

The Schengen Agreements and their Impact on Euro-Mediterranean Relations The Case of Italy and the Maghreb

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What were the main reasons that, between the mid-1980s and the early 1990s, a group of member states of the European Community (EC) agreed to abolish internal border controls while, simultaneously, building up external border controls? Why did they act outside the framework of the EC and initially exclude the Southern members of the Community? What were the reactions of both Northern and Southern Mediterranean countries to these intergovernmental accords, known as the Schengen agreements? What was their impact on both European and Euro-Mediterranean relations? And what were the implications of the accession of Southern members of the EC to said agreements in terms of relations with third Mediterranean countries?

The present article cannot, of course, give a comprehensive answer to all these complex questions. It has nonetheless the ambition of throwing a new light on the origins of the Schengen agreements. In particular, by reconstructing the five-year long process through which Italy entered the Schengen Agreement and the Convention implementing the Schengen Agreement, it will contribute towards the reinterpretation of: the motives behind the Schengen agreements; migration relations between Northern and Southern members of the EC in the 1980s; and migration relations between the EC, especially its Southern members, and third Mediterranean countries in the same decade.

The article is divided into three parts. The first examines the historical background of the Schengen agreements, by placing them within the context of Euro-Mediterranean migration relations; it, also, presents the main arguments. The second analyses the reasons for Italy's exclusion from the Schengen Agreement in 1985 and, also, for Italy's initial reluctance to accept its underlying philosophy. The third, finally, explores the motives behind Italy's eventual acceptance of both the Schengen Agreement and the Convention implementing the Schengen Agreement in 1990. In both, the second and the third part, special attention is paid to relations between Italy and Maghreb countries.

Research for this article was based primarily on unpublished documents in Belgium, France and Italy: the archives of the European Union in Florence and Brussels; French archives, including the French National Archives in Paris and the French Diplomatic Archives in Nantes; Italian archives, including the Central Archive of State, the Historical Archives of the Chamber of Deputies, the Historical Archives of the Senate, the Historical Archives of the Luigi Sturzo Institute and the Historical Archives of the Bettino Craxi Foundation in Rome.

Setting the Scene

As is well known, since the early and especially since the mid-1950s, all the member states of the EC, apart from Italy, experienced mass immigration, due to the pull of high growth economies: these economies needed cheap labour from poorer countries on the periphery, especially labour from the Mediterranean region. Though the phenomenon of illegal immigration was even then widespread, a significant part of the movement of labour from South to North occurred within the framework of bilateral migration agreements.¹ Through them, in particular, France recruited manpower from Italy (1946; 1951), Greece (1954), Morocco (1962), Algeria (1962; 1964; 1968; 1971), Portugal (1963), Tunisia (1963), Yugoslavia (1965) and Turkey (1965). The Federal Republic of Germany recruited workers from Italy (1955), Greece (1960), Spain (1960), Turkey (1961; 1971-1972), Morocco (1963), Portugal (1964), Tunisia (1965) and Yugoslavia (1968). Belgium recruited manpower from Italy (1946), Morocco (1963), Turkey (1964), Tunisia (1969) and Algeria (1970). The Netherlands, meanwhile, recruited workers from Italy (1948), Turkey (1964), Morocco (1969) and Tunisia (1971).²

At that early stage, the EC was unimportant in migration matters as migration relations were easily conducted at the bilateral/national level. But what started as an apparently efficient transfer of labour from poorer countries in the South to richer countries in the North became a political, social and economic liability in the late 1960s and in the early 1970s. This change in perceptions, in turn, led to a dramatic shift from liberal to restrictive migration policies in all European destination countries.

The debate over the reasons behind this shift is still wide open. Generally speaking, there are two main schools of thought.

One group of scholars emphasize political factors.³ They point to the transition from European to African and Asian migrants. This was a consequence of improvements in the economic conditions of Southern European countries and, at the same

1. See: S. RINAURO, *Il cammino della speranza. L'emigrazione clandestina degli italiani nel secondo dopoguerra*, Einaudi, Torino, 2009. See also: C. CARUSO, *Inclusion opportunities and exclusion risks: Mediterranean labour migration and European migration policies*, in: C. CARUSO, J. PLEINEN, L. RAPHAEL (eds), *Postwar Mediterranean Migration to Western Europe. Legal and Political Frameworks, Sociability and Memory Cultures/La migration méditerranéenne en Europe occidentale après 1945. Droit et politique, sociabilité et mémoires*, Peter Lang, Frankfurt am Main, 2008, pp.9-35.
2. S. CASTLES, M.J. MILLER, *The Age of Migration. International Population Movements in the Modern World*, Palgrave Macmillan, Basingstoke, 1993, pp.68-78.
3. J.F. HOLLIFIELD, *L'immigration et l'État-Nation à la recherche d'un modèle national*, L'Harmattan, Paris, 1997. See also: J.F. HOLLIFIELD, *Immigration and the politics of rights: the French case in comparative perspective*, in: M. BOMMES, A. GEDDES (eds), *Immigration and Welfare. Challenging the borders of the welfare state*, Routledge, London, 2000, pp.109-113; J.F. HOLLIFIELD, *Immigration and integration in Western Europe: a comparative analysis*, in: E.M. UÇARER, D.J. PUCHALA (eds), *Immigration into Western Societies: problems and policies*, Pinter, London, 1997, pp.28-41.

time, the explosion of birth rates and growing life expectancy in developing countries.⁴ This, the same scholars suggest, contributed to opposition to immigration in European receiving countries. As cultural and ethnic diversity increased and, consequently, anti-immigrant sentiments surfaced within European societies, the political classes of the various countries realized that there was the need to contain immigration and, at the same time, to integrate immigrants. The ultimate aim was, of course, to preserve social cohesion and harmony. According to a minority of these scholars, another political event was even more influential in determining the U-turn in European migration policies.⁵ The surprisingly active role played by foreign workers in the protests that swept through Northern European industries between the late 1960s and the early 1970s, alarmed employers who had benefited from the docility of immigrant employees. As a result, even before the economic crisis in the mid-1970s, they began to mistrust their immigrant workforce and, accordingly, to reduce requests for foreign workers.

Another group of scholars have, instead, put emphasis on economic factors; this view is prevalent in the literature.⁶ According to them, as growth rates slowed, and unemployment rates increased, in consequence of the 1973 Oil Shock, the need for further immigrants simply ceased. As a consequence, employers stopped insisting on liberal immigration policies, trade unions voiced concern about the conditions of the local workforce and political leaders tried to preserve social peace and consensus by preventing fresh immigration.

Regardless of motives, it is certain that, between the early and the mid-1970s, all the receiving member states of the EC unilaterally stopped the recruitment of foreign workers and began to encourage the voluntary repatriation of immigrants. In exchange, efforts were stepped up to incorporate foreign nationals already settled in the host societies, not least by expanding family reunification schemes.⁷ In the same

4. In the course of the 1960s extra-European immigration began to replace migration within the Community. The influx of peoples from Asia, Africa and the Caribbean largely reflected past colonial ties. G. GARAVINI, *After Empires: European Integration, Decolonization, and the Challenge from the Global South 1957-1986*, Oxford University Press, Oxford, 2012, pp.110-114.
5. U. ASCOLI, *Movimenti migratori in Italia*, Il Mulino, Bologna, 1979; A. SERAFINI, *L'operaio multinazionale in Europa*, Feltrinelli, Milano, 1974. See also: P. BASSO, F. PEROCCHIO, *Gli immigrati in Europa*, in: P. BASSO, F. PEROCCHIO (eds), *Gli immigrati in Europa: diseguaglianze, razzismo, lotte*, FrancoAngeli, Milano, 2003, pp.6-7.
6. M. LIVI BACCI, *In cammino. Breve storia delle migrazioni*, Il Mulino, Bologna, 2010; J. HUYSMANS, *The Politics of Insecurity. Fear, migration and asylum in the EU*, Routledge, Abingdon, 2006. See also: D. BIGO, *Frontier Controls in the European Union: Who is in Control?*, in: D. BIGO, E. GUILD (eds), *Controlling Frontiers. Free Movement Into and Within Europe*, Ashgate, Aldershot, 2005, pp.59-85.
7. Unlike European receiving countries, which experienced a convergent evolution in their migration policies, the main sending countries in the Mediterranean region pursued different strategies. Algeria unilaterally suspended emigration to France in 1973 and turned to policies of national economic development to substitute exportation of workers to Western Europe. Morocco, Tunisia and Turkey, on the other hand, adopted different combinations of economic development policies and, in order to diversify migration destinations, new active emigration policies. As a result, significant migrant flows from these states headed towards Southern European countries, including Italy and Spain, and petroleum producing countries in Northern Africa, including Libya and Saudi Arabia. S. COLLINSON, *Europe and international migration*, Pinter Publishers for Royal Institute of International Affairs, London, 1994, pp.64-80.

period, as its member states were closing their borders to non-Community workers, the EC, under pressure from Arab governments, began to include migration in its nascent foreign policy, especially its Mediterranean policy.⁸ Since the governments of the Mediterranean sending countries were no longer allowed to negotiate exportation of surplus manpower to European labour markets, these same governments changed priorities. They now interested themselves in the socio-economic integration of emigrants and brought this issue to the main bilateral and multilateral Euro-Mediterranean fora. Migration was thus pushed into the centre of the Euro-Arab Dialogue, where, between 1975 and 1978, representatives from the EC and the Arab League discussed

“the problems of migrant workers and particularly Arab workers in countries of the European Economic Community. [They] referred to the importance of considering the topic of Arab workers in Europe, especially its human aspects considering labour as a human value in the first place, and the role that can be played by the Arab workers in the field of cultural contacts and economic development”.⁹

In this context, representatives from the EC and the Arab League committed themselves to exchanging views, information and data concerning the employment situation, the working and living conditions and the social security schemes of migrants; though they did not achieve any concrete results, they also made serious efforts to help with the training of Arab workers in Europe and the return of Arab workers to origin countries. More importantly, despite divergences of opinion, which undermined the political and juridical significance of the final document, in late 1978 in Damascus they adopted a “Declaration on the principles concerning the working and living conditions of migrant workers”.¹⁰ This document recognized some generic rights for Arab migrants residing in EC countries.¹¹

8. See: F. BICCHI, *European foreign policy making toward the Mediterranean*, Palgrave Macmillan, Basingstoke, 2007; J. NIESSEN, F. MOCHÉL, *EU external relations and international migration*, Migration Policy Group, Brussels, 1999; J.-F. DREVET, *La Méditerranée, nouvelle frontière pour l'Europe des Douze?*, Karthala, Paris, 1986; E. CALANDRI, *L'eterna incompiuta: la politica mediterranea tra sviluppo e sicurezza*, in: E. CALANDRI (ed.), *Il primato sfuggente. L'Europa e l'intervento per lo sviluppo (1957-2007)*, FrancoAngeli, Milano, 2009, pp.89-117; A. BIN, *L'Europa e la sicurezza nel Mediterraneo*, in: F. ATTINA, F. LONGO (eds), *Unione europea e Mediterraneo fra globalizzazione e frammentazione*, Cacucci, Bari, 1996, pp.91-94; S. HENIG, *Mediterranean policy in the context of the external relations of the European Community 1958-1973*, in: A. SCHLAIM, G.N. YANNOPOULOS (eds), *The EEC and the Mediterranean countries*, Cambridge University Press, 1976, pp.305-324.

9. ADN [Archives Diplomatiques de Nantes], AT [Ambassade à Tunis], 164 711PO A, Ministère français des Affaires étrangères, Dialogue euro-arabe, 30.7.1975. See also: I. SABRI ABDALLAH, *La place du Dialogue euro-arabe dans les relations internationales contemporaines*, in: J. BOURRINET (ed.), *Le Dialogue euro-arabe*, Economica, Paris, 1979, pp.115-129.

10. Unlike Arab representatives, European representatives refused any reference to international conventions that were not ratified by all EC countries. They opposed specific and binding provisions and supported the introduction of safeguard clauses stating that the application of all principles should be subject, on the one hand, to public order, safety and public health and, on the other, to national laws. ADN, AT, 164 711PO A, Ministère français des Affaires étrangères, Réunion à Tunis du groupe de travail spécialisé euro-arabe “Affaires culturelles et sociales”, 31.10.1976.

11. ADN, AT, 165 711PO A, Ministère français des Affaires étrangères, Situation du dialogue euro-arabe, 25.05.1979.

Migration issues were, also, widely discussed in the negotiations for the cooperation agreements that were signed in 1976 by the EC and Algeria, the EC and Morocco, the EC and Tunisia and the EC and Turkey within the framework of the Global Mediterranean Policy. In the third chapter of these four agreements, “Cooperation in the sector of labour”, the EC member states committed themselves to respect the principle of non-discrimination based on nationality regarding working conditions and the remuneration of Algerian, Moroccan, Tunisian and Turkish workers residing in their respective territories; at the same time, Algeria, Morocco, Tunisia and Turkey committed themselves to respect the principle of non-discrimination based on nationality regarding working conditions and the remuneration of workers from EC countries residing in their respective territories.¹²

However, while EC receiving countries were closing frontiers to non-Community workers and, together with the EC, were making efforts to integrate migrants already settled in their territories, demand-pull-forces were rapidly giving way to supply-push forces in the third Mediterranean countries. As populations began to grow at a rapid pace and economies began to weaken in all non-petroleum-producing countries in Northern Africa and the Middle East, it became increasingly difficult for the member states of the EC to contain migration flows from the South. At the same time, it was impossible for receiving countries simply to militarise their borders or to expel or deport all unwanted migrants. After all, this was the period of the struggle to win civil and social rights for marginal groups, including ethnic minorities and foreign nationals and the consequent institutionalization of those rights in the jurisprudence of liberal-republican states. Inadvertently, the result of trying to shut off legal immigration led to the opening of what might be termed “side doors”, including family reunification, illegal immigration and false refugee claims.¹³

The perceived failure and the high costs of national migration policies as well as the unexpected strength of constitutional, social and political obstacles in the adoption of restrictive policies at national level, changed matters. A group of EC member states, namely France, West Germany, Belgium, the Netherlands and Luxembourg, began to look for a Europe-wide solution to the problem of migration control. This is the first thesis defended in this article.

Andrew Moravcsik, Professor of Politics and Director of the European Union Program at the Princeton University, has written the mainstream account of Schen-

12. F. MARTINES, *The cooperation agreements with Maghreb countries: a contribution to the study of consistency of EEC development cooperation policy*, European University Institute, Florence, 1994, pp.37-53.
13. See: T. BALE, *Immigration and Integration Policy in Europe. Why Politics – and the Centre-Right – Matter*, Routledge, London, 2009; P. ANDREAS, T. SNYDER, *The Wall around the West. State Borders and Immigration Controls in North America and Europe*, Rowman & Littlefield, Lanham, 2000; R. COHEN, Z. LAYTON-HENRY, *The Politics of Migration*, Edward Elgar Publishing, Cheltenham Glos, 1997; M. PACINI, *Italia, Europa e nuove migrazioni*, Fondazione Giovanni Agnelli, Torino, 1990.

gen's origins.¹⁴ Schengen emerged, according to him, betraying an "economistic" perspective, because "the French government, concerned that German standards were blocking imports, and the German government, concerned that France would close its borders because of balance of payments difficulties, successfully pressed for a bilateral Franco-German arrangement to simplify and eventually eliminate border formalities", including border controls on persons.¹⁵ The French and German leaders then agreed to include the members of the Benelux Customs Union in this arrangement for commercial reasons. The decision to create an area without border controls, related to the parallel decision to establish a Common Market at the EC level, was in turn, according to Moravcsik, part of a strategic game in which France and Germany used the Schengen initiative as "a threat of a two-tier Europe". This threat was mainly directed toward the United Kingdom, which was unwilling to establish a common travel area with continental members.¹⁶

This interpretation offers a crucial insight, but the present article's contention is that it is not ultimately able to explain the emergence of Schengen. Political, not economic, considerations were most important in the decision to sign the Schengen Agreement and the Convention implementing the Schengen Agreement. Paradoxically, it was the strengthening of external border controls, rather than the relaxation and eventual abolition of internal border controls that best explains these accords. Moreover, the decision to act outside the Community framework was not primarily intended to put pressure on Great Britain. Rather, it was an attempt to exclude the institutions of the European Community from the decision-making process on immigration. And, more than this, it was a way to pressure Italy, Spain and, to a lesser extent, Greece and Portugal into adapting their migration policies to the more restrictive politics, which was pursued among Northern EC members. This argument forms the basis for the second thesis maintained in this article.

After readmission agreements and wider cooperation accords on migration were signed between members of the European Union (EU) and third Mediterranean countries, the concept of the externalization of European borders began to widely circulate

14. An useful analysis of the most relevant interpretations of the Schengen agreements can be found in: R. ZAIOTTI, *Cultures of Border Control. Schengen and the Evolution of European Frontiers*, University of Chicago Press, Chicago, 2011, pp.8-13.

15. A. MORAVCSIK, *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*, Cornell University Press, New York, 1998, p.359.

16. Although Moravcsik's model emphasizes economic factors, it does not preclude the possibility that more strictly political considerations, such as national security, played a role. A. MORAVCSIK, op.cit. pp.359-360. On the same line of reasoning, Jörg Monar, Rector of the College of Europe, stressed that the Schengen agreements were a direct consequence of the need to complete the European Common Market. See: V. MITSILEGAS, J. MONAR, W. REES, *The European Union and Internal Security. Guardian of the People?*, Palgrave Macmillan, Basingstoke, 2003. See also: J. MONAR, *The Project of a European Border Guard: Origins, Models and Prospects in the Context of the EU's Integrated External Border Management*, in: M. CAPARINI, O. MARENIN (eds), *Borders and Security Governance. Managing Borders in a Globalised World*, Lit, Zurich, 2006, pp. 193-194.

in specialized literature.¹⁷ Generally speaking, this notion implies that, since the late 1990s, the European Union and its member states systematically tried to move the place where travel checks occurred. The control point shifted from the border of the destination state to a point within the state of origin or transit. The intention was to reduce the number of persons entering irregularly while, simultaneously, reducing political costs and bypassing the legal constraints implicit in such an attempt.

Drawing on these ideas, the present article contends that the strategy of externalization began much earlier than is generally acknowledged and that the Schengen agreements can be considered as the first stage in this process. In particular, we would suggest that, before being moved to origin and transit countries in Northern Africa, the Middle East and, to a certain extent, Eastern Europe, Northern European border controls were shifted to Southern European transit countries through Schengen. Unlike non-Community countries, which were rewarded for their collaboration in controlling European borders with financial support, Italy and, afterwards, Spain, Portugal and Greece were rewarded for guarding the Southern marches of the EC with Schengen membership. This leads us to the third and last thesis introduced in this article.

With very few exceptions, the multifaceted relationship between the establishment of the Schengen area, the external relations policy of the EC, later the EU, and the complex of Euro-Mediterranean relations has largely been neglected in both European and Mediterranean studies.¹⁸ In this study we agree wholeheartedly that there was a complex combination of interdependent variables behind the Schengen agreements. But we would argue that the agreements ought to be primarily interpreted as a foreign policy initiative aimed at protecting the geopolitical core of the European Community from a security threat: namely, unwanted mass immigration, especially from Southern Mediterranean states. Seen in this light, third Mediterranean countries

17. See: A. BERRAMDANE, J. ROSSETTO, *La politique européenne d'immigration*, Karthala, Paris, 2009; S. LAVENEX, E. UCARER, *Migration and the Externalities of European Integration*, Lexington Books, Lanham, 2002. See also: M. CECCORULLI, *The Mediterranean as a buffer: confining irregular migrants in North Africa*, in: M. CECCORULLI, N. LABANCA (eds), *The EU, Migration and the Politics of Administrative Detention*, Routledge, Abingdon, 2014, pp.187-208; F. SAHLI, *Le partenariat Euro-Maghrebin, droits humains et dialogue*, in: L. BEKEMANS, M. KARASINSKA-FENDLER, M. MASCIA, et.al. (eds), *Intercultural Dialogue and Citizenship. Translating Values into Actions: a Common Project for Europeans and their Partners*, Marsilio, Venice, 2007, pp.333-343; R.A. DEL SARTO, *Borderlands: the Middle East and North Africa as the EU's Southern Buffer Zone*, in: D. BECHEV, K. NICOLAIDIS (eds), *Mediterranean Frontiers. Borders, Conflict and Memory in a Transnational World*, IB Tauris, London, 2010, pp.149-165; D. BIGO, *Sécurité et immigration: vers une gouvernamentalité par l'inquiétude?*, in: *Cultures et Conflicts*, 31-32(1998), pp.13-38; C. BOSWELL, *The "External Dimension" of EU Immigration and Asylum Policy*, in: *International Affairs*, 3(2003), pp.619-638; D. LUTTERBECK, *Policing Migration in the Mediterranean*, in: *Mediterranean Politics*, 1(2006), pp.59-82; A. GEDDES, *Europeanisation Goes South: The External Dimension of EU Migration and Asylum Policy*, in: *Journal for Comparative Government and European Policy*, 3(2008), pp.275-293.
18. See: M. CREMONA, J. MONAR, S. POLI, *The External Dimension of the European Union's Area of Freedom, Security and Justice*, Peter Lang, Brussels, 2011; P.J. CARDWELL, *EU External Relations and Systems of Governance. The CFSP, Euro-Mediterranean Partnership and Migration*, Routledge, Abingdon, 2009; N. RIBAS-MATEOS, *Migration, Welfare & Borders. The Mediterranean in the Age of Globalization*, Transaction Publishers, New Brunswick, 2005; S. COLLINSON, *Shore to Shore: the politics of migration in Euro-Maghreb Relations*, Royal Institute of International Affairs, London, 1996.

were the main targets of the Schengen Agreement in 1985 and remained the main targets of the Convention implementing the Schengen Agreement in 1990. This was so even if, after the collapse of Communist regimes, immigration flows from the East were expected to surge past those from the South. This approach is not without implications for our understanding of the external relations of the European Community and for our understanding, too, of relations between third Mediterranean countries and the member states of the EC, especially the Southern ones.

Italy's Exclusion: What was at Stake (1984-1987)

The beginning of the debate over the free movement of persons in Europe coincided, of course, with the beginning of the European integration process.¹⁹ However, a decisive step forward was only taken in the mid-1980s with the Saarbrücken Accord, brought about by meetings between French President François Mitterrand and German Chancellor Helmut Kohl. The agreement, signed by the French Secretary of State for European Affairs, Roland Dumas, and the Head of the German Chancellery, Waldemar Schreckenberger, on 13 July 1984, envisioned the immediate abolition of controls on persons and the easing of controls on vehicles. It also envisioned the transfer of these controls to external borders; the harmonization of visa policies and legislation on foreign nationals, drugs, arms and passport delivery; and the strengthening of police and customs cooperation. The Italian government, at the initiative of the then Foreign Minister, Giulio Andreotti, immediately expressed the desire to reach a similar agreement with France.²⁰ However, Laurent Fabius's government turned the request down. In the opinion of French Interior Ministry officials, Italy's immigration policy was lax: this made it the most important transit country for illegal immigration heading for France from Yugoslavia, Turkey, Maghreb countries, especially Tunisia, Morocco and Algeria, and sub-Saharan African countries, especially Senegal.²¹ According to French officials in the Ministry for External Relations, 800,000 undocumented immigrants, who then lived in Italy, were potentially ready to cross the Alps into France.²² In addition, the officers of both the French Ministry for External Relations and the French Interior Ministry were concerned that the abolition of border controls with Italy might encourage an influx of inactive and unemployed Italian persons and, more importantly, favour international terrorism and criminal trafficking into France, including counterfeit money, smuggled

19. See: A. GEDDES, *Immigration and European Integration. Towards fortress Europe?*, Manchester University Press, Manchester, 2000; F. ROMERO, *Emigrazione e integrazione europea 1945-1973*, Edizioni Lavoro, Roma, 1991.
20. G.-H. SOUTOU, *L'Italie et le "couple" franco-allemand*, in: P. CRAVERI, A. VARSORI (eds), *L'Italia nella costruzione europea. Un bilancio storico (1957-2007)*, Franco Angeli, Milano, 2009, p. 60.
21. ADN, CGF [Consulat Général in Florence], 227 PO 1 291, Ministère Français de l'Intérieur, *Réflexions sur le contrôle transfrontalier à la frontière franco-italienne*, 06.1985.
22. ADN, CGF, PO 1 137, Ministère français des Relations extérieures, *Immigration clandestine*, 25.10.1984.

artwork, stolen cars and drugs.²³ Without cooperation between border guards, a drastic tightening of its own immigration policy and, more importantly, a readmission agreement with France, Italy could not hope to form a borderless area with its Northern neighbour.²⁴

Soon after the signature of the Saarbrücken Accord, the Benelux countries began to show interest in the project and, at the conclusion of brief negotiations, on 14 June 1985, the French Secretary of State for European Affairs, Catherine Lalumière, the Head of German Chancellery, Waldemar Schreckenberger, the Dutch Secretary of State for Foreign Affairs, Willem Frederik van Eekelen, the Belgian Secretary of State for European Affairs, Paul De Keersmaeker, and the Luxembourgian Secretary of State for Foreign Affairs, Robert Goebbels, signed the Schengen Agreement.²⁵ Modelled on the Saarbrücken Accord, Schengen provided for the removal of internal border controls, while simultaneously introducing measures to strengthen external border controls and to ramp up the fight against drug-trafficking, international crime and illegal immigration.

London, Dublin and Copenhagen refused to stop border controls because they did not trust the effectiveness of Central and Southern European countries and wanted to maintain sovereignty in this politically sensitive domain. In addition to these motives, the determination to remain part of the Nordic Passport Union, a borderless area composed of all Scandinavian countries, played a role in Denmark's decision. Similarly Ireland's opposition to borderless areas at the European level came down, in part, to the Republic's desire to remain a member of the Common Travel Area with Great Britain. Athens was, meanwhile, potentially interested. Yet Greece was a newcomer to the EC and an emigration country on the geopolitical periphery, to boot: it would not be invited to join Schengen.²⁶

Italy was the only important EC member excluded from the accord and the exclusion came as a shattering blow to Italy's pride. Italy, after all, was not only a

23. ADN, CGF, 227 PO 1 39, Ministère français des Affaires étrangères, Ressortissants italiens soumis à l'obligation du visa, 30.03.1981; PO 1291, Ministère français des Relations extérieures, Sommet franco-italien. Procédure d'allègement des contrôles aux frontières avec l'Italie, 28.05.1985; *ibid.*, Ministère français de l'Intérieur, Note relative à l'ouverture de la frontière franco-italienne, 05.06.1985.

24. ADN, CGF, 227 PO 1 137, Ministère français des Relations extérieures, Passages à la frontière Franco-Italienne, 18.10.1984; *ibid.*, Cadre général des relations franco-italiennes, 19.10.1984; *ibid.*, Éventuel allègement des contrôles à la frontière, 22.10.1984.

25. *Le Soir*, 14.06.1985; *Le Républicain Lorrain*, 15.06.1985; *Le Figaro*, 16.06.1985.

26. See: A. PUDLAT, *Schengen. Zur Manifestation von Grenze und Grenzschutz in Europa*, Olms, Hildesheim, 2013; *Idem.*, *Der lange Weg zum Schengen-Raum. Ein Prozess im Vier-Phasen-Modell*, in: *Journal of European Integration History*, 2(2011), pp.303-325; P. BOELES, M. DEN HEIJER, G. LODDER, et.al., *European Migration Law*, Intersentia, Antwerp, 2009; S. K. KARANJA, *Transparency and Proportionality in the Schengen Information System and Border Control Cooperation*, Martinus Nijhoff, Leiden-Boston, 2008; G. SCIORTINO, *L'ambizione della frontiera. Le politiche di controllo migratorio in Europa*, Franco Angeli, Milano, 2000; V. HREBLAY, *Les accords de Schengen: origine, fonctionnement, avenir*, Bruylant, Bruxelles, 1998; J.S. LOUTTE, *Les États du Benelux et la France face aux accords de Schengen*, Centre de recherche et d'information socio-politiques, Bruxelles, 1998; S. BELLUCCI, *L'Europa senza frontiere e le nuove misure di cooperazione tra polizie*, Laurus Robuffo, Roma, 1997; D. BIGO, *Polices en réseaux: l'expérience européenne*, Presses de la Fondation Nationale des Sciences Politiques, Paris, 1996; G. RENAULT, *Schengen. Un modèle pour l'Europe pénale?*, Larcier, Bruxelles, 1995.

founding member but it was also then serving as President of the Council of the European Community. As such Italy was also finalizing the organization of an important European Council in Milan, which was expected to relaunch European integration.²⁷

The Italian Prime Minister, Bettino Craxi, was certainly concerned. He put it at the top of the agenda in a summit with French President Mitterrand, which took place in Florence on the same day on which the Schengen Agreement was signed.²⁸ Mitterrand agreed, under pressure from Craxi, on bilateral negotiations aimed at reaching a quasi-Schengen arrangement between Italy and France. Mitterrand was, however, brutally clear that Rome first needed to strengthen controls on persons trying to illegally enter France through Italy, especially from the Mediterranean region.²⁹ What emerged was a basic disagreement over the role of the EC and, more importantly, the generalised perception of the Mediterranean region. Craxi was convinced that the EC was the appropriate framework for dealing with the liberalization of the cross-border movement of persons and that the EC should develop a generous immigration policy, consistent with its moral responsibilities and political and economic interests in the Mediterranean. This attitude went hand in hand with Italy's unspoken need for illegal migrants and with the renewed Mediterranean ambitions of the country, which meant a greater role in the Middle East, Malta and the Maghreb region, including Algeria, Libya and Tunisia.³⁰ Mitterrand was, instead, preoccupied with the political and electoral rise of the anti-immigration *Front National* (FN) and a sharp increase in the risk of terrorist attacks in France.³¹ Consequently he believed that any prospect of Communitarisation of the Schengen policy and any enlargement of the Schengen group should be linked to a preliminary tightening of immigration policies, the ultimate aim being to protect Europe and, in particular, France from unwanted migration from the South.

27. A. VARSORI, *La Cenerentola d'Europa? L'Italia e l'integrazione europea dal 1947 ad oggi*, Rubbettino, Soveria Mannelli, 2010; M. NERI GUALDESI, *Il cuore a Bruxelles, la mente a Roma. Storia della partecipazione italiana alla costruzione dell'unità europea*, ETS, Pisa, 2004. See also: S. PAOLI, *Tra solidarietà e fermezza, tra Europa e Mediterraneo. Craxi, il Partito socialista e l'adesione italiana all'accordo di Schengen*, in: D. CAVIGLIA, S. LABBATE (eds), *Al governo del cambiamento. L'Italia di Craxi tra rinnovamento e obiettivi mancati*, Rubbettino, Soveria Mannelli, 2014, pp.103-134; S. ROMANO, *Eurosocialismo e politica estera del governo Craxi*, in: A. SPIRI (ed.), *Bettino Craxi, il socialismo europeo e il sistema internazionale*, Marsilio, Venezia, 2006, pp.83-84; G. MAMMARELLA, *Il Consiglio europeo di Milano del giugno 1985*, in: E. DI NOLFO (ed.), *La politica estera italiana negli anni Ottanta*, P. Lacaita, Manduria, 2003, pp. 199-223.
28. ADN, CGF, 227 PO 1 291, Ministère français des Relations extérieures, Sommet franco-italien, 24.05.1985.
29. *Financial Times*, 15.06.1985.
30. In the mid-1980s, France was quite preoccupied with the apparent success of Italy's Mediterranean policy and it had the clear intention of limiting the influence of Rome in crucial countries, especially in the Maghreb. ADN, CGF, 227 PO 1 291, Ministère français des Relations extérieures, L'Italie et le Maghreb, 23.05.1985; *ibid.*, Politique étrangère de l'Italie, 05.06.1985.
31. ADN, CGF, 227 PO 1 291, Ministère français des Relations extérieures, Circulation des personnes: Immigration clandestine, 05.1985.

Shortly after the summit in Florence, representatives of the Italian Foreign Ministry and the French Ministry for External Relations met. Negotiations lasted for months before coming to an abrupt halt in early 1986: nothing was achieved. Both Italian and French primary sources show that the main cause of the breakdown in negotiations was the Italian government's refusal to meet the requests made by French representatives on behalf of the Schengen states. First, the Italian authorities were reluctant to pay the political and financial cost of removing the geographical limitation contained in the 1951 Geneva Convention from their legislation, in which the status of political asylum was only recognized for "persons fleeing events occurring before 1 January 1951 and within Europe".³² This request was due to the willingness of the Schengen countries, especially Germany, to share the increasing burden of refugee flows from Africa and Asia.³³ Second, they opposed signing a readmission agreement with France whereby Italy had to readmit irregular migrants transiting from Italy to France.³⁴ Finally, and more importantly, they were reluctant to make their own immigration legislation conform to the stricter laws adopted by all Schengen states between the early 1970s and the mid-1980s.³⁵ Rome questioned the convenience and feasibility of stricter border controls and new penalties on carriers transporting undocumented foreigners.³⁶ Also, Rome staunchly rejected the French call for the introduction of visa requirements for nationals of all emigration or potential emigration countries. While both the French government and presidency regarded visas as effective antidotes to illegal immigration and international terrorism, the Italian government argued for exempting a number of developing countries, es-

32. Introductory note to OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (ed.), *Convention and Protocol relating to the status of refugees*, United Nations High Commissioner for Refugees, Geneva, 2010, p.2.

With the adoption of the 1967 Protocol relating to the status of refugees, the geographical limitation lost much of its significance and it was maintained by a very limited number of states, including Italy.

33. ASFBC [Archivi Storici della Fondazione Bettino Craxi], FBC [Fondo Bettino Craxi], 4A, Ministero Italiano degli Affari Esteri, Libera circolazione delle persone nella Comunità, 11.1986.

34. According to the officials of the Italian Foreign Ministry, the Schengen Agreement "was conceived of, especially by France, as a means of pressuring Italy in order to solve, possibly with profit, the problem of repatriation of illegal immigrants to their countries of origin" [translated by the author]. ASFBC, FBC, 4A, Libera circolazione delle persone ..., op.cit.

35. According to the officials of the Italian Foreign Ministry, the real reason why the Schengen countries signed an intergovernmental agreement rather than adopting an EC directive was their conviction that "the other members of the Community (above all Italy) were not sufficiently able to ensure serious control over common external borders" [translated by the author]. ASFBC, FBC, 12B, Ministero Italiano degli Affari Esteri, Europa dei cittadini. Cooperazione in materia di libera circolazione delle persone, 11.1986.

36. ASFBC, FBC, ALL12, Ministero Italiano degli Affari Esteri, Seguiti riunione interministeriale sul soggiorno dei cittadini CEE, snellimento controlli frontiere intracomunitarie e proposta tedesca sull'ingresso illegale di extra-comunitari provenienti con navi e aerei, 14.11.1986.

pecially in the Mediterranean basin, from visa regimes.³⁷ According to the Italian authorities, the expansion of visa requirements, in addition to being ineffective in dealing with illegal immigration and international terrorism, contradicted the internationalist values of the main national political and social forces. Moreover, it was a hindrance to both tourism to Italy and pilgrimages to the Vatican City and, what was worse, it was an obstacle to the government's Mediterranean strategy.³⁸

Not surprisingly, the exemption of visas for Turkish and, above all, Maghreb citizens stood out as the most divisive issue.³⁹ Openness towards immigration from Tunisia, in particular, had been a constant in Italo-Tunisian relations since the early 1970s, when Tunisian Foreign Minister Mohamed Masmoudi explicitly asked Italian Foreign Minister Aldo Moro to improve the working and living conditions of Tunisian residents in Sicily.⁴⁰ He also asked for an alternative destination for Tunisian migrants

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37. The French Foreign Minister Claude Cheysson was the first to draw up a plan to extend visa requirements; however, the plan was abandoned because of the protests from sending countries, especially in the Maghreb and Francophone sub-Saharan Africa. After the French legislative election in 1986, which saw the rise of the National Front and the victory of the *Rassemblement pour la République / Union pour la Démocratie Française* (RPR/UDF) coalition, the new French government carried the idea of visa requirements to extremes, by deciding to impose visas on all countries of the world apart from Switzerland and Community countries. The aim was to contribute to the fight against international terrorism and illegal immigration from Maghreb and Francophone sub-Saharan African countries without undermining bilateral relations: "il est tout à fait clair que c'est le caractère universel de la mesure qui a permis de faire admettre le visa aux pays du Maghreb et de l'Afrique francophone, sans que ceux-ci le ressentent comme une discrimination intolérable". ADN, CGF, 227 PO 1 39, Ministère français des Affaires étrangères, Extension du régime du visa de court séjour, 07.11.1986; PO 1 205, Ministère français des Affaires étrangères, Les visas, 13.01.1988. See also: R. LEVEAU, *Migrations et imaginaires sociaux: l'épreuve de la guerre du Golfe*, in: B. BADIE, C. WIHTOL DE WENDEN (eds), *Le défi migratoire. Questions de relations internationales*, Presses de la Fondation Nationale, Paris, 1994, pp.127-139.
38. A. MELONI, *Visa Policy within the European Union Structure*, Springer, Berlin, 2006, pp.38-39.
39. Before the extension of visa requirements to all the countries in the world except for Switzerland and Community countries, the French authorities were particularly concerned with the exemption of visas for Turkish citizens to visit Italy. On the eve of the summit between President Mitterrand and Prime Minister Craxi, (Rome, 14 November 1985), the General Secretariat of the Élysée reminded the French President that: "une divergence importante subsiste: L'Italie refuse de soumettre les Turcs à un visa d'entrée dans son pays. Si ce refus était maintenu, nous devrions différer la conclusion de l'accord sur l'allègement aux frontières". ANF [Archives Nationales de France], APR [Archives de la Présidence de la République], ACD [Archives de la Cellule diplomatique], 5 AG 4 / CD 300 Dossier 4, Élisabeth Guigou, Hubert Védrine, Note pour le Président de la République. Votre entretien avec M. Craxi, 13.11.1985.
40. Tunisians constituted the earliest, significant, immigrant community in Italy. The first wave of migration took place between the late 1960s and the early 1970s; first-wave migrants were mainly single males who came to work in the fishing and agricultural sectors in the South. See: M. GIACOMARRA, *Dai siciliani in Tunisia ai Maghrebini in Sicilia*, in: E. GIANOTTI, G. MICCICHÉ (eds), *Migrazioni nel Mediterraneo: scambi, convivenze e contaminazioni tra Italia e Nordafrica*, L'Harmattan Italia, Torino, 2002, pp.81-89; R. RIBERO, F. DALY, *The double passage: Tunisian migration to the South and North of Italy*, in: R. KING (ed.), *The Mediterranean Passage. Migration and New Cultural Encounters in Southern Europe*, Liverpool University Press, Liverpool, 2001, pp. 186-205.

after the anti-immigration policies adopted in France, the traditional destination of Tunisian migrants in Europe.⁴¹

In the mid-1980s this request became even more pressing. Tunisia was then experiencing a period of economic, social and political crisis, combined with sustained demographic growth.⁴² In the same period Libya expelled 30,000 Tunisian migrants for economic and political motives.⁴³

Craxi was well aware of the risks involved with an uncontrolled influx of migrants from Southern Mediterranean countries. However, he became convinced that the message sent by border closure to Maghreb states, especially Tunisia, ran counter to national interests and he took the lead in suggesting an alternative approach to European immigration policy. According to Craxi, the containment and reduction of immigration flows should not be pursued at the cost of deterioration in relations with Maghreb countries, not least a privileged partner such as Tunisia. On the contrary, he argued that the restrictive immigration policies, which France, Germany and Benelux countries adopted between the early 1970s and the mid-1980s and tried to export to all member states of the EC through the Schengen Agreement, were objectionable. These policies needed to be replaced with an EC strategy of acceptance and integration of a significant proportion of the Maghreb labour surplus and an EC plan of economic assistance for redressing socio-economic imbalances between the two shores of the Mediterranean. This was functional to both the requirements of the

41. ACS [Archivio Centrale dello Stato], FAM [Fondo Aldo Moro], 156, Ministero Italiano degli Affari Esteri, Visita in Italia del ministro degli Affari Esteri della Repubblica tunisina. Relazioni economiche fra l'Italia e la Tunisia, 12.1973. Italy became a coveted destination for Tunisian migrants due to historical ties, geographical proximity and cultural links between the two countries, plus the liberal immigration policy pursued by Italy and the existence of a large underground sector in the Italian economy. See: M. A. PIRONE, *Approdi e scogli. Le migrazioni internazionali nel Mediterraneo*, Eterotopia, Milano, 2002; F. BOSELLO, *Tunisia: un impegno rivolto al futuro*, Mondadori, Milano, 1987. See also: F. DALY, R. BAROT, *Economic Migration and Social Exclusion: the Case of Tunisians in Italy in the 1980s and 1990s*, in: F. ANTHIAS, G. LAZARIDIS (eds), *Into the Margins: Migration and Exclusion in Southern Europe*, Ashgate, Aldershot, 1999, pp. 35-53; M. MOZZATI, *La compresenza delle culture*, in: M. MALCHIODI (ed.), *La Rai in Tunisia. L'immagine dell'Italia e degli Italiani negli spettatori tunisini di Raiuno, Rai*, Nuova Eri, Roma, 1995, pp. 14-18; F. CARCHEDI, I Tunisini, in: G. MOTTURA (ed.), *L'arcipelago immigrazione. Caratteristiche e modelli migratori dei lavoratori stranieri in Italia*, Ediesse, Roma, 1992, pp. 127-134.
42. During the 1980s, 53,000 workers joined the labour force each year in Tunisia, but there were only 40,000 new jobs. The gap was largely met by exporting workers to Europe, Libya and the Persian Gulf. R. COHEN, *Migration and its Enemies. Global Capital, Migrant Labour and the Nation-State*, Ashgate, Aldershot, 2006, pp. 126-127.
43. See: E. PAOLETTI, *The Migration of Power and North-South Inequalities. The Case of Italy and Libya*, Palgrave Macmillan, Basingstoke; New York, 2011; O. PLIEZ, *La nouvelle Libye. Géopolitique, espaces et sociétés au lendemain de l'embargo*, Karthala-Iremam, Paris, 2004; N. VAN HEAR, *Consequences of the Forced Mass Repatriation of Migrant Communities: Recent Cases from West Africa and the Middle East*, UN Research Institute for Social Development, Geneva, 1992.

Italian economic system and the Mediterranean ambitions of the Italian government, especially its Socialist wing.⁴⁴

This political offensive culminated in the Mediterranean Conference on Labour Market Policies, which was held in Tunis in early 1987 at the suggestion of the Italian Labour and Social Affairs Minister, Gianni De Michelis.⁴⁵ De Michelis found himself speaking in front of Ministers from France, Greece, Spain, Algeria, Egypt, Morocco, Tunisia, Turkey and Yugoslavia, plus representatives from the Arab League, the Arab Labour Organization (ALO), the International Labour Organization (ILO) and the European Community. He made a sustained effort to reply to the Fortress Europe logic that, according to him, was implicit in Schengen.⁴⁶

In his view, restrictive policies had proved to be both ineffective in tackling unwanted immigration and detrimental to positive Euro-Mediterranean relations; in addition, he was also convinced that immigration, including illegal immigration, was vital in easing Italy's demographic decline and in circumventing the rigidities of the Italian labour market. As a consequence, according to De Michelis, the solution to the challenge of migration from the South was not to be sought in Schengen-like agreements. These only extended unsuccessful national policies to the whole continent and heralded a police approach to complex, multifaceted questions. The European Community was the suitable institutional space within which European countries should try to discuss and agree a common strategy. In this context, in particular, the EC should contribute to the establishment of a sort of integrated Euro-Mediterranean labour market, in which Southern surpluses of manpower alleviate shortages of manpower and ageing populations in the North. In addition, the EC should work at implementing economic and social cohesion at the Euro-Mediterranean level, the ultimate aim being to close disparities in socio-economic conditions between the two shores of the Mediterranean. In De Michelis's opinion, this was the only way for the European Community and its member states to govern immigration pressure on

44. ANF, APR, ACD, 5 AG 4 / CD 135 Dossier 1, Edgard Pisani, Note pour le Président de la République: Entrevue avec le Président Bettino Craxi, 03.12.1986. See also: I. AMRI, *Le relazioni della Tunisia con l'Europa occidentale in materia di manodopera*, in: M. DELLE DONNE, U. MELOTTI (eds), *Mediterraneo. Di qua di là dal mare Tunisia Italia*, Ediesse, Roma, 2002, pp. 99-110.

45. Though Gianni De Michelis served as Labour and Social Affairs Minister between 1983 and 1987, from the mid-1980s he was generally considered by European authorities, especially the French, as "l'homme clé des relations internationales au sein du Parti socialiste italien"; between 1989 and 1992, he served as Foreign Minister. ANF, APR, ACD, 5 AG 4 / CD 135 Dossier 1, Hubert Vedrine, Note pour le Président de la République, 27.06.1986.

46. R. COSTA, *L'immigrazione verso l'Italia e l'Europa nelle previsioni per i prossimi venticinque anni*, in: C. MACCHERONI, A. MAURI (eds), *Le migrazioni dall'Africa mediterranea verso l'Italia*, Giuffrè, Milano, 1989, p.20.

Western European countries, thereby simultaneously contributing to the development and stabilization of the Mediterranean region as a whole.⁴⁷

Italy's Entry: Caught Between Europe and the Maghreb (1987-1990)

At the fall of the Craxi government on 17 April 1987, all proposals were put aside, not least because of the cold reaction from the French government. Paris stood against the prospect of relaxing Schengen immigration rules, especially on the Mediterranean front. They refused, too, the idea of associating the strengthening of external border controls with the adoption of assistance plans for third Mediterranean countries.⁴⁸ They were convinced, finally, that the migration issue was not to be dealt with in the complex and sometimes chaotic Euro-Mediterranean fora:

“il faut travailler dans une aire plus homogène, par exemple les relations entre la CEE et le Maghreb, ou les relations entre pays complémentaires d'émigration et d'immigration, ou les riverains de la Méditerranée occidentale”.⁴⁹

At the same time, the government in Rome realized that it was too costly, in both political and economic terms, to stay on the margins of the Schengen club. Not least, there was the danger that Italy might cease to be a transit country, as it was perceived by a large part of its ruling class and public opinion, and become, instead, a receiving country. In addition, the predominance of the “pro-French faction” led by Foreign Minister Andreotti over the “pro-Mediterranean faction” led by Craxi, the ex-Prime Minister and Secretary of the *Partito Socialista Italiano* (PSI), also played a role in the more favourable attitude towards Schengen in the new Fanfani government.⁵⁰ Moreover, after a rebuffed attempt at alliance with Spain, Italy faced the serious risk of being diplomatically isolated in Europe; unlike the Italian Parliament, in fact, the Spanish Parliament was prompt in bringing national immigration legislation in line

47. ANF, APR, ACD, 5 AG 4 / CD 135 Dossier 1, Hubert Vedrine, Initiative italienne sur la Méditerranée, 07.04.1987. See also: G. DE MICHELIS, *La lezione della storia: sul futuro dell'Italia e le prospettive dell'Europa*, Marsilio, Venezia, 2013; idem., *La lunga ombra di Yalta: la specificità della politica italiana*, Marsilio, Venezia, 2003. In accordance with this strategy, the government in Rome gave 500 million dollars of assistance to Tunisia in the context of a wider change of priorities and beneficiaries in Italy's policy of cooperation. E. CALANDRI, *Prima della globalizzazione. L'Italia, la cooperazione allo sviluppo e la Guerra Fredda*, Cedam, Padova, 2013, pp.251-306.

48. J.S. LOUETTE, *Les États du Benelux et la France face aux accords de Schengen*, Centre de recherche et d'information socio-politiques, Bruxelles, 1998, pp.11-16.

49. ANF, APR, ACD, 5 AG 4 / CD 135 Dossier 1, Hubert Vedrine, Méditerranée, 06.04.1987.

50. The French Ambassador to Italy in the late 1980s and early 1990s considered Andreotti “sans doute un des hommes politiques italiens les plus proches de la France, maniant parfaitement notre langue et fin gourmet de notre culture”. ADN, CGF, 227 PO 1 291, Gilbert Pérol, Rencontre du Président de la République avec Andreotti, 27.09.1989.

with the more restrictive legislation of Schengen countries, while remaining reluctant to impose visa requirements on Maghreb and South American citizens.⁵¹

After a short internal debate the Italian government, inspired by Andreotti, agreed on asking for admittance to the groups charged with drafting the Convention implementing the Schengen Agreement. The Italian government was, though, well aware that the five original Schengen signatories had no intention of toning down their requests.⁵²

Unsurprisingly, the Schengen governments accepted the Italian request for admittance. The aim was to reassure the European Commission and the European Parliament that the Schengen Agreement would eventually include all members of the EC and contribute to a politically and financially convenient externalization of border control activities.⁵³ The Schengen governments, however, continued to insist that Italy should meet all the conditions and remove the obstacles for acceptance into the Schengen club, starting with the introduction of visa requirements for countries deemed to be problematic, including the Maghreb states. There was awareness that Italy would set the precedent for all Southern European states, so there was little room for compromise.⁵⁴ In addition, Italian ministers were excluded from biannual ministerial meetings, which took place in the framework of the negotiations for the Con-

51. A. CORTÉS MAISONAVE, *Los antecedentes políticos del codesarrollo: la reinención del nexo entre la migración y el desarrollo en el sur de Europa*, in: F. CHECA Y OLMOS, J.C. CHECA, A. ARJONA (eds), *Las Migraciones en el Mundo: desafíos y esperanzas*, Icaria, Barcelona, 2009, p. 75; F.J. MORENO FUENTES, *Dissonance between Discourse and Practice in EU Border Control Enforcement. The Spanish Case*, in: A. CHEBEL D'APPOLLONIA, S. REICH (eds), *Immigration, Integration, and Security. America and Europe in Comparative Perspective*, University of Pittsburgh, Pittsburgh, 2008, pp.262-267. As a matter of fact, the Italian Parliament adopted a law on immigration as early as 1986. At that time, however, Italian decision makers were not concerned with the problem of reducing inflows; the aim of the act was to legalize and regulate the situation of immigrants in Italy and to gently prevent further illegal immigration rather than to restrict access and cut down inflows. See: C. BONIFAZI, *L'immigrazione straniera in Italia*, Il Mulino, Bologna, 2007; E. PUGLIESE, *L'Italia tra migrazioni internazionali e migrazioni interne*, Il Mulino, Bologna, 2006; K. CALAVITA, *Italy: Economic Realities, Political Fictions, and Policy Failures*, in: W.A. CORNELIUS, T. TSUDA, P.L. MARTIN, et.al. (eds), *Controlling Immigration. A Global Perspective*, Stanford University Press, Stanford, 2004, pp.366-369; P. BONETTI, *Italy*, in: B. NASCIMBENE (ed.), *Expulsion and Detention of Aliens in the European Union Countries*, Giuffrè, Milano, 2001, pp.314-315; G. SCIORTINO, *Planning in the Dark: the Evolution of Italian Immigration Control*, in: G. BROCHMANN, T. HAMMAR (eds), *Mechanisms of Immigration Control. A Comparative Analysis of European Regulation Policies*, Berg, Oxford, 1999, pp.237-239; M. CONTEL, R. DE BIASE, *Italy*, in: S. ANGENENDT (ed.), *Asylum and Migration Policies in the European Union*, Research Institute of the German Society for Foreign Affairs, Berlin, 1999, pp. 236-237; G. ZINCONE, *Immigration to Italy: Data and Policies*, in: F. HECKMANN, W. BOSSWICK (eds), *Migration Policies: a Comparative Perspective*, Enke, Stuttgart, 1995, p.138.
52. HACEU [Historical Archives of the Council of the European Union], SEC [Schengen Executive Committee], 230487, Ambassade d'Italie à Bruxelles, Lettre au Secrétariat Général du Benelux, 13.04.1987; *ibid.*, Union Économique Benelux, Demande d'adhésion de l'Italie, 23.04.1987.
53. C. BOSWELL, *European Migration Policies in Flux. Changing Patterns of Inclusion and Exclusion*, Blackwell, Oxford, 2003, pp.100-112.
54. N. GUIMEZANES, *La Convention de Schengen: une présentation française*, in: A. PAULY (ed.), *Schengen en panne*, European Institute of Public Administration, Maastricht, 1994, pp.5-10.

vention implementing the Schengen Agreement. Italian representatives, meanwhile, were admitted as mere observers to technical committees, without any decision-making powers.⁵⁵

After one and a half years of Italian representatives' participation in negotiations, the Italian Parliament discussed the opportunity of entering the Schengen system. Between late 1988 and late 1989, the Parliamentary Committee on Constitutional Affairs of the Chamber of Deputies conducted an enquiry into immigration and the conditions of foreign nationals in Italy. This highlighted the existence of important political forces opposing any Italian participation in the upcoming Schengen area.⁵⁶ There was, it is fair to say, a general failure to understand immigration and its potential implications; in addition, most criticisms depended on a common internationalist ideology and the shared memory of a long migratory past. Also, foreign policy considerations were crucial in shaping the views of Italian Socialists; put simply participation in the Schengen system seemed at odds with the Socialists' Mediterranean strategy, which included privileged economic and political relations with Maghreb countries. Third-Worldism played a decisive part in the critical positions taken by the representatives of the *Partito Comunista Italiano* (PC), meanwhile. The pro-immigration stance of the Catholic Church, finally, was influential in determining the *Democrazia Cristiana's* (DC) position.⁵⁷

All the members of the government, who spoke during hearings, criticized the Schengen Agreement and opposed Italian accession as well: with the sole exceptions of the Foreign Minister and, from mid-1989 to mid-1992, the Prime Minister, Andreotti, and the Interior Minister, Antonio Gava. The Labour and Social Affairs Minister, Rino Formica, questioned, for example, Schengen's emphasis on police border controls in the fight against illegal immigration. The Minister of European Affairs, Antonio La Pergola, argued against the decision to act outside the EC framework and to disregard, as he saw it, the interests and opinions of third Mediterranean countries. The Vice-Prime Minister, Claudio Martelli, a Socialist, bluntly attacked the Schengen Agreement head on. He denounced Schengen as an inhuman and ineffective attempt to establish a *cordon sanitaire* against the South whose poverty was, according to him, in great part attributable to the North. Martelli proposed as an alternative the strategic planning of migration flows at the EC level and in close coordination with the countries of origin: according to this proposal, the European Community ought to set a flexible and articulated framework within which all its member states, on the

55. M. FRIDEGOTTO, *L'accordo di Schengen: riflessi internazionali ed interni per l'Italia*, Franco Angeli, Milano, 1992, pp.17-20.

56. In addition, all the members of associations and trade unions, including the *Confederazione Generale Italiana del Lavoro* (CGIL), the *Confederazione Italiana Sindacato Lavoratori* (CISL) and the *Unione Italiana del Lavoro* (UIL), who participated in the meetings of the Parliamentary Committee on Constitutional Affairs of the Chamber of Deputies, expressed scepticism and criticism against the Schengen system. M. BASSETTI, *Immigrazione e razzismo in Italia*, in: *Testimonianze*, 3-4(1990).

57. ASILS [Archivio Storico dell'Istituto Luigi Sturzo], FDC [Fondo Democrazia Cristiana], SCONGRN [Serie Congresso Nazionale], 29, Delegazione italiana nel Gruppo del Partito Popolare Europeo, Mozione dei Deputati Europei DC per il Congresso, 18.02.1989.

basis of their respective socio-economic needs and in a spirit of international solidarity, would plan immigrant quotas and sign bilateral agreements with sending countries.⁵⁸ This proposal was clearly intended to satisfy the request for flexible and low-wage workers coming from Italian employers. But it also gave space to the Italian government's ambition to play a leading role in the Mediterranean region while, simultaneously, defending the primacy of the EC in international cooperation on migration and asylum.⁵⁹

In this context, the request to impose visas on people coming from Maghreb countries became the most significant obstacle to Italy signing the Schengen Agreement and the upcoming Convention implementing the Schengen Agreement. In an attempt to strengthen diplomatic relations with Maghreb countries, especially the Morocco of King Hassan II and Tunisia with its new President Zine El Abidine Ben Ali, the Vice-Prime Minister openly challenged the Schengen countries, by confirming the Italian government's unwillingness to impose visas on persons coming from these states. Martelli, with the support of his party, and hoping to help with the unification of the Maghreb countries, was also actively committed in promoting free movement agreements between the European Community and the plan for an Arab Maghreb Union (AMU), which involved Algeria, Libya, Mauritania, Morocco and Tunisia.⁶⁰

With this in mind, after the well-publicized murder of a South-African refugee, Jerry Essan Masslo, and a consequent, unprecedented, mass rally against racism in late 1989, Martelli introduced a bill to reform Italian immigration policy. He was determined that it would not conform to Schengen norms; according to him, Italy should be particularly careful not to follow the model of France, which he regarded as a country: "shaken by waves of racism and with a foreign population that is five times larger than ours".⁶¹

After the approval of Martelli's decree law by the Council of Ministers, however, a heated debate began in which the distance between Italian and Northern European

58. CAMERA DEI DEPUTATI, *Immigrazione e condizione dello straniero. Indagine conoscitiva della I Commissione Affari Costituzionali e Testi normativi conseguenti (novembre 1988-dicembre 1989)*, Ufficio Pubblicazioni del Servizio Informazione Parlamentare e Relazioni Esterne della Camera dei Deputati, Roma, 1990.

59. C. MARTELLI, *Il merito e il bisogno*, SugarCo, Milano, 1987, p.194.

60. In a series of meetings with the Moroccan, Algerian and Tunisian authorities, which took place, respectively, in Rabat, Algiers and Tunis (October 1988), the Secretary of the PSI, Craxi, explicitly linked his support for the Great Maghreb project to the need for closer Euro-Maghreb cooperation on migration. See: A. MAHIOU, *Problématique de la construction maghrébine*, in: R. BISTOLFI (ed.), *Euro-Méditerranée. Une région à construire*, Publisud, Paris, 1995, pp.199-211; C. DAUDEL, *Quelles perspectives entre la CEE et l'UMA?*, in: *Afrique et Asie Modernes*, 166(1990), p.34; R. ALIBONI, *Le Maghreb et la Communauté européenne: vers une nouvelle approche solidaire*, in: *Orient*, 3 (1990), p.87.

61. See: *La Stampa*, 19.12.1989; *Il Giornale*, 20.12.1989. See also: C. MARTELLI, *Ricordati di vivere*, Bompiani, Milano, 2013.

immigration regimes became a fundamental argument against Martelli's approach.⁶² This was the time when long-standing fears of immigrant invasion from the South combined with more recent fears of a looming immigrant invasion from the East. Significant political forces, including the neo-fascist *Movimento Sociale Italiano* (MSI) and the regionalist *Lega Lombarda* (LL)/*Lega Nord* (LN), began to openly criticize the liberal approach taken by the Vice-Prime Minister. They caricatured Italy as the soft underbelly of Europe and the open door to the Continent, borrowing from the French and German media and from the political debate in those two countries. Also, governing parties such as the *Partito Liberale Italiano* (PLI) and, above all, the *Partito Repubblicano Italiano* (PRI) protested Martelli's decree law in an attempt to take advantage of middle-class voters' fears and to reach out to the Schengen governments.⁶³

The Schengen governments, in fact, made every effort to persuade both the Italian government and Parliament to accept their views on immigration. The French government and presidency were the most resolute in pressing the Italian authorities. In the words of the then Ambassador of France in Rome, on the eve of the Venice summit between French President Mitterrand and Italian Prime Minister Andreotti (4-5 October 1989):

“notre intérêt [...] n'est pas d'avoir, sur notre flanc méditerranéen oriental, le plus exposé précisément à la pression démographique, un “pays-passeiro”, [...], ni un pays marginalisé avec lequel il faudrait maintenir, faute d'avoir pu maîtriser le problème, une sorte de “cordon sanitaire” sur les Alpes. L'occasion nous en est fournie précisément par la négociation sur les accords de Schengen – quel que soit, en définitive, le sort de ces accords. Puisque l'Italie frappe à la porte, il faut [...] contraindre le Gouvernement italien, en l'enserrant dans un compte à rebours précis, à procéder à la nécessaire mise à jour de sa réglementation”.⁶⁴

Similarly, the Italian politicians who were most exposed to European influence, such as European Commissioner Carlo Ripa di Meana, publicly agreed with the Schengen countries, who refused to open their borders with Italy unless Italy adopted stricter rules on immigration. This included, naturally, visas on migrants or travellers from Southern Mediterranean countries.⁶⁵

Pressure from Schengen governments, which was added to growing protests from both opposition and government parties and increasingly vociferous complaints from city mayors and social groups, especially shopkeepers, led to an abrupt change of

62. L. EINAUDI, *Le politiche dell'immigrazione in Italia dall'Unità a oggi*, Laterza, Roma-Bari, 2007, pp. 144-148.

63. SENATO DELLA REPUBBLICA ITALIANA, *Atti parlamentari. X Legislatura*, Resoconto stenografico, Roma, 27.02.1990. See also: *Il Manifesto*, 23.12.1989; *Avanti!*, 24.12.1989; *Il Giornale*, 06.01.1990; *Panorama*, 14.01.1990.

64. ADN, CGF, 227 PO 1 291, Gilbert Pérol, Rencontre du Président de la République avec Andreotti, 27.09.1989.

65. *Il Messaggero*, 24.02.1990.

heart in the two main government parties, the DC and the PSI.⁶⁶ This, in turn, led to a dramatic shift from a liberal to a restrictive approach to immigration. Though a majority in both parties remained secretly sceptical about the Schengen system and its underlying philosophy, they decided that the electoral and political costs of self-exclusion were too high.⁶⁷

At the conclusion of the parliamentary debate, the original law decree was radically modified and all the most significant reforms requested as conditions for the country's accession to Schengen were adopted.⁶⁸ First, the Italian Parliament abolished the special clauses of the Geneva Convention in which the status of political asylum was only recognized for those from European countries.⁶⁹ Second, it strengthened rejection and detention procedures for irregular immigrants, tightened up sanctions for migrant smugglers and traffickers and introduced penalties on carriers transporting the undocumented. Finally, it agreed on visas for those coming from Turkey, the Maghreb and sub-Saharan African countries.⁷⁰ This was at the same time, it must be remembered, that all Schengen countries, immediately after the collapse of Communist regimes and under pressure from Germany, decided to remove Hungary and Czechoslovakia from the Schengen Black List. They also agreed to treat the German Democratic Republic, prior to reunification, as a non-foreign part of Germany, so *de facto* admitting East Germany into Schengen.⁷¹

Significantly, shortly after the adoption of the new restrictive law on immigration, which paved the way for the country's signature of the Schengen agreements, the

66. See: *Il Giornale*, 15.02.1990; *Secolo*, 15, 17, 20 and 21.02.1990; *L'Unità*, 17 and 23.02.1990; *Il Mattino*, 18.02.1990; *Corriere della Sera*, 18.02.1990; *L'Espresso*, 18.02.1990; *Avanti!*, 20.02.1990; *La Repubblica*, 23.02.1990; *Avvenire*, 24.02.1990; *Il Giorno*, 24.02.1990. See also: S. PAOLI, *La legge Martelli su asilo politico e immigrazione: una scelta europea*, in: *Storia e Politica – Annali della Fondazione Ugo La Malfa*, XXIX(2015).

67. ASILS, FDC, SCONSN [Serie Consiglio Nazionale], 71, Arnaldo Forlani, Relazione del segretario politico al Consiglio Nazionale della Democrazia Cristiana, 19-20.02.1990.

68. The so-called Martelli Law did not eliminate all differences between immigration legislation in Italy and in most European countries. As far as quotas for new immigration were concerned, it left the option to allow immigration flows if domestic labour market conditions were suitable, a point which differed from the legislation of many European neighbours. See: C. BONIFAZI, *European Migration Policy: Questions from Italy*, in: R. KING, G. LAZARIDIS, C. TSARDANIDIS (eds), *Eldorado or Fortress? Migration in Southern Europe*, Palgrave Macmillan, Basingstoke, 2000, pp.233-252; C. MARTELLI, *Introduzione*, in: A. SAIJA (ed.), *La normativa sugli extracomunitari. Testo e commento della Legge 28/2/1990 N. 39*, Edizioni delle Autonomie, Roma, 1990, pp.5-6.

69. It is fair to say that the removal of the geographical limitation was also due to the pressure made by left-wing parties, religious and secular associations, intergovernmental organizations and international non-governmental organizations. C. HEIN, *Storia del diritto d'asilo in Italia*, in: C. HEIN (ed.), *Rifugiati: vent'anni di storia del diritto d'asilo in Italia*, Donzelli, Roma, 2010, pp.33-84.

70. K. BADE, *Migration in European History*, Blackwell, Malden, 2003, pp.234-240.

71. HACEU, CGFMP [Coordinators' Group on Free Movement of Persons], 3607/1/90, Groupe des Coordonnateurs "Libre Circulation des Personnes", Conclusions, 16.02.1990; HACEU, ADGI [Ad Hoc Group on Immigration], SN 2480/90 (WGI 541), Groupe Ad Hoc Immigration, Réunion, 29.01.1990; WGI 567, Groupe Ad Hoc Immigration, Conclusions, 05.03.1990; WGI 598, Groupe Ad Hoc Immigration, Conclusions, 05.04.1990; WGI 612, Groupe Ad Hoc Immigration, Conclusions, 15.05.1990.

Tunisian President Ben Ali made his first official visit to Italy. He emphasised the need for more open borders between Tunisia and Italy, and between the newly established Arab Maghreb Union and the European Community.⁷² But despite protests from Ben Ali, Vice-Prime Minister Martelli signed the Schengen Agreement and the Convention implementing the Schengen Agreement on 27 November 1990.

The governments of the Schengen countries were satisfied with the reassurances given by the Italian government and Parliament through the approval of the so-called Martelli Law and the promise, quickly fulfilled, to sign a readmission agreement with France. The Italian government, meanwhile, was content with its entry into Schengen after a debate which had risked the country's relations with its Community partners and the government's coalition and natural constituency.

Conclusion

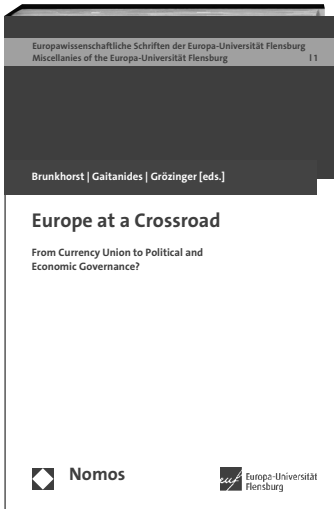
In conclusion, an important reason why the Schengen countries resolved to act outside the EC framework and, in this context, to exclude Italy was their political determination to press Italy and, ultimately, all the Southern members of the EC into adopting the Northern European approach to the problem of immigration control. These Southern EC countries would, by this logic, have been transformed into a convenient and efficient first line in the externalization of border controls and a buffer zone against Southern Mediterranean countries.

Conversely, an important reason why Italy resisted, for a long time, to comply with the requirements to join Schengen was its willingness to facilitate the political and economic penetration of the Mediterranean region, especially the Maghreb. Seen in this light, even if it did not definitely prejudice relations with Maghreb countries, Italy's accession to the Schengen agreements marked a significant turning point in Italian foreign policy and, to a certain extent, in external EC relations. On the one hand, this episode represented a victory for the "pro-European faction" in its long-running conflict with the "pro-Mediterranean" one in Italy. On the other, it represented a failure to reverse both the Schengen approach to common immigration policy and the emergence of a security paradigm that, since the late 1980s and the early 1990s, has largely characterized Euro-Mediterranean relations.

72. Both in the summit with the Vice-President of the Italian Council of Ministers, Martelli, (Tunis, February 1990), and in the meetings with the President of the Italian Republic, Francesco Cossiga, the President of the Council of Ministers, Andreotti, and the Foreign Minister, De Michelis, (Rome, June 1990), the Tunisian President Ben Ali stated that the solution to the immigration problem should not be sought in imposition of visas and the deployment of the army at the borders but in a political agreement between the EC and the UMA, aimed at promoting socio-economic development in the Maghreb region. P. WULZER, *Le relazioni fra Italia e Tunisia*, in: M. PIZZIGALLO (ed.), *Il ponte sul Mediterraneo. Le relazioni fra l'Italia e i paesi arabi rivieraschi (1989-2009)*, Apes, Roma, 2011, p.237.

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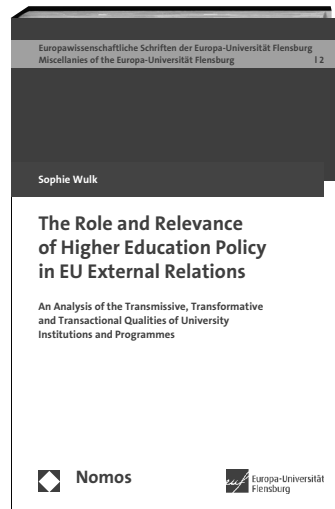
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