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# Everyday statelessness in Italy: status, rights and camps

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# Everyday statelessness in Italy: status, rights and camps

Nando Sigona

## Abstract

This article is an invitation to reflect sociologically on statelessness, to date mostly absent from an otherwise burgeoning sociological debate on citizenship, rights and legal status. Millions of stateless people worldwide challenge a core tenet of state-centric teleological imagination, namely that in order for the hegemonic state system to work everyone must be a citizen of a state, confirming instead the need for a more nuanced understanding of contemporary forms of membership attentive to the interplay of different rights regimes.

While the article characterizes the Roma as the undeserving stateless, so alien to the dominant imagination of citizenship as to be even denied access to the procedure for status recognition, it also argues that the experience of Roma families who have lived for years in Italy in absence of any formal citizenship complicates Hannah Arendt's insightful characterization of stateless people as rightless. The lack of any citizenship does not make the Roma *bare life*, it reveals instead political subjectivity as an embodied and emplaced process, where subjects actively negotiate individually and within family their position in the world and vis-à-vis the state.

## Keywords

Statelessness; Roma; citizenship; legal status; state; Italy

## Introduction

With a few notable exceptions (see Redclift 2013a, 2013b), attention to how statelessness is experienced has been only marginal in sociological debates. This paper aims to contribute to addressing this gap while placing the study of statelessness and stateless persons within the domain of the burgeoning sociology of rights, citizenship and belonging (Isin 2002; Morris 2002; Bloemraad 2006; Sommers and Roberts 2008; Isin and Neilson 2008; Menjívar 2010; Nash 2012; Barrett and Sigona 2014). It is an invitation to reflect sociologically on a phenomenon that to date has received little theoretical and critical scrutiny despite affecting millions of people worldwide.

This article builds on previous work concerned with the complexity of the relationship between bureaucratic labelling and belonging which was carried out as part of my doctoral research and inspired by Roger Zetter's conceptualization of 'the refugee' as a label (Zetter 1991, 40; Zetter 2007). It is divided in three sections. Firstly, I discuss why statelessness should be an area of sociological inquiry, and put forward a tentative theoretical framework to pursue this proposal. Next, the legal and policy framework for the recognition of the status of stateless person in Italy is introduced and legal and procedural hurdles that impact on stateless Roma are highlighted. Finally, the article explores two dimensions at the margins of current academic and policy conversations on statelessness: the everyday relationship between statelessness and rights; and the family as a key arena where the impacts of statelessness are experienced and negotiated. The discussion draws on ten in-depth qualitative interviews with stateless Roma families[1] and ten interviews with lawyers, practitioners and activists working with Roma people carried out as part of the Leverhulme-funded Oxford Diasporas Programme, and also on previous ethnographic work in Roma encampments in Italy which formed part of my research on the legal and bureaucratic construction of the 'Gypsy problem' in Italy (Sigona 2009). Overall, the article argues that the investigation of the social



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condition of statelessness reveals the contingent and shifting contours of this phenomenon, and offers some insights on how the process of status recognition is experienced by stateless persons.

## Imagining statelessness sociologically: notes for a conceptual framework

The right to nationality emerged under international law in the 1948 Universal Declaration of Human Rights (UDHR) developed in response to the mass population displacement and large-scale denationalizations of the First and Second World Wars. But 'statelessness is a phenomenon as old as the concept of nationality' (United Nations 1949, 4).

In 1954, the UN Convention on the Status of Stateless Persons was adopted, followed in 1961 by the Convention on the Reduction of Statelessness. Unlike the 1951 UN Convention on the Status of Refugees to which they are closely related, these conventions attracted fewer signatures and ratifications. The mandate for the protection of stateless persons was given to the UNHCR but remained a minor concern within the Agency for many years, with a surge of interest since the end of the 2000s.

Statelessness may result from various circumstances, both individual and collective. Blitz (2006; see Manly 2007, 2012) distinguishes between primary and secondary sources of statelessness. The former relates to direct discrimination and includes: the denial and deprivation of citizenship, and the loss of citizenship. The latter relates to the context in which national policies are designed, interpreted and implemented. While many conditions give rise to the creation of statelessness, including protracted refugee situations and state succession, most stateless persons today are members of minority groups (UN Human Rights Council 2009). The Roma, discussed here, are a case in point as they are affected both by the dissolution of Yugoslavia and by their stigmatized position as a minority both there and in Italy.

A lack of international consensus over who is to be considered 'stateless', particularly in relation to people who, unable to prove their nationality or, despite documentation, being denied access to many human rights that other citizens enjoy, are *de facto* stateless, makes counting the world's stateless population a challenging task. As a result estimates vary considerably, ranging from 3.3 million to tens of million (UNHCR 2013), and often revised upward 'as new stateless populations are identified' (Manly 2007). This difficulty exceeds the domain of empirics and methodology to highlight three fundamental issues: firstly, the artificial nature of categorical distinction in law between *de facto* and *de jure* stateless persons, as acknowledged in 1949 by the UN Secretary General, for whom the situation of *de facto* and *de jure* stateless persons 'in practice […] is similar' (UN 1949, 7).[2] Secondly, statelessness is a condition that changes over time, 'dynamically created and recreated by sovereignties in their own interests, defining the vulnerable in ways that affirm the invulnerable, and in the process revealing changing domestic values and changing power relations across international boundaries' (Kerber 2007); hence a global phenomenon but not a homogenous one, with causes 'that lie both outside the state and within it' (Blitz and Lynch 2009, 94). Particular citizenship models therefore define the everyday spaces and life chances of stateless people (Macklin 2007). Configurations and meanings of statelessness change over time, in contrast to a discourse on statelessness which, often implicitly assuming homogeneity of experiences, is more attentive instead to compliance or not with an ideal-type anchored to a specific conjuncture, namely Europe after the Second World War. Thirdly, statelessness is the ultimate 'other' to citizenship (Kerber 2007; Macklin 2007), revealing of what Arendt had poignantly characterized as the inner contradictions of the nation-state system. The following extract from the *Origins of Totalitarianism* captures the intimate relationship between citizenship and statelessness:

> We became aware of the existence of a right to have rights and a right to belong to some kind of organized community, only when millions of people emerged who had lost and could not regain these rights because of the new global political situation (Arendt 1968, 296).





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To understand the social condition of statelessness requires therefore an appreciation of the phenomenon as plural and diverse, of its historical specificities as well as of its intimate connection with citizenship and nationalism. This connection should be at the core of any search for a solution to the situation of stateless people. For Manly (2007, 257):

> In order to address statelessness, states often need to address issues which are fundamental to the national identity, such as inclusion in the body of citizens of minority groups which have lived within their borders for decades or even centuries, but which are still considered as 'outsiders'.

Triggered by important anniversaries of the UN Conventions on Stateless Persons and led by a small group of international non-governmental organizations and legal scholars, the recent 'rediscovery' of statelessness (Manly 2007; van Waas 2007, 2008; Blitz and Lynch 2011; Sawyer and Blitz 2011; Staples 2012; Edwards and van Waas 2014), has had at its core a concern with legal definitions and rights, and little attention to date has been given to the in-depth investigation of today's manifestations of statelessness, their political roots and the everyday experiences of stateless individuals, left almost exclusively to policy reports and snapshot testimonies.

Borrowing from Malkki's (1995) analysis of the institutionalization of 'the refugee' and the emergence of Refugee Studies, this article approaches 'the stateless person' and 'statelessness' as an epistemic object and a (global) technology of governance in construction, a 'strategic research site' (Redclift 2013a) from which to illuminate the contents and contours of political community and its membership and the constitutive dilemma at the heart of liberal democracies (Sassen 2007), namely the tension between global logics enshrined in the international human rights regime and the national order of things premised on political identities ordered in neat and tidy national configurations (Redclift 2013b). It is the same tension that Arendt described as a 'paradox' and is vividly captured in the following extract:

> No paradox of contemporary politics is filled with a more poignant irony than the discrepancy between the efforts of well-meaning idealists who stubbornly insist on regarding as 'inalienable' those human rights, which are enjoyed only by citizens of the most prosperous and civilized countries, and the situation of the rightless themselves. Their situation has deteriorated just as stubbornly, until the internment camp - prior to the Second World War the exception rather than the rule for the stateless - has become the routine solution for the problem of domicile of the 'displaced persons' (Arendt 1968, 279).

Arendt puts the stateless person for whom there was 'no appropriate niche in the framework of general law' (Arendt 1968, 278) at the centre of political thought. In her work, the stateless person acquires the status of an icon of the fallacies and limits of the nation-state system and of the human rights discourse, revealing the 'emptiness of human rights in the context of the modern nation-state system' (Gibney 2011, 50; see also Staples 2012).

A sociological understanding of the phenomenon of statelessness shares in many ways Arendt's preoccupation with the social condition of statelessness – 'the primacy of the concrete plurality of the present population' in Krause's words (2011, 39) – placing the investigation of the everyday, concrete manifestations at its core, while being attentive also to the process of institutionalization of 'statelessness' as a field of knowledge and a technology of power operating across different scales and in different locales.

Concerning Arendt's characterization of the stateless person as rightless, Rancière's critique of Arendt's position offers some useful insights for my discussion. For Rancière, Arendt's argument provides 'a frame of description and a line of argumentation that later would prove quite effective for depoliticizing matters of power and repression and setting them in a sphere of exceptionality that is no longer political, in an anthropological sphere of sacrality situated beyond the reach of political dissensus' (Rancière 2004, 299; see Schaap 2011).



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The central concern of Rancière's (2010) critique is to theorize, in contrast with Arendt and even more Agamben, a space, both discursive and physical, in which the lack of any citizenship does not necessarily lead to 'deny[ing] the fundamental human capacity to act' (Krause 2008, 335), and where one can account for 'the contingency of political and social struggles' (Kalyvas 2005, 115). Within this framework statelessness is better understood sociologically not as the philosophical embodiment of total exclusion from the polity, but rather as a form, one among many, of contemporary political membership, where membership is both an emplaced and embodied condition (Bosniak 2006; Macklin 2007; Hepworth 2014; Sigona 2015).

In this theoretical rendering, the internment camp that Arendt and more recently Agamben characterize as the space of exception where the law is suspended becomes an 'abject space' (Isin and Rygiel 2007) where 'acts of citizenship' can be performed (Isin and Nielsen 2008) and through and in which hierarchies of inclusion and membership are produced and maintained via a system of segmented and differential access to rights and entitlements, but also negotiated and contested by stateless people (see Redclift 2013a; Sigona 2015).

## Statelessness in Italy: policy and practice

Estimates place the number of stateless people in Europe at over 650,000 (UNHCR 2015). Statelessness occurs both among recent migrants and among people who have lived in the same place for generations, particularly ethnic minorities. Among the main causes of statelessness in Europe are the break-ups of the Soviet Union and Yugoslavia. Moreover, most countries in the region frequently encounter stateless persons in their asylum systems, affecting for example their capacity to forcibly remove those whose asylum case is deemed unfounded (Anderson et al. 2011). Despite the scale of the problem, the European Network on Statelessness (ENS) argues (2014), 'most European countries have no framework to effectively deal with statelessness'.

In this section I will briefly illustrate the legal framework and pathways to status recognition in Italy, and highlight the procedural and bureaucratic obstacles encountered by applicants that may lead to statelessness being experienced by many outside the realm of the recognized legal status. The discussion will show the fuzziness of the distinction between *de facto* and *de jure* statelessness and will characterize the Roma as undeserving 'stateless' (the label).

Italy is one of the signatories of the 1954 Convention, which was ratified through an act of the Italian parliament in 1962. But it is not among the signatories of the 1961 Convention. As in many European countries, the acquisition, transmission and loss of Italian citizenship is largely based on the principle of *jus sanguinis*. Nevertheless, the 1991 Italian nationality law grants the right to automatic citizenship to children born in Italy to stateless parents, to unknown parents, or to parents who cannot transmit their nationality to their children. In order for the Italian-born child to be eligible, however, the parents must have obtained formal recognition of their status before the child is born. Due to several hurdles that impinge on the procedures for status recognition, automatic access to citizenship through this legal route is however extremely limited. This is a situation that I encountered in most of the Roma families that took part in the study.

There are two legal pathways to recognition of status: an administrative procedure, and a judicial one. The former is the responsibility of the Ministry of Interior and requires the applicant to submit the following documentation: birth certificate; proof of residence in Italy; any suitable document which demonstrates a state of statelessness (e.g. a document issued by the consulate of the country of origin, or possibly of the last country of residence); the latter is more loosely regulated and, while more accessible for potential applicants, it is extremely decentralized – down to a particular judge's interpretation of the legislation – which inevitably leads to significant variations. Only recently, the High Court of Appeal (Corte di Cassazione) intervened on the matter of procedural consistency with two decisions (n.7614/2011 and n.903/2012) stating that 'the controversies regarding the



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recognition of statelessness must be addressed, in consultation with the Ministry of the Interior, through the standard juridical proceedings.' While a step towards a more standardized system, this decision may result in further alienating potential applicants, as it transfers the territorial competence from that of the applicant to that of the Ministry of the Interior in Rome, and requires the legal assistance of an attorney. Besides the obstacles to access, a recent study led by the Italian Refugee Council (CIR 2013, 16) shows that 'the applicants also experience difficulty exercising their rights while the process is pending, as during this period no residence permit is automatically granted to them'. Indeed, by law, a residence permit can only be issued when the applicant already possesses a residence permit for other reasons. However, as a lawyer pointed out, 'being Italy there are always exceptions'. Particularly for those who were born in Italy or are undocumented, as is frequently the case for non-EU Roma (forced) migrants, this is a legal catch-22 situation that *de facto* denies them the right to access the procedure of recognition as *de jure* stateless. They are undeserving 'stateless', so alien and alienated from and by the dominant imagination of citizenship to be even denied access to the procedure for status recognition.

It should also be pointed out that even when the status is recognized, this does not give either an automatic entitlement to a long-term residence permit or access to citizenship (Staples 2012). The latter is particularly difficult to gain as onerous additional requirements must be met by the applicant. As a lawyer pointed out, it is not unheard of that due to a breach of the criteria for immigration status and/or citizenship, a recognized stateless person is issued a deportation order. Such orders, while they cannot be executed in the absence of documentation proving nationality elsewhere, limit any further opportunity for regularization and situate the person in a permanent position of legal limbo.

Stateless people of Roma origin currently living in Italy come largely from the former Yugoslavia, including both those who were already stateless while still living in their country of origin and those who found themselves to be so after the dissolution of the state.[3] The breakdown of the Yugoslav federation made it difficult, and in some cases even impossible, for some of its citizens to obtain citizenship from the new states that emerged (see Zorn 2011; Sigona 2012). As Sardelic (2013) shows, Romani minorities are firmly located at the margins of post-Yugoslav citizenship regimes; caught in-between conflicting national and state projects, they encapsulate the Post-Yugoslav Subaltern, disempowered and silenced. This position also affects those Roma who no longer live there. Research (Perin 2012; CIR 2013) indicates that Roma people living in Italy experience an objective difficulty in obtaining citizenship and/or a document stating they are stateless (as required by the administrative procedure described above) from their countries of origin, due to a combination of legal and procedural requirements, not least the unwillingness of their diplomatic representatives in Italy to assist them. Their position in Italy is further exacerbated by the Italian legislation regarding the recognition of the status of statelessness, which is expensive, laborious and altogether unclear – as repeatedly argued by lawyers I interviewed for this study. The situation of young people is particularly critical. Perin (2012) shows that the vast majority of applicants are young adults who realize the vulnerability of their legal status only once they turn 18 and lose the legal protection that they derive from being minors. Most of these applications are rejected as they fail to meet the legal residence requirement, particularly where applicants reside in so-called nomad camps (for a discussion of nomad camps, see Sigona 2005, 2011).

## Intersecting legal status and everyday lives

As van Waas (2008; see Sawyer and Blitz 2011) has validly noticed, statelessness in the 21st century is different from the one Arendt captured in her work. For Aihwa Ong (2005, 697), 'rights and entitlements once associated with citizens are becoming dispersed among populations who can include noncitizens. Furthermore, the difference between having and not having citizenship is becoming blurred as the territorialization of entitlements is increasingly made in spaces beyond the





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state'. Therefore the absence of *status civitatis* does not necessarily produce absence of rights or the reduction of the subject to bare life. In this section, drawing on the empirical material, I will address two aspects of the social condition of statelessness: firstly, echoing the previous discussion of Arendt's work and Ranciére's critique, I will look at how the relationship between lack of legal status, rights and entitlements is experienced in daily life and bureaucratic encounters. Secondly, returning to the discussion on the roots of statelessness, I will show how Roma experience of statelessness is located at the intersection of individual, family and collective trajectories.

## *Bureaucratic encounters*

The stories of stateless Roma reveal numerous interactions with statutory and non-statutory agencies and also different degrees of access to welfare provisions and various forms of state support. On the one hand, this may be the result of the coexistence of different rights regimes, in particular the much stronger position that human rights norms have acquired since the end of the Cold War, becoming the 'lingua franca of global moral thought' (Ignatieff 2001, 53), one that provides 'a globally available repertoire of legitimate claim making' (Levy and Sznaider 2006, 657).

On the other, it also highlights that, although states would have us see the state system as a neatly bound organizational apparatus where every human being necessarily belongs to one state or another (Scott 1998), there are millions of human beings who live their entire lives without any citizenship and, while often enduring extreme disadvantage and marginalization, they nonetheless exist and make claims, sometimes successfully, for rights and entitlements. Antonio is one of them.[4]

He was born in Naples in the early 1990s. His parents had moved to Italy from Kosovo a few years earlier. There is no record of his birth in former Yugoslavia and he has lived most of his life without any ID but a birth certificate. But so long as he was a minor, he did not really feel the weight of the lack of status. Now, he experiences the impacts of statelessness directly: no right to work, no access to free primary care except that for emergency treatments, no right to travel outside Italy. But of all these he says that the most painful experience about his legal status is when a civil servant tells him: 'It isn't possible'. He explains:

> It happened that a dear Italian friend of mine told me she was happy to countersign my application for the Italian ID card. But the civil servant at the desk said that was not possible, that they had to do further investigations, that more papers were needed. It's always like this. There are so many people that have been in Italy for far less time and don't have this kind of problems.

Besides the frustration of being unable to obtain an ID document – which in Italy everyone must carry with them at all times by law - Antonio's words capture the limit of the state imagination when confronted by someone who does not fit the binary citizen/non-citizen. Antonio's words put forward what is primarily a moral claim for bureaucratic recognition, a distant echo of W.H. Auden's *Refugee Blues*: 'But we are still alive, my dear, but we are still alive'; I'm here even if I've no passport, I exist and demand that the state acknowledges my existence. Similarly, Argentina, a Romani women in her late thirties, remembered how after years of being 'practically inexistent', in which 'her siblings and she existed but not on paper', they heard about 'a law from America' and eventually applied successfully for status recognition. But even then it was not straightforward as she soon found out that on her birth certificate her family name was misspelled and as a result she had a different surname from her parents and the rest of her family. As a lawyer pointed out, in the 1990s errors in the transliteration of family names from the Cyrillic to the Latin alphabet were frequent; rectification was possible but expensive, time-consuming, and requiring some degree of bureaucratic literacy that was often missing among Roma refugees.

Sergiana, a young woman of 18, is another victim of a bureaucratic mistake. She was born prematurely in the Netherlands during a family visit. At the time, her parents were living in Italy



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clandestinely and had travelled to the Netherlands to visit family members without papers. After the birth, they registered her in Serbia through a relative, but due to a mistake, the date of birth on the Dutch birth certificate and the one in Serbia didn't correspond so she was unable to receive a Serbian passport for years. This error, which Sergiana explains as the result of her parents being illiterate and the bureaucracy of both Serbia and Italy being hard to understand, produced consequences that reverberated for her entire life, including being forced to register at school two years early and struggling during all her compulsory education as a consequence.

### *Tactics, rights and nomad camps*

Sergiana's experience is also a reminder that stateless people are not a one-off accident of history. The state system, in its different configurations, continuously produces new forms of exclusion and marginalization. As Romani studies have well documented, the stigma against Roma people is rooted in European history (Fraser 1995; Lucassen 1998; Piasere 2004). Bans, mass incarcerations, forced sterilization campaigns, and even genocidal plans were not devised by a few individuals but were actual state projects. Equally, the production of stateless Roma is not an accident: it is the historical result of the combination of deeply rooted prejudices against the Roma both in the newly established nationalist states born from the dissolution of Yugoslavia (Zorn 2011), and in Italy where they moved in search of protection and instead found 'nomad camps' (Sigona 2003, 2005). As a social worker involved in the reception of Roma forced migrants in the 1990s explains,

> We witnessed the arrival of more and more people for whom - Roma or non Roma likewise - the existing nomad camps of Florence became a safe haven and a point of reference.

During the 1990s Italian local authorities gradually began to acknowledge the presence of Roma forced migrants who, in the absence of adequate asylum reception facilities, sought refuge in formal and informal settlements known in Italy as 'campi nomadi'. Under pressure from NGOs and activists, local authorities began, not without opposition, to register the inhabitants of nomad camps as local residents, but this was far from a well-planned and coherent process and left gaps and incoherencies in the bureaucratic history of residents. The registration was an essential step towards securing longer term, but rarely indefinite, leave to remain in Italy as well as accessing welfare provisions, which were mainly tied to residency in a specific local authority (Brunello 1996). At the local level, the Roma's presence and the visibility given by camps gained Roma some entitlements: 'local rights', to borrow Zincone's definition (1994).

By attaching a 'promise' of more secure legal status to nomad camps and linking *ad hoc* welfare provisions to residency, the local authorities made camps appealing to newcomers: a place where the consequences of increasingly stringent requirements in immigration policy were somehow mitigated. For example, it was not unheard of that a local authority would intervene as guarantor for camp residents and mediator between camp residents and state immigration authorities in charge of assessing applications for leave to remain. As Adi, a Roma man born in the early 1990s in Naples, explains:

> Roma live in camps because in Italy they struggle to regularize their status. […] If you are undocumented, without a job, without a stable income, with no access to social housing, how can you afford to pay a monthly rent? So you just get used to living in the camp.

Within the opportunity structures and spaces available to them, the Roma build their everyday lives and actively define their position in Italy. State categories are prescriptive and embedded in the discursive construction of collective identities that constitute the basis for possible social action to take place. 'The categories used by state agents' – Scott argues – 'are not merely means to make their environment legible; they are the authoritative tune to which most of the population must dance' (Scott 1998, 83). But the subjects are not passive actors and in order to operate, state categories require some level of recognition (Bourdieu 1986, 480). The Roma engage in what Scott



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(1998, 188) called infrapolitics; that is, 'a circumspect struggle waged daily through mundane and everyday gestures', that are carried out in 'the space of the other' (de Certeau 1984, 37), taking advantage of the opportunities opened up by specific conjunctions (Solimene 2014).

The interviews with Roma families show that over time people move in and out of legal status. They experience the legacy of different immigration rules and regulations, as a system that they find difficult to understand. The complexity of the immigration system generates a variety of practices at the local level, including opportunities for stateless people to regularize their position. However, the recognition of statelessness is rarely the end goal and, as interviewees are well aware, the recognition of status alone does not bring long term security; the structural factors that affect the inclusion of Roma in the job market are still there and may impact on their ability to apply successfully for citizenship.

Adi's parents left Naples seven years ago to go to Palermo in Sicily where a relative had successfully applied for status and knew a good lawyer. They initially got temporary leave to remain while the status recognition process went on. The process can take years, which for a Roma with precarious legal status is a long period of relative stability. With their temporary permit, they moved to France where they were arrested for petty crime and deported back to Italy where their application for status was eventually rejected.[5] Another example of agency in constrained circumstances comes from Argentina's father. After over 20 years of insecure legal status he went back to his country of origin, now Macedonia, and successfully applied for a new passport with which he has been travelling back and forth to Italy on three-month tourist visas for a number of years. She is now the Italian-born stateless daughter of a Macedonian citizen living between Macedonia and Italy.

## *Status reverberations: Statelessness as a family affair*

The lack of any citizenship affects the individual and his or her family in multiple ways. For the Roma in this study, the condition of statelessness is rarely the result of an individual's set of circumstances; more often it is produced by complex family histories that unfold in the background of major historical events. Statelessness as a *de facto* condition for some of these families can go back two, sometimes three generations. Memories of the various interactions with the immigration system are often blurred, and recollection inevitably lacks legal precision. Instead, successful stories of legal recognition are often down to an individual's social network. Lisa is 28 years old and has lived, in different capacities, in a reception facility for unaccompanied minors since she was 13. She was born in Italy and her birth was not registered in Bosnia, from where her parents had migrated over 40 years ago. She was arrested at 13 for joining a group of Roma teenagers in a house burglary. Given her age she was sent to a reception centre and her parents, who were accused of child exploitation, lost parental authority over her. Her lawyer successfully argued in court that as a result of this, her *status civitatis* should no longer depend on that of her parents. Thanks to the support of the reception centre manager she met a lawyer who advised her to apply for stateless status. The decision took over five years to arrive; in the meantime she had to rely completely on the assistance of the NGO running the reception centre.

The absence of any citizenship also affects the capacity to marry, to register a child and even to visit a husband in prison, as in the case of Jelena's sister who was unable to visit her husband for two years as she has no passport at all and their marriage was never registered with state authorities. Similarly, Argentina and her seven siblings could not formally marry. Her sister had a relationship with an Italian man and they had a baby, but soon after the relationship fell apart. Because of her status, the family of her partner managed to take her daughter away from her. Argentina explains: 'I am really angry about this, she had to give up her daughter for a missing piece of paper, now that she got the status she is trying to have her back'.

The analysis of family trajectories also shows a significant variation in legal status over time. As Italian scholars have validly pointed out (cf. Zincone 2006), considering the government's track



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record of amnesties and mass regularizations, undocumented migrants in the Italian immigration system are the norm rather than the exception. Frequently, interviewees spoke of expired passports or residence permits that were not renewed in time, or of applications for humanitarian status that bought them a bit more time to find a job. Female interviewees also pointed out how gender plays a role in terms of possibility of regularizing status, as men are expected to work, which is a prerequisite for legal status, while women are expected to stay at home, which makes it impossible for them to be anything other than 'dependent' in terms of status.

Families move to avoid detection and different places seem to offer different opportunities, echoing what Lisa Schuster terms 'status mobility' (2005). Legal status varies significantly within extended and nuclear families. This produces different outcomes in terms of life chances and quality of life. Within a family there are different legal positions that shape family trajectories and family relations over the years, in some cases leading to separation, in others to dispersion as a survival strategy. Antonio's family is a case in point: when I first met them, Antonio was just seven and he lived in a nomad camp in Naples with his parents. His uncles were also in the camp but they soon left to move north where they bought a house and found employment in local factories. Antonio and his parents stayed behind because 'without papers life in the north of Italy is even more difficult', Antonio explains. Now that he is an adult he can truly appreciate the difference that status makes to him and his new family. For Adi, having an ID paper is fundamental not just for himself, 'for me that piece of paper is worth so much you can't even imagine, because I know what I'm going through and what I went through myself and my family with me'.

## Conclusion

This paper has argued for a sociological analysis of the social condition of statelessness transcending the categorical distinction between *de jure* and *de facto* statelessness. Many Roma people in this study exemplify what I call the undeserving stateless persons, those who are so alien to the dominant imagination of citizenship to be even denied access to the procedure for status recognition. Their very existence in protracted legal limbo demonstrates the limitation of the current legal framework but also, on a more abstract level, the limits and fallacies of a model of membership built around an imagined zero-sum equation where everyone is or is entitled to become a member of one or another state. The experiences of the interviewees show that stateless people, both those who were successful with their application and those who were not, are neither rightless nor agency-less. From their position, they repeatedly interrogate and challenge the reasons for their exclusion and negotiate precarious and contingent forms of inclusion; a condition, I argue, that can be better captured through the lens of civic stratification, whereas statelessness, rather than being a form of radical exclusion, becomes a mode of differential and precarious inclusion and the camp a strategic research site in which to examine the interactions of different regimes of rights. Finally, the article has offered some insights on the extent to which the lack of any nationality shapes individual and family trajectories and how these, in turn, impact on ideas and practices of belonging. It shows the presence within a family unit of a wide range of positions vis-à-vis the state and that the harsher consequences of the lack of status are somehow mitigated by the capacity to mobilize collective resources and social networks. It also reveals the centrality of the nomad camp as a space where everyday practices of membership and claim making are performed – what I termed 'campzenship' in a recent article (Sigona 2015) – and where the absence of any citizenship does not necessarily exclude residents from some forms of entitlements and rights.

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## Endnotes

[1] This research was carried out as part of the '(Re)conceptualizing Stateless Diasporas in the EU' project in collaboration with Elena Fiddian-Qasmiyeh and Barzoo Eliassi at the Oxford Department of International Development. Interviews with Roma families in which at least one member of the family had applied for recognition as stateless were carried out in Naples, Rome and Pisa. The project is part of the Leverhulme-funded Oxford Diasporas Programme led by Professor Robin Cohen. I wish to thank for their contributions to the research: Stacy Topouzova, Francesca Saudino, Antonio Ardolino, Sergio Bontempelli, Alice Cirucci and Giulia Perin.

[2] The debate over the boundaries between *de facto* and *de jure* statelessness has significant implication for UNHCR's mandate; for an overview of recent debate see Massey 2010 (http://www.refworld.org/pdfid/4bbf387d2.pdf) and UNHCR 2014 http://www.unhcr.org/53b698ab9.html.

[3] Compared to other European countries, the Romani population in Italy is small, numbering 160,000-180,000 people (Piasere 2012) and representing approximately 0.25-0.30 per cent of the population of Italy. As a result of two different historical migration flows, nowadays there are two main groups within the Romani population in Italy: Roma and Sinti; less than half of these people have Italian citizenship. Among the Roma there are several different communities: some settled in Italy centuries ago and are Italian citizens, others arrived more recently and have more precarious legal status. More recent arrivals came mainly from former Yugoslavia and Romania. Within the foreign-born Romani population in Italy, many fled their country of origin for reasons of war, extreme poverty and racial discrimination. A substantial number live under the constant threat of being evicted and forcibly removed due to difficulties in renewing residence papers or complying with requirements set by Italian immigration legislation (ERRC 2000; Sigona 2002; Simoni 2005).

[4] All names have been changed.

[5] From Adi's account it was unclear if the criminal record had an impact on the decision to deny status recognition.

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