses on the evolution of male trajectories as a consequence of this specific form of female migration, in line with the precepts of transnationalism. In relation to this, it has been advanced the suggestion that the loss of performative parameters of masculinity implemented as a consequence of the open challenge posed by the undertaking of breadwinning roles by women or by the submission to other men erupt in aggressive and violent behaviour who are usually addressed against inferior members in the balance of power within households, thus women and children. A gender analysis on Romanian men would be fundamental in order to complement the considerations advanced in this text, insofar as they do constitute an important component of the labour force employed in agriculture which should lead a separated analysis. On the other side, the preservation of the focus upon the relational dimension has also allowed for an updated reflection on the modernisation or rather on the two-head diversification of white male domination in globalised gender hierarchies of power, declined in the private sphere upon female members of the family and in the public domain upon migrant workforce.

Once again, it seems crucial to stress out that a similar investigation does not intend to construct migrant women, in this case Romanian, as a homogenous and stable conceptual category of analysis. The inclusion of an intersectional perspective has allowed to highlight the presence of further levels of hierarchical diversification within this very cluster of persons. In particular, a still embryonal stadium of inquiry has emphasised the existence of multiple layers of inequalities shaped through the enhancement of social markers that are not encompassed into national and gender matrices of classification. In particular, differences in intergenerational cleavages should be further analysed. The inclusion of a similar demarch would enable to capture, in a first instance, the impact of migration processes on second generations as bearers of a spectrum of identities which result fragmented and composed by gussets that may be mutually incompatible. The point of view of the sons and daughters of Romanians in Italy is moulded by the blending resulting in the transmission of the heritage of their parents as well as shared experiences with peers of their same age. In addition, their background represents a unicum which is characterised by the clear and aware impression left by the incorporation of discrimination and injustices. This is all the more relevant considering that migrant subjectivities

are led to abdicate their role in the process of deconstruction of spaces, regards, and languages to pass the baton to their progeny, who qualify as hybrids rather than aliens in the Italian contexts. Stages of deeper conscientization and freeing of expression related to the incorporation of inequalities and discrimination, which encloses the reappropriation of their past and the ability to conjugate verbs to the future. From a different perspective, the change of attitude identifiable between Romanian women of different ages employed in agriculture should be further investigated by giving the floor to young women, with the aim of exploring variations in individuals' conception and application of their agency throughout the migration process, especially as far as it concerns the relationship with their bodies and sexuality. Lastly, transnationalism would allow to take into consideration the transformation of symbolic spaces of origin for those who remain, with the purpose to investigate the perception of migration opportunities for the Romanian youth, who has in large part directly experienced the impact of gender alteration previously discussed in their own households.

Keeping our focus on the agricultural environment, patterns of inequalities also consist in the margin of professionalization of Romanians, including women, within the caporal machinery at the very detriment of their own community. The ethnic element should also be included in future research on the ground. As advanced in this thesis, it would be fundamental to devote specific research to the specific condition of Roma women employed in agriculture, insofar as their experience does not coincide with that of other Romanian women on the ground. Disregarding the relevance of the numeric component, what seems interesting is the qualitative analysis of the existence of further hierarchies of power, where Roma women are at the basis of the social pyramid. In addition to the behaviour of employers and intermediates, these dynamics are perpetuated through the complicity of public institutions as well associations active in the sector, by whom they are often treated as stateless and prevented from accessing *ad hoc* services, as well as through the projection of racist dynamic by which they are usually targeted towards third subjectivities. As a matter of fact, Romanians have demonstrated an open attitude of anti-gypsyism through the discomfort exhibited in being assimilated to the Roma community and disparaging comments on their count. By contrast, patterns of discrimination against other nationalities remain less visible, and may be rendered central in the composition of the debate on the topic through the direct consultation of racialised non-white individualities.

A last reflection must be advanced with regard to the methodology that should be used in further research. The witnesses of subjectivities directing experiencing the dynamic of interest should be made central in future accounts on the topic. While representing a privilege regard when investigating the impact of migration processes at the individual level, it seems legitimate to affirm that an effort



of this kind would enable the formation of mechanisms of consciousness raising that could eventually lead to a dynamic of conflictualisation as a form of social emancipation. This necessity should be interpreted in light of the fact that the pervasiveness of patterns of abuse and exploitation often coincides with the denial of a symbolic space where identity could be reconstituted within the horizon of collective paths. In the case of Romanian women, postures inherited by the interiorisation of historical memory are adjusted to the reminiscence of dynamics of power of the native population, giving form to microcosmos where the local is interconnected with the transnational. Not surprisingly, the attitude of Romanian women has a lot in common with that of Italian women, as noted by Alò and Papa. The verbalisation of their experience remains trapped in silence. They are transported into a stage of contemplative utopia, where space and time are interrupted rather than suspended. Extending this reasoning allows to comprehend the fact that, at the present stage, the position of *marge* occupied by agricultural workers represents the materialisation of the process of minds' colonisation described by bell hooks, where injustices and violations lead to a radical fragmentation of the social spaces and to the perpetuation of mechanisms of exclusion against other subjectivities. To conclude his conceptualisation of '*total social institutions*', Goffman explains that certain inmates eventually interiorise the values and the visions of their own oppressors. In this scenario, the potentiality of change is reduced to the individual capacity to overcome their role of dominated beings to acquire the status of dominants. Nevertheless, this portrait should not be considered as excluding sprouts of agency *a priori*, invalidating any form of strategy within a highly disciplined scenario. Marginal and subaltern positions could be radically transformed in order to become the germinal stage for the maturation of an '*oppositional gaze*', where oppressive systems of thought can be challenged in order to pave the way to the emergence of alternative imaginaries. Following this perspective, the engagement of research activities could stimulate the creation of a framework where Romanian women could reappropriate their own experience while creating synergic convergences with the experiences of different subjectivities who are nevertheless embedded in the same exploitative system.

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## INTERVIEWS

Adriana Patrichi, community leader for the project *Cambia Terra*.



Annarita Del Vecchio, community psychologist for the project *Cambia Terra*.

Azmi Jarjawi, head of Immigration Department of CGIL Puglia.

Emilia Spurcaci, representative of Inca-Fillea-Flai CGIL Romania.

Grazia Moschetti, coordinator of the project *Cambia Terra* (ActionAid).

Leonardo Palmisano, writer and investigative reporter.

Maria Iftimoaiea, community leader for the project *Cambia Terra*.

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## EXECUTIVE SUMMARY

Our understanding of migration – both in academia and in the policymaking arena – has been largely impacted by expectations to classify migrants according to the male-female binary. The very fact of belonging to either of the two social categories becomes the explanatory variable to account for the differential access to migration opportunities as well as variations in aspirations, conditions, and trajectories. Under these lenses, gender is often confused with a static, fixed, and intrinsic trait of the person established at birth or as an element *a priori*, before it enters the arena of social relations within structures of inequalities. Without questioning the analytical and practical relevance of this approach, taking gender as the dependent variable shaped by the action of specific configurations of the migration process is deemed crucial to shed a light on the (trans)formation of a matrix of behaviours, representations, and power relations. This work thus aims at analysing the impact of migration processes on gender identities, roles, and hierarchies based on the experiences of Romanian women employed in the Italian agricultural sector in the region of Arco Ionico. To the aim of the present research, gender is not an immutable entity but a plastic and fluid element either reaffirmed or questioned through social interactions.

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The first part of the present work aimed at engaging in a critical manner with the different phases in which gender perspectives have been included in migration research. In particular, it is possible to identify three different streams in the production of knowledge around this topic. Traditional migration theories, in which men are intended as universal objects of analysis, have swollen up not only the experiences of migrant women, but also of those who fail to fit in the male-female binary structure. In a first moment the most evident issue in terms of gender was the invisibility of women in academic works. Despite this universal androcentric posture, women have stably accounted for half of the migrant population globally, which in the XIX century led Ravenstein to assume that they were more migratory than men. During the 70s and the 80s, sex was gradually included in the debate to eventually become an explanatory variable to account for the differential access to migration opportunities as well as variations in aspirations, conditions, and trajectories. This change of paradigm is visible in the endogenous alteration of classic schools of thought, where the category of women was added without such a step being followed by a deeper critical, historical, and structural reflection on gender, a demarch that has been later defined as the ‘*add women and stir approach*’. For instance, in the neoclassical economic model embedded in the liberal and functionalist tradition, the discrepancy between migrant men and women was understood as the reflection of gender differences in functions and responsibilities within societies, and more specifically on the male:

breadwinner/female: caretaker mode, with women still understood mainly as associational migrants, thus passive elements whose role was limited to that of wives or mothers. This kind of structural patterns embodied in political and economic institutions not only encouraged female passivity and subalternity, but also monogamy and heterosexuality. Autonomous female migration was disregarded in theoretical analysis, inasmuch as it was simply interpreted through the same instruments elaborated for male movements. Such an attitude falls indeed into the trap of essentialism, where gender identity is conceived as a static, fixed, stable, and intrinsic trait of the person built upon biological characteristics determined at birth, thus naturalising asymmetries and minimising cross-cultural variations.

The objective to map the presence of women in migration flows materialised under the broader framework of feminist empiricism, with the belief that the main challenge to the resolution of gender inequalities in labour markets was the invisibility of this reality. The condition of female migrants did enter a phase of visibilisation but was prevented from undertaking the subsequent stage of problematisation. By applying the intuitions of historical materialist feminism, it was unveiled how the unequal distribution in terms of political, social, and economic resources in capitalistic racialised and gendered modes of production reiterates and exacerbates inequalities. At a global level, the world system theory reflected on how migratory flows follow a core-periphery trajectory. To complement this analysis, the dual labour market theory has highlighted the fragmentation of employment along socially and culturally constructed axes, leading to the existence of '*feminised occupational fields*' correlated with poor performances in economic profit, social status, occupational mobility, and degrees of unionisation. Certain sectors require a docile and exploitable workforce, whose corporal elements are projected into sexualized and racialized identities so as to act as markers of subordination and to crystallise positions of subalternity. The critique advanced by the pioneers of materialist feminism has reasserted how class, sex, and race should be conceived as distinguished yet embedded variables connected by '*communicating vessels*', the prioritization of one social rapport on the others would hamper the process of comprehension of material production and social reproduction of the capitalistic system by perpetuating the occultation of structural inequalities. Applying these insights into migration studies, Morokvasic denounced that female workers from peripheral countries represent to western industries a "*ready-made labour supply which is, at once, the most vulnerable, the most flexible and, at least in the beginning, the least demanding workforce.*" The fact that women's work is often either an extension of their domestic roles or is accomplished on domestic premises points to the crucial question of the interrelationship between women's exploitation within the household and their exploitation in the economic system. The growth in the request for migrant female labour force cannot be fully understood without taking into consideration social change within

domestic relations in western households, where the access for western women to education and work opportunities resulted in outsourcing the responsibility over similar tasks, specifically to racialised and gendered subjects, that is migrant women.

With the emergence of constructivism as the main methodology of analysis and under the push of poststructural and postmodern feminism, the focus has been displaced from sex to gender analysis, where the latter is not considered as an element *a priori*, before it enters the arena of social relations within structures of inequalities, but as a plastic, fluid matrix of identities, roles and power relations caught in their (trans)formation and crystallised in a system of meanings and performances. To admit such a scenario allows for the comprehension of a dynamic by which the incorporation of archetypes of masculinity and femininity and the adaptation to gendered expectations have to be filtered through the prism of culture and are subjected to variations in time and space, any claim of absolute, univocal, and essentialist comprehension of reality being rejected in favour of the granting of fragmented and contextualised truths. Applied to the study of migration, the central purpose becomes not only to observe the way in which gender ideologies, norms, and functions influence migration processes, but also to understand “*how gendered institutions and gender relations are reconstituted and transformed following migration through interactions of micro- and macro-level processes.*”

Under this wake, postcolonial and third-world feminists have denounced the essentialist trait of approaches based exclusively on class and gender, that by choosing to reduce women to a product of their domination, eventually eclipse the presence of further degrees of inequalities as a consequence of the coexistence of multiple categories of oppression within this social group. In the effort pursued by the black feminist critique, bell hooks reasserts that under the ‘*white-supremacist capitalist patriarchy*’ both sex and race are intended as devices to discipline individuals so as to produce a subaltern population to be exploited to ensure the perpetual reproduction of the system, thus unveiling the fact that redistributive efforts are often not enough to allow for a meaningful liberation of the oppressed, inasmuch as conditions of precarity are reiterated for the very organisation of labour in the neoliberal and capitalistic scheme. When incapable of generating alternative knowledge and imaginaries, the *marge* to which oppressed people are condemned stimulate the colonisation of minds and socialise individuals so as to reiterate inequalities and discriminations. Nevertheless, this position can also allow the formulation of an ‘*oppositional gaze*’, thus the capacity to critically question dominant representations and discourses while laying the foundations for the emergence of original networks of imaginaries. Simultaneously, Chandra Talpade Mohanty has criticised the construction of ‘*third world women*’ by western agencies as a ‘*singular monolithic subject*’. In a similar scenario, the complexities and the concreted conflicts of racialised women are stolen and appropriated by white

feminists, and this while engaging in a creation of a coherent and cohesive group apparently welded by the common experience of patriarchal oppression. The concept of *intersectionality* developed by Crenshaw finally aims at establishing the experience of non-white women as independent and peculiar, consisting of more than the sum of the discrimination experienced by non-white men and white women. Overall, these perspectives allow to distance from orientalist and paternalistic attitudes of researchers who have dwelled upon the modernising force of migration, measuring its impact on the process of emancipation of migrant women from traditional roles – where traditional means negative or inferior. In the stream of queer studies, sexual migration – that is mobility motivated by the individual decision of members of discriminated sexual groups to escape sexually repressive environments and find locations filled with the possibility of liberty and recognition – has encountered a further degree of consideration. A more critical interpretation of the phenomenon has focused on the role of ethnosexual boundaries in migration settings, where the sexual identity of racialised and ethnicised individuals is constructed by the action of imperialistic powers and is often associated with ideas of hypersexuality, promiscuity, and perversity. Lastly, transnationalism has allowed to overcome the binary conception of space divided into *here* and *there* while fostering the acknowledgment of relations between human and territories that can be fragmented and deterritorialised. This perspective has brought researchers to come up with notions such as *postnational* and *multiple* citizenships. To emphasise the presence of concentric circles exercising their influence over a given point from different positions at the same time, Morokvasic outlines how *change is the result of interaction between past and present influences*.

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Applying these theoretical tools on the object of this study, the second part of this worked aimed at engaging in a critical analysis of the ensemble of economic, legal, and political structures that contribute to the creation of the agricultural sector as a ‘*total social institution*’ where Romanian women workers’ are constrained and disciplined by virtue of their codification within gendered and racialised meanings. Initially, the attention is oriented on the geopolitical reconstruction of the different stages that eventually crystallised axes and patterns of migration from Romania towards Western European countries. The economic stagnation provoked by communist policies resulted in a massive deterioration of purchasing power and life quality. The interdiction of human mobility – with the exception of ethnic and national minorities – has contributed to shape the imaginary of the national population over the existence of a better elsewhere. The structural weaknesses of political elites in accompanying the country’s transition into the post-communist era did not alter the material and economic motivation behind migration projects. The Romanian exodus in the 90s and in the early

moments of the 2000s was irregular to a large extent and could thus be inserted only in those sectors of the economy where this status was tolerated. The massive entrance of Romanian people in agriculture was stimulated by the increasing skepticism among Italians about the willingness to work in such a field, as a result of better education and work opportunities. The reiteration of such a pattern over time has contributed to the enhancement of mechanisms of circular migration under the push of consolidated networks, where the workforce is able to auto-reproduce itself providing fresh workers over time. The model of the disaggregated family – introduced in the urbanisation process undertaken by Ceaușescu – was pursued under the new possibilities offered in the liberal era. The liberalisation of Visas and the entrance into the EU in 2007 represented a new incentive for the employment of migration strategies, considering the coupling of the benefits furnished by geographical proximity with new administrative advantages, although mechanisms of domination were not subverted. This initial part explicitly aims at illustrating how the migration of Romanian women in Italy is not an original configuration brought about by further grades of integration at the EU level. On the contrary, it is embedded in a stratified heritage of irregular and unsafe networks of transit and mechanisms of relegation in subaltern and marginalised positions in destination contexts. Despite the expectations, the end of irregular migration did not necessarily translate into an improvement in the concrete situation of Romanian migrants, as a consequence of the multiplication of administrative barriers to address once on the Italian territory. The path-dependency which demarks the enduring schemes of exclusion to which Romanian migrants have traditionally been subjected can be explained in light of the fact that their arrival has always been functional to satisfy the demand for low-qualified and low-paid jobs.

In a second moment, the focus was placed on the characteristics of the Italian agricultural sector. While providing a portrait of the labour force employed in this field, statistical evidence has been provided to demonstrate that the EU female migrant labour force is numerically relevant in the region of Arco Ionico. Several elements contribute to explain their presence. The process of modernisation, the mechanisation of modes of production, and the entrance into the global liberal market have fostered unsustainable demand for food supplies and, in return, a constant need for a low-skilled and low-demanding workforce. In particular, evidence was provided concerning the unequal power distribution along supply chains – provoked by processes of deregulation and flexibilization of the national market – which has eventually consecrated the role of large-scale retailers as hegemonic actors in the process. Through a large recourse to a quite vast ensemble of unfair commercial practices, they exercise an important pressure upon producers to obtain a consistent downward of prices. On the other side, the high fragmentation which characterises small and medium enterprises charged with productive tasks, coupled with an increase in adjoint costs as a consequence of

environmental precarity, strongly affects their bargaining capacity. This macro-level panorama fits in the Italian scenario, demarked by the historical presence of the phenomenon of *caporalato*, where intermediate figures have specialised in the recruitment of a considerable contingency of seasonal workers with short notice to answer the need of producers, but also provide for accessory concerns such as wage delivery, housing, transportation, and the providing of other basic commodities. This facilitation is all the more crucial for the migrant labour force, who lack the knowledge and the connections needed in order to satisfy their basic necessities. In this situation, the female migrant labour force is presented as the most exploitable labour force for a segmented market along gender and national lines. In conjunction with the already mentioned concept of gendered networks, which has a significant relevance for the regeneration of the female workforce, the presence of foreign women is indeed particularly appreciated as a result of cultural norms that drive up this specific demand in certain sectors of the economy but also as a consequence of a harsher situational vulnerability determined by a perpetual and evolving influence of patriarchal structures.

In order to understand the endurance of this institution, the last part of the chapter has been devoted to the legal and political efforts risen to correct the imbalances of the institution of exploitation in agriculture. In the first moment, efforts undertaken at the EU level have been analysed. Directives to combat trafficking in human beings for the purpose of exploitation seemed particularly suitable in order to address the situation of migrants employed in agriculture. Relying on benchmarking international instruments, such as the UN Palermo Protocol and the Council of Europe Convention on Action against Trafficking in Human Beings, Directive 2011/36/EU has succeeded in recognizing trafficking for purposes other than sexual exploitation, and this while establishing a border between vulnerable persons and persons in situation of vulnerability, placing the emphasis on those structural elements that undermined the possibility of free choice of individuals. Under a victim oriented-approach, concern is directed toward the protection, assistance and reintegration of persons who have experienced such a situation. From a different perspective, the regulation of labour and human mobility has often followed a different prerogative, which is tackling illegal migration – in the case of extra-EU workers – or ensuring a certain degree of deregulation and flexibility of labour and employment to allow member states to benefit from atypical contracting forms (such as subcontracting and posting) while downgrading social and labour rights. While the innovative perspective introduced at the EU level was not implemented in Italian provisions on THB, Law 199/2016 against undeclared work and labour exploitation in agriculture has made a significant effort in trying to strengthen the mechanisms of assistance and care of victims. Nevertheless, the predominance of the criminalising and repressive approach is at the same time the cause and the consequence of a certain resistance in meaningfully addressing and reversing the structural elements

at the basis of the vulnerability experienced by Romanian women. Following this perspective, despite the presence of significant victim-oriented provisions in the elaboration of national strategies to contrast exploitation in the agricultural sector, the lack of an omnicomprehensive and specific array of action targeting the specific situation of EU migrant women in the conceptual framework of major political instruments translated in the incapacity of implementation efforts on the ground to detect and manage their presence in the sector.

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After a critical observation of the ensemble of those institutions co-participating in the construction and regulation of the presence of Romanian women in the Italian agricultural sector, the last part of this work was devoted to the analysis of their concrete life conditions. The scope of this reflection consists in the practical application of the theoretical posture presented in the first part of this research, consisting of the examination of the impact of the actual configuration of migration processes on Romanian women as gendered beings. More in particular, the aspiration is not only to establish to what extent and in which modes original norms on gender are challenged or reinforced, but to consider the resemantisation of gendered identities, roles, and hierarchies throughout migration. With such a purpose in mind, attention is devoted to the renegotiation of gendered norms in the transnational spaces where the migration process originates and takes shape, as well as to the evolution of the inner perception of migrant women.

The majority of the female workforce employed in agriculture originates from the North-Eastern part of the country, more in particular the region of Moldova, where life is punctuated by material precarity and traditional norms, including strict gendered codes of behaviour. The conjunction between unemployment in Romania brought about the deindustrialisation stage that characterised the fall of the Communist regime and the manifestation of appreciation for the intake of women from Eastern European countries to carry out domestic and care tasks in Western states has acted as a magnet for migrant female labour force. If the fact of being foreigners is crucial to be employed in what is extensively considered as an undignified type of job – even when conducted under regular contractual arrangements –, being acknowledged as white and European is fundamental in order to obtain the trust of employers. In this optics, Romanian women are maintained in a position of controlled proximity, being perceived as similar enough to replace Italian women as mistress of the houses but guarded in marginal positions to hamper the opportunity to benefit from the redistribution of privileges and achievements gradually obtained by western women. The attitude of Italian private employers can thus be justified in view of the existence of a hierarchical classification of migrant women on racial grounds.



Only in a second phase it is possible to assist in the passage of women – already present on the ground or attracted by their relatives already in Italian territories – in the agricultural sector. In many areas, the presence of old migratory enclaves, especially originating from North Africa, has been gradually substituted by labour force from eastern European countries. This shift was facilitated by a certain inclination of new clusters to accept to be employed at worse working condition and for lower remuneration, in addition to the fact that the chance to employ an entire group composed of several workers season after season represents an important advantage for companies. This mindset has contributed to fuel rivalry between different migrant groups, with Romanian being accused of selling out themselves to best bidders. The results obtained through years of labour struggles carried out by migrant labourers with a longer history of residence in the territory, powerful connection with local realities, and better levels of unionisations have thus been boycotted. In particular, the preference for women in certain branches of agriculture was justified by virtue of gender stereotypes, where they are depicted as designed to deal with fragile products such as grapes and strawberries in the name of their *nimble fingers and agreeable disposition*. In agriculture, Romanian women also undertake complementary tasks related to the packaging of products ending up englobing also the care of workplaces and, sometimes, of employers' private spaces. The most explanatory factor to understand their attractiveness consists nevertheless in the fact that they represented the most docile, submissive and exploitable labour force in the panorama. Compared to their Italian colleagues, migrant women are obliged to cover heavier working schedules and more strenuous tasks in the absence or partial disrespect of formal contractual arrangements, which substantially hampers their access to crucial public services and aids. Located at the basis of the wage pyramid, they have to sacrifice a part of their earnings to pay their caporals, on which they are dependent for the fulfilment of any basic need, including employment, payment, housing, transportation. In the space of few hours, women handling packaging duties switch between extremely high temperatures and levels of humidity when gathering crops in the fields or in greenhouses and cold rooms to store products without proper shields. In addition, employers make the choice to deploy pesticides, chemicals, fertilisers, and harmful fumes when women are in the fields. This increases the exposure to professional pathologies that are predominantly associated with women. The design of working places does not take into consideration female-specific needs. Fields are often not equipped with appropriate sanitation and hygiene facilities, which represents a heavy burden when dealing with menstrual period. Vulnerability in the workplace is coupled with unsafe and degrading housing conditions. This is especially true for seasonal workers, who have to share living areas with their colleagues in accommodations near workplaces whose quality arbitrarily depends on the goodwill of the businessman for which they work or are provided with makeshift settlements by their caporals. While neglecting the specific need of the female body,

the element that is most associated with female-specific risk is the lack of private and safe areas in spaces dedicated to sleep or hygiene necessities, which fosters their vulnerability towards sexual threats from the part of other inmates. Perhaps the most specific trait of the condition of Romanian women in the Italian agri-food sector is their constant exposure to sexual threats, abuses, and violences. Sexual advances are often presented as the only viable option to obtain or secure work positions. The combination between scarce affiliation with institutions and the pervasiveness of a regime of threat and terror leads to the scarcity of reports. Other workers do not represent valid allies to contrast this situation: Italian women perceive women from eastern European states as loose and disreputable, while Romanian men are obliged to tolerate the violation of their wives in order to keep their employment and obtain compensation.

In a second moment, it was deemed useful to investigate the construction of womanhood in Romania, devoting particular attention to the *fil-rouge* that connects femininity in its transition through different periods and considering them as the mandatory precondition to comprehend the reinterpretation of gendered subjectivities throughout the migration process. In the peasantry tradition, the feminine ideal par excellence revolves around the image of a '*sacrificial being*' who, in order to fulfil her gender roles and allow the accomplishment of the male destiny and the construction of the community, genuinely commits and adheres to her self-destruction. For the traditional rural population, the subordination and submissiveness of women to men materialises through the passage from the control of the father under that of the husband. The only place where a woman is free to exercise her command is the care of the hearth. While always emotionally available, women have to perform as sexually passive. What is crucial to imagine here is a liaison between the ideal peasant woman, which is *nurturing and loving, but also passive, enduring, and obedient* and the modern Romanian woman working in the Italian agri-food environment. During the socialist era, this myth was re-laborated. The submission of women was depicted as a peculiarity of traditional familiar rural values. The communist ideology has intervened on discourses on gender by promoting the mass entrance of women into labour markets, thus breaking their relegation to the domestic sector, creating the precondition to double burden rather than emancipation. Strategically, the natural responsibility to reproductive care was not questioned and neither were gender inequalities. The Communist party also undertook a process of colonisation of minds and bodies so as to incentivise natality rates while criminalising abortion and withdrawing contraceptive means. In this context, the sexuality of women was subordinated to the interests of the state, thus condemning any incarnation of womanhood which did not entail motherhood as an '*immoral or aberration of femininity*' and promoting values of austerity and sobriety. In the wave of change introduced in the postcommunist era, the propensity of women to feel impure and immoral if demanding something for themselves rather than sacrificing

their persons for the benefit of their community remained unaltered. From a different perspective, the regained legitimacy of the Orthodox church contributed to reinforcing this pattern, restoring the traditional servility of feminine attitudes. Notwithstanding this important path-dependency, Romanian women emerged as a virgin target for original consumption patterns, thanks to the liberalisation of what was previously established as sinful and therefore prohibited practices. Simultaneously, it is possible to assist in a bipolar construction of femininity, the wife and the prostitute, where adhering to one model means to stigmatise the other, despite the fact that both lead to painful and traumatic experiences of femininity.

These insights were later applied to the concrete situation of Romanian women embracing migratory projects. An in-depth observation of the pre-migration situation allows to better understand the universe in which the signification of the new identities and roles associated with migrant Romanian women as well as the passage to a new position in social hierarchies of power. The main motive behind the decision to undertake such a path can be explained by the over-representation of migrant stories in the near reality. It is extremely common to have a familial or friendly connection with persons employed in Italy, often in the same sector in which one eventually ends up working in. In a situation of deep material distress, migration opportunities provide a pertinent key of lecture to diagnose the situation and an experimented pathway out of misery. Women in particularly vulnerable situations, uneducated and with no significant information on the situation on the ground are identified and directly addressed by Romanian intermediates – the presence of co-nationals as a privileged figure to attract migrant labourers is testified by the increasing presence of men and also few women from the Eastern EU country in this circuit – or temporary work agencies, which have inherited the legacy of caporals and take charge of every single aspect of the transferral. Information on conditions on the ground is filtered through fictional representations of an elsewhere endowed with opportunities in economic prosperity and symbolic recognition. Female migration does not enhance renegotiation of responsibility over reproductive tasks along gender lines: in the absence of mothers, children are left with other female members of the family. While female migration to secure needs of subsistence for the households is not criticised and even supported by family members, the societal aptitude towards international female migration is based on an important stigmatisation grounded on the decision of mothers to leave their children, often depicted as a real form of abandonment. The loss of performative parameters of masculinity implemented as a consequence of the open challenge posed by the undertaking of breadwinning roles by women or by the submission to other men erupts in aggressive and violent behaviour who are usually addressed against inferior members in the balance of power within households, thus women and children. For children, the absence of mothers translates into a decrease in school performances and attendance, a surge in

emotional distress and depression, as well as in a general difficulty in their relationship with the broader society. While benefiting from the right of family unity, the situation of children living with their mothers in the agricultural environment must be acknowledged as filled with issues, as a consequence of the fact that their mothers have to spend a wide portion of their day in the workplace. Despite being perceived as gateways to social ascension, schools emerge as privileged arenas for abusive dynamics: second generations inherit the stigma traditionally associated to their parents. By virtue of their role as mothers, Romanian women are constructed as the ideal labour force to be employed in agriculture. The need to provide for their children, being with them or in Romania, is a guarantee of discipline and obedience in submissive working settings.

What differentiates the situation of Romanian women is the lack of a network of support and protection. The possibility of building ties with the local reality is hampered by a widespread institutional racism, coupled with the fact that Romanian women are often unaware of the paths that would allow the enhancement of their rights and entitlements. The fact that employment in agriculture does not entail the formation of identity affiliations, coupled with a compromised trust towards labour union and the burden of reproductive care, has hampered the formation of organisation in workplaces. Outside the working scenario, the perception of migration as a temporary project functional to the earning of money necessary to the fulfilment of plans in contexts of origin acts as a disincentive to invest personal resources to improve working or living conditions. What Romanian women share in common is a vast sense of pride and resilience, which escapes narrations where they are portrayed as victims. As a consequence of their socialisation in countries of origin, they crave to be regarded as deserving and reliable labourers, which fosters their unwillingness to ask and receive. Mechanisms of solidarity, even among Romanians, are overshadowed by a sharper desire to perform their resiliency to stand out as the most productive and resourceful employee. In the binary construction of masculinity and femininity, women perceive themselves as open towards change, challenge and flexibility, endowed with a dynamic spirit of adaptation, in contrast with a stronger rigidity that seems to characterise men. Originating in the working context, this dynamic seems to transcend the simple will to obtain the approval of employers, aiming at solidifying the legitimacy of their presence on the Italian territory. EU citizenship seems to be interpreted more as a reason to distinguish themselves from other migrants on the territory rather than as an element in common with the Italian population. In the years, Romanians have interiorised a position of inferiority in power relations with Italians, which has translated into a naturalised inclination towards prostration and submissiveness. In the lack of self-recognition of their value and merit originated in the intersection of their identity as women and Romanians, the fulfilment of their rights seems like something that has to be conquered rather than claimed and obtained as the fruit of their opposition against dominant groups.