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"migrations' emergency" in contemporary Italy

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Reproducing borders,
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Representation and
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“migrations’ emergency” in
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by:

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In this article, I read the representation and management of the “migration crisis” in contemporary Italy from a genealogical point of view. I will trace the roots of a socio-political paradigm articulated by the triangulation of three elements: migrations, states of exception and neo-colonialism. I argue that contemporary Italy, located at the center of the Mediterranean and therefore crossed by enormous migratory flows, is a privileged place to investigate how the migration question functions, in European societies, to demarcate what, according to Boaventura de Sousa Santos, I will define as multiple *abyssal lines*¹. As a consequence, I illustrate how the representation of contemporary migratory phenomena can be analyzed inside the paradigm of “abyssal thinking”, which I consider the dominant and hegemonic epistemology in contemporary Europe. What I intend to investigate is, then, a mechanism of colonial power—and therefore of exclusion, exploitation and the production of absence—exercised within a global North. My analysis does not aim to attribute the definition of “abyssal thinking” to Eurocentric thinking from an ontological point of view; but instead to answer the following question: in its historical development, how does Western thinking deal with otherized ways of thinking in an *abyssal way*? This abyssal way of relating to otherness consists in the establishment of a “system of visible and invisible distinctions” and implies the concept of “*abyssal line*”: The invisible distinctions are established through radical lines that divide social reality into two realms, the realm of “this side of the line” and the realm of “the other side of the line”². Abyssal thinking is characterized by the impossibility of the coexistence of the two sides of the abyssal line: the division is such that “the other side of the line” vanishes as reality becomes non-existent, and is indeed produced as “non-existent”, or, “not existing in any relevant or comprehensible way of being”; the non-existent is radically excluded, at least, from the same conception of what is the “other” itself: in this sense, it is an otherness that deals with *absence* and not with *dialectics*³.

In particular, I believe that this system of representation and management is based on the two categories of knowledge and law—identified by Boaventura de Sousa Santos as the maximum representation of Western abyssal thought. These two aspects together describe a double *abyssal cartography* foundational to Eurocentrism, in which the *abyssal line* is the boundary of separation of the human (or of what is considered acceptable to be recognized as human) and of the sub-human (what cannot be understood as existing).

Abyssal knowledge consists of a series of representations that operate mainly through the invisibility of etherized forms of knowledge (indigenous, popular, plebeian, peasant), defining and reifying those forms as structurally

1 Boaventura de Sousa Santos, “Beyond Abyssal Thinking: From Global Lines to Ecologies of Knowledges,” *Review (Fernand Braudel Center)* 30, no. 1 (2007): 45-89

2 Boaventura de Sousa Santos, “Beyond Abyssal Thinking,” 45-46.

3 De Sousa Santos, 45-46.

untrue or excluding from the realm of true and false. On the other side of the abyssal line from Western epistemology, there is no real knowledge; there are beliefs, opinions, subjective intuitions, which at most can become objects or materials for the scientific investigation conducted from the global North. In this specific epistemological cartography, the subjects who are “on the other side of the abyssal line” do not meet the epistemological conditions for self-representation.

Abyssal law provides that “the legal” and “the illegal” are the only two relevant forms of existence before the law; for this reason, the distinction between the two is set as a universal distinction. This central dichotomy leaves out an entire social territory in which this dichotomy would be unthinkable as an organizational principle: namely, the territory of the *lawless*, the a-legal, the non-legal, and even the legal or illegal according to non-officially recognized system of law. Thus, the invisible abyssal line that separates the realm of law from the realm of non-law grounds the visible dichotomy between legal and illegal.

The two categories, in everyday social and political practice, certainly intersect and partially overlap; but I believe they offer a method of explaining how this specific case of abyssal thought—which has as its most evident and superficial aspect the production and spread of a racist sentiment—is based on the constant use of knowledge and law as instruments of exclusion, invisibilization and domination.

The line I analyze in particular is the one drawn on the Italian national state, and specifically I would like to demonstrate how the concept of “clandestinity”—structured among the instruments of Western knowledge and law—produces some fundamental characters of contemporary Italian society. First, “clandestinity” produces a sentiment of insecurity, quite extended among “white” Italian people⁴, which justifies the application of extraordinary law instruments in order to regulate the criminality supposedly spread by immigrants. Second, the power to label people as clandestine is structurally needed to create a vulnerable labor force. This is most visible in the agrarian sector and other precarious and unregulated forms of employment.

In the next pages, I will analyze the aspects of this scheme one at a time. In the first part, I will analyze a specific *epistemological cartography* around the multiplication and strengthening of borders. In the second part, I will consider some legal instruments that determine the production of a “state of emergency” based on the representation of the “migratory crisis” as an exceptional and transitory phenomenon to be governed by every possible means. The aim is to show how the two categories work in order to produce a new nationalistic feeling

4 About the arbitrariness of social and historical construction of Italians’ whiteness, see Gaia Giuliani (ed.) *Il colore della nazione (The colour of the nation)* (Florence-Milan: Le Monnier-Mondadori Education, 2015) and Gaia Giuliani, *Race, Nation and Gender in Modern Italy. Intersectional Representations in Visual Culture* (London: Palgrave Macmillan UK, 2019).

that includes Southern Italian people, who used to be the internal “excluded”; and to stigmatize immigrants as the common external. I argue that this process is fundamental to explain the rise of new right-wing extremism which is now taking a hegemonic part in the Italian political landscape.

What I will deal with in this text is the way in which the migratory question is used within Europe, in particular in the current Italian political situation, to strengthen relations of domination and regimes of whiteness. I will not deal with the subjective experience of migration or the epistemological and political experience of the race from the point of view of those who live it, suffer it, or organize itself to fight against. Understanding that this task is not up to us is an exercise of relativizing white and Eurocentric knowledge, an exercise that it is important to start practicing.

MODERN KNOWLEDGE: BREAKING THE “PACT OF MORAL STABILITY”

Gaia Giuliani, referring to the representation of race in the Italian context, defines the “new moral stability pact”⁵ as:

A politically correct semantic context in which, although the structural sources of discrimination are not called into question, the sexist and racist offenses first ascribable to the center-right are sent back to the Lega Nord alone and to the other extreme right-wing formations.

The Lega Nord is a political party born in the late 80s with secessionist convictions, which claimed the autonomy of Northern Italy—self-defined as “Padania”. From the beginning, the style of communication of the Lega Nord was characterized by an aggressive and explicitly racist discourse, built on the affirmation of an anthropological supremacy of the inhabitants of Northern Italy, whose origins were traced back to noble Nordic populations, such as The Celts,

5 The context of this text is characterized by a specific event in Italian history: in 2013, within a center-left government led by the Democratic Party, a “Ministry of Integration”, run by a black woman named Cécile Kyenge, was established. This event was placed in a climate of radical rupture with the previous political and social regime, dominated by central-right governments who became famous for their explicit sexist and racist positions. Gaia Giuliani, “La zona d’ombra. Genere, agency e bianchezza nell’Italia contemporanea,” in Valeria Deplano, Lorenzo Mari, Gabriele Proglia (eds.) *Subalternità italiane. Percorsi di ricerca tra storia e letteratura* (Roma: Aracne, 2014), 223-246.

and in detriment of the people of the South, defined negatively as “*terroni*”⁶. Growing beyond being a localist movement, the increasing success of the Lega Nord in the Italian national context has led to a progressive mutation of the political objectives of the same, which has refurbished from the aggressive anti-southern discourse into a nationalist one, explicitly inspired by the French *Front National*. This change was confirmed in 2014 with the foundation of the movement *Noi con Salvini*, -which explicitly appealed to the regions of Southern Italy, including them in a nationalist project instead of continuing to exclude them.

My hypothesis is that this specific moment and the events that took place were a turning point in the policies of representation and management of the racial issue in Italy, as a moment of redefinition of the abyssal lines in which the boundary of the exclusion relocated, from the internal Southern Question, to the outside of the national state. This event has produced a radical change in the construction of Italian political discourse. A new nationalism was constructed from the representation of an “other” who was outside but, at the same time, extraordinarily *close*: that was the creation of the xenophobic fear of the migrant invasion.

What I want to underline is that starting from this turning point, a fundamental caesura has been produced in what Giuliani defines as the “pact of moral stability”. This system was invoked by making racism a showy and grotesque exception: it was supposed to be practiced only by members of the Northern League, who shamelessly produced sexist and racist insults⁷. In essence, this paradigm produced a normalization of institutional racism, which regularly exists even during the left-wing governments.⁸ The racist structure of Italian society—the racialization of the labor market, the policies of rejections at the borders, the differentiated access to welfare—was not in any way questioned, but rather invisibilized.

Starting from 2014, this paradigm stopped being the dominant one, while a different one was activated: one that ruled racism as a phenomenon no longer of a minority, and justified by the “emergency paradigm” produced by the supposed “migrant emergency”. This paradigm of power is strictly inscribed in a dynamic of knowledge production, through multiple levels of visible/invisible relationships. The first distinction, which in my opinion underlies the rest of them, is the one between the hypervisibilization of migrants, through

6 The world “*terroni*” means “the same color of the earth”; southern Italian people were usually assimilated, by geographical position and anthropological attitude, to Northern African people.

7 i.e. The ones against the newly-minister Kyenge.

8 The Italian main leftist party is the Democratic Party (Partito Democratico), who leded, at the time, a government of coalition with center-moderated parties. The entire tradition of institutional progressive parties never had a serious problematization of institutional racism which is a structuring part of national-State identity, since the colonial experience in Africa. See Gaia Giuliani, Cristina Lombardi-Diop, *Bianco e nero. Storia dell'identità razziale degli italiani* (Firenze-Milano: Le Monnier/Mondadori Education, 2013) and Cristina Lombardi-Diop, Cristina Romeo (eds), *L'Italia postcoloniale* (Firenze:Le Monnier, 2004)

an enormous production of knowledge about them; and the invisibilization of the same migrants, or the cancellation of their own knowledge. Migrants are the *subaltern who cannot speak*⁹; at the same time, talking about migrants is a constant and inflated practice in the public spaces for politics and society. The hypervisibilization —based, in reality, on the invisibilization—is articulated in other secondary divisions. The discursive regime that has appeared progressively in recent years and has become a real system of governance starting from 2014 has no source in a real increase of migration flows: over the last ten years, immigration fell by 43%, from 527 thousand in 2007 to 301 thousand in 2016.

Does the “migration crisis” really exist? Or is it produced within an invisibilization/hypervisibilization regime, established through the media? This would be functional to the establishment of a *state of exception*, intended to strengthen a national order that restricts democratic spaces. This condition of social and political “emergency” is produced, according to Boaventura de Sousa Santos, by the instrumental representation of the *return of the colonial*, where “the colonial is here a metaphor for those who perceive their life experiences as the other side of the line and rebel against it.”¹⁰ Three colonial contemporary figures, the terrorist, the undocumented migrant worker and the refugee, appeared in the landscape of Metropolitan society when legal and epistemological tools, traditionally based in the appropriation/violence dichotomy typical of colonialism, were used to repress and regulate these three figures of modernity.

As a result, and even without a formal suspension of such rights and guarantees, we are witnessing the emergence of a new state form, the “state of exception”, with the guise of safeguarding or even expanding them. The use of abyssal knowledge in order to produce a “state of exception” - in the way I tried to describe - is articulated through the specific application of the form of *modern law*, which is produced, above all, by the definition and separation of the three “emblematic characters of the colonial contemporaneity”¹¹, of which so far I have deliberately spoken using the unique category of “migrants”. In the next part I will try to explain the reasons for this differentiation.

9 Gayatri Chakravorty Spivak, *Can the subaltern speak?* (Oxford: Oxford University Press, 1988)

10 Boaventura de Sousa Santos, “Beyond Abyssal Thinking,” 45-89.

11 “the terrorist, the undocumented migrant worker and the refugee”; De Sousa Santos, “Beyond Abyssal Thinking,” 55.

MODERN LAW: THE PRODUCTION OF CLANDESTINE SUBJECTS

The device of knowledge associated with migration in contemporary Italy produces a condition of exception, starting from the hypervisibilization of images of “illegal” arrival in the media. This produces an induced climate of perceived insecurity. I would like to analyze how this production of discourse asserts itself by the use of juridical instruments of Western thought, in order to sanction the state of emergency that corresponds to an authoritarian turn, and to a restriction of the spaces of democracy. I will proceed by analyzing the following points: first, the historical production of the status of *clandestinity* in Italian law; second, the connections that the latter has with the creation of different legal status—refugee, economic migrant—according to European regulations on migration; and third, the double use of illegal immigration, on the one hand for the criminalization of migrants, on the other for the purpose of their employment in the labor market. Italian law on migration is structured on the basis of two fundamental stages. The first is the establishment in 1998 of the Turco-Napolitano law. This legal provision is based on the idea of favoring the regulation of migration and “discouraging” illegal immigration. This implies that “regular” immigrants are included in a progressive process of achieving rights, while those identified as illegal immigrants are subject to a provision for immediate expulsion from the State¹². This text was modified and then abolished in 2002, when it was collected and expanded in the new law on immigration, the Bossi-Fini law¹³. This law is characterized by three fundamental innovative points: the establishment of the crime of clandestinity, punished with up to four years of imprisonment; the binding of the possibility of accessing a residence permit—and therefore the exit from the clandestinity itself—to the possession of a regular employment contract; the State’s accompanying of expelled migrants to the border, combined with the use of navy ships to counter landings in the Mediterranean; and the establishment of *Centri di identificazione* (CIE) for the detention of political asylum seekers awaiting a response on their procedure.

The characteristics of the law I have listed so far help us to develop a reflection on the abyssal functioning of immigration law: firstly, what this law

12 For the first time in the history of Italian law, this law provides for the establishment of *Centri di permanenza temporanea* (CPT), or detention centers in which illegal migrants are detained indefinitely while waiting for repatriation: this precedent corresponds to a first, very important connection between the status of clandestinity and the institution, in fact, of a system of incarceration for subjects who are recognized as illegal immigrants.

13 The signatories that give the name to this law are, respectively, the historic leader and founder of the Lega Nord Umberto Bossi, at the time minister of reforms of the Berlusconi government, and Gianfranco Fini, leading member of the Nationalist right-wing party Alleanza Nazionale, vice president of the Council of Ministers.

establishes is the preliminary identification of migrants as illegal immigrants, a condition which, in fact, occurs even before the assessment of any access to the right to asylum or the possible achievement of working conditions to request regularization. Since the clandestine itself is already committing a crime and because it can already be imprisoned for this crime itself, the fundamental consequence is the production of the migrant as a criminal subject¹⁴. This process has produced, in the public discourse on migration, the indissoluble equivalence between migrant and criminal. Since the clandestine is, par excellence, the subject that juridically does not exist, he or she is outside the same paradigm of law. This is accompanied by the constant hypervisibilization in the media of the crimes committed, or hypothetically committed, by migrants. The migrants are then permanently represented as thieves, delinquents, a dangerous class, starting from the statute itself to “not to be visible”, to be defined by but at the same time outside the paradigm of the law.

This leads to a second point on which I would like to dwell: the way in which the status of clandestinity produces a legal *partage* that identifies two opposing figures: the one of the refugee and the one of the economic migrant. If in the first part of the text I have deliberately used the single category of “migrants”, it is precisely because of the need to reject this dichotomy, which marks an abyssal foundational line of modern European law on migration. The possibility of accessing or not to political asylum is established on the basis of the definition, in the categories of European law, of migration itself as a voluntary or obligatory act: in the second case, the compulsory departure from your country - and therefore the arrival in Europe - is established on the basis of “humanitarian” parameters. In Italy, you may be entitled to asylum in case of escape from a war zone from a country where you are at risk of the death penalty, where you are prosecuted for reason of religion, politics or of sexual identity and sexual orientation.

The parameter that establishes the voluntary nature of the act of migration is the way in which, in the categories of European law, it does or does not belong to the sphere of human rights: migrants are recognized as “victims” when in their country there are wars recognized by Europe; when Europe defines the regimes-in-power as totalitarian; when Europe considers local laws and penalties as persecutions. Refugees are represented, in fact, as those who deserve “our” piety, a protected category that, in exchange for this status of partial inclusion within the legal paradigm, must necessarily accept to be docile and domesticated, grateful and willing to accept any condition that is imposed on them. This mechanism of inclusion/exclusion produces refugees as “good migrants”, as opposed to clandestine ones, which therefore can be even more criminalized. This pitiful and self-righteous representation of welcomed refugees

14 Sandro Mezzadra, *Diritto di fuga* (Verona: Ombre Corte, 2002)

in Italy was central in the construction of a “humanitarian racism” present in the Italian institutional left: the pathetic description of the sufferings of refugees—who deserve to be accepted—and the celebration a colonial and paternalistic reception system.

This representation, falsely opposed to the obvious racism of the rights, is part of that “pact of moral stability” which has being broken with the complete hegemonic affirmation of the racist discourse of the right. This moral and Eurocentric representation of anti-racism, in which refugees must be included because they deserve the solidarity of whites, is a form of abyssal thinking much harder to expose: a false internal opposition inside the same abyssal categories created by Eurocentrism and the lack of a radical anti-racist discourse in several political and activist context are both elements which strengthen a racist political-discursive regime.

The Bossi-Fini law, as we have already mentioned, established the *Centri di identificazione* (CIE¹⁵) to replace the already existing *Centri di permanenza temporanea* (CPT). These are the places where migrants awaiting the asylum application are held, in dire humanitarian conditions, as the facilities tend to be overcrowded, unorganized, lacking personnel and services. If refugees are the object—under the discursive conditions of humanitarian racism described above—of a hypervisibilization, asylum seekers are constituted as invisibilized subjects. The reception centers are places where, by legal status, inmates cannot go out or have contact with the outside, and those outside, except for authorized personnel, cannot enter.

As the last point of this analysis, I would like to discuss the way in which the abyssal distinction between refugees and economic migrants works, always through the ambivalent node of clandestinity, within the relationship between migration and work. My first observation is that the arbitrary reproduction of a differential legal status is strictly functional to a specific use of racialized labor-power in capitalist economies¹⁶. This mechanism has specific consequences in the case of the Italian labor market. First of all, the arbitrary division between economic migrants and refugees is exactly the division between migrants who

15 The CIE have been repeatedly called the “lager of modernity” for the living conditions and the invisibilization to which the people are subjected; a campaign of national activism has been active for some years, called “LasciateCIEntrare” (Let us enter), which try to create conditions for the entry of external observers within the CIEs, to monitor internal conditions.

16 Without entering into a philosophical discussion on the subject, I consider the same separation between refugees and economic migrants as a simple regulatory tool developed entirely within Eurocentric thinking to better govern and exploit migrations. I limit myself to use Mezzadra and Nielsen interpretation, that no migration—in the sense of a social and not individual phenomenon, as the “migratory crisis” in Europe—should be considered an entirely voluntary event. How can we place—if not for governmental purposes—a unanimous border between social, political, economic and environmental reasons that determine a migratory phenomenon?; See Sandro Mezzadra and Briett Nielsen, *Borders as a Method, or the Multiplication of Labor* (London: Duke University Press, 2013).

are directly—“legitimately” —inserted into a process of exploitation of labor power and those that fall indirectly into it. If the recognition of the refugee status implies access to an international protection that guarantees minimum rights, this must take place at the price of a constant demonstration of gratitude and submission. In the Minniti-Orlando decree, a decisive translation of this status of subordination takes place: the establishment of “voluntary work programs for refugees” permits the employment of refugees in unpaid public work. Tasks belonging to state services—such as street cleaning or the care of parks and public gardens—are carried out by refugees for free “in exchange” for the hospitality offered by the European community in the Italian state. On the other hand, however, the same definition of “economic migrants” implies voluntary migration with the aim of improving economic conditions. In this sense, Italian law establishes—starting from the aforementioned Bossi-Fini law—a direct correspondence between access to a residence permit and a stable working condition proven by an employment contract.

Yet, as already demonstrated by various researches, there are entire productive sectors of the Italian market that are only structurally possible thanks to the employment of clandestine migrant labor force. On the one hand there is the care work, almost completely attributed to women migrated from Eastern Europe, which were explicitly subject to the regulation of the Bossi- Fini law; on the other hand, the work in capitalist agriculture, which remains one of the largest export sectors of the Italian economy¹⁷.

In Italian capitalist agriculture the incidence of registered migrant workers is 35%; but in this percentage there is only a very minor part of non-white workers: it is visibly unreal, because the majority of workers in each of the huge industrial plantations scattered in Southern Italy are African people. Francesco Caruso¹⁸ has defined these places as “suburban districts of clandestinity”: places on the margins of the law, areas on the shadow of the law that however, are not exceptions. On the contrary, these are areas of shadow envisaged and constitutive of the same legal system that guarantees the reproduction of Italian capitalism, which could not exist today without the presence of migrations—without the possibility of creating different juridical statutes and different forms of exploitation. In this case too, the relationship between visibility and invisibility regimes is constitutive of the national legal system.

17 See Gennaro Avallone, *Sfruttamento e resistenze: migrazioni e agricoltura in Europa, Italia, Piana del Sele*. (Verona: Ombre corte, 2017) and Gennaro Avallone, Yan Molinero, “Producing Cheap Food and Labour: Migrations and Agriculture in the Capitalistic World- Ecology,” *Social Change Review* 14, no. 2 (2016): 121-148.

18 Francesco Caruso, *La politica dei subalterni. Organizzazione e lotte del bracciantato migrante nel Sud Italia* (Roma: DeriveApprodi, 2013).

CONCLUSION

On the morning of February 3rd, 2018, in Macerata—a small city in central-northern Italy—a 28-year-old man, a militant in neo-fascist organizations and already a candidate for political elections in the Lega Nord party, crossed the city in an armed car and shot migrants he saw on the street. He hurt 11 people, 3 severely. Then, he got out of his car draped in an Italian flag and made a Mussolini salute. He justified the action as a form of “revenge” for the death, a few days before, of an Italian girl who may have been killed by a migrant. The neo-fascist right publicly celebrated this man as a hero and offered to pay court costs for his trial. All the members of the then-government—who were part of the Democratic Party—expressed themselves on the matter talking about the “problem of uncontrolled immigration”.

The two most important organizations of the neo-fascist right have organized public events in Macerata and in other cities in Northern Italy. The anti-fascist demonstration, which was immediately called for February 10th, was first explicitly forbidden by the Minister of the Interior Marco Minniti. Afterwards it was allowed. Only one month later during the last Italian national election, the Lega Nord gained about the 17% of vote, being for the first time the second most popular party. Making an alliance with the *Movimento 5 Stelle*, the populist party which won the most votes, the Lega Nord joined the government, occupying many of the most important positions of power, such as the Ministry of Interior, led by Lega Nord leader Matteo Salvini. The principal focus of the current government is the fight against migration, through measures like forbidding the landing of NGO boats on Italian ports and cancelling humanitarian protection for immigrants¹⁹.

These events, still ongoing, seem to sum up very well the functioning of the speech-building devices I described in the previous pages. The construction of the discourse on migration as a contemporary form of affirmation and confirmation of an abyssal thought of colonial formation is not only a specific part of the organization of exploitation and repression. It does not concern only those subjects that are “racialized”—and therefore visibilized/invisibilized—within

19 This last provision will affect at least about 40.000 foreign people who used to live in Italy as regular strangers—for humanitarian reasons—and who will be transformed, by law, into clandestine individuals, losing the right to be hosted in public accommodations.

these binary divisions. It is also the mechanism of contemporary capitalist power in a specific place in the global North, where the socio-political emancipation/regulation paradigm is structured on the basis of that appropriation/violence one, in a manner that becomes increasingly visible. Within this structure, the space of construction of the metropolitan society, which assumes to be the guarantee space for the white and dominant subjects, breaks down into a reproduction of internal borders and new abyssal lines, which affect and completely oppress the society. The pressure of the appropriation/violence upon the regulation/emancipation logic produce, through the presence of the state of exception, the condition of the so-called social fascism²⁰, both into the global South and the global North.

The construction of the discussion on migration that I tried to retrace is, in fact, the construction of the conditions of affirmation of social fascism: a nation that continues to show itself as formally democratic—because the two regimes are not in polar opposition—but that is socially fascist, where the spaces of radical democracy gradually shrink.

20 Boaventura de Sousa Santos, "Beyond Abyssal Thinking," 45-89 and Boaventura de Sousa Santos, "Introducing the Epistemologies of the South" in *Decolonising the University: The Challenge of Deep Cognitive Justice* (Lisboa: Almedina, 2017).