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BORDERS, SECURITY, AND MEDITERRANEAN RELATIONS

TRANSNATIONAL PERSPECTIVES

edited by

FLAVIA **DE LUCIA LUMENO**



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INTRODUCTION

Flavia De Lucia Lumeno[1]

This volume originates in the Blended Intensive Programme (BIP) "Borders, Security, and Mediterranean Relations: Transnational Perspectives", held in November 2026 in Rome under the Erasmus+ framework. The BIP has brought together students and teaching staff from five European universities (Niccolò Cusano University, Italy; University of National and World Economy, Bulgaria; Šibenik University of Applied Sciences, Croatia; University of Valencia, Spain; University of Cádiz, Spain). Its starting point was a simple but demanding premise: that the Mediterranean cannot be understood through the categories of a single discipline, a single national tradition or a single language, and that the study of borders, security and regional relations is best conducted in settings where such categories are exposed to comparison and, where necessary, to contestation.

The chapters collected here are the written outcome of that exchange. They were prepared by lecturers and

(1) Università degli Studi "Niccolò Cusano", Roma, Italy.

researchers who taught in the programme, and they preserve something of its character: they differ in method, in disciplinary vocabulary and in the language in which they are written, yet they address a shared set of questions. What do borders do, and for whom? How is sovereignty reconfigured when states are embedded in regional, supranational and transnational networks? Who moves, under what legal and social conditions, and who is allowed to be described as a "migrant" rather than as a "mobile" citizen? Whose security is pursued when states, armed groups and international organisations act in the Mediterranean, and whose is left outside the field of action? And, no less importantly, who has the authority to produce knowledge about the region in the first place?

A transnational and collaborative enterprise

The transnational character of the volume is not only a matter of its subject. It is built into the way the book was made. The contributors teach and research in Italy, Bulgaria, Spain and Croatia, and they write from legal, political, sociological, historical, philosophical and linguistic standpoints. Three languages – English, Spanish and Italian – are present in the book, and we have deliberately kept all three. A volume on the Mediterranean that spoke only one language would reproduce, at the level of form, the hierarchies of knowledge that several of its chapters set out to question.

Collaboration among universities also shapes the pedagogical dimension of the book. The BIP model is designed to place students in the position of co-participants in a

research conversation rather than of passive recipients of lectures. Several chapters reflect this orientation directly. One of them, for instance, takes the vocabulary of public administration and political science as its object and treats the acquisition of specialised terminology as part of the study of the state itself. Others, written by scholars who also teach the courses from which the BIP grew, rework material tested in the classroom into extended arguments grounded in archival, legal and comparative evidence.

An interdisciplinary volume

Interdisciplinarity is the second defining feature of the book. The contributions draw on comparative constitutional law, EU and international economic law, international relations and security studies, migration and labour sociology, diplomatic and religious history, political philosophy and the study of language. These approaches are not simply juxtaposed. They intersect on at least four recurring themes.

The first is *sovereignty and its transformation*. Several chapters start from the observation that classical territorial sovereignty no longer describes the actual conditions in which public power is exercised in the Mediterranean, but they differ in what they conclude from it. For some, it opens the possibility of relational and multilevel forms of legitimacy; for others, it signals a drift towards the primacy of market forces or towards the delegation of coercive functions to weak or captured state institutions. A related strand concerns the legal limits of power exercised beyond a polity's borders: whether the effects that a measure produces abroad can extend the authority on which it rests.

The second is *the stratification of mobility*. The chapters on migration and labour converge in showing that movement across and within Southern Europe is organised hierarchically, by legal status, class, race and gender, and that apparently opposite categories – the expatriate and the seasonal worker, inclusion and exclusion – are in fact mutually dependent.

The third is *the plurality of security logics*. Whether the object is wartime humanitarian aid, the Algerian civil war, the current Italian–Libyan relationship or the Union's restrictive measures against Russia, the chapters show that "security" is never a single value: states, societies and individuals are protected, or left unprotected, according to hierarchies that must themselves be explained.

The fourth is *epistemic*. The volume asks repeatedly how the Mediterranean is described, by whom and with which concepts, and how the dichotomies North/South, West/East, mobility/migration or integration/exclusion shape both scholarship and policy.

Structure of the volume

The book is organised in three parts.

Part 1, "Borders, sovereignty and the state: legal and conceptual frameworks", sets out the legal and theoretical frame. In Chapter 1, Cristina Gazzetta approaches the Mediterranean from the standpoint of comparative constitutional law. Interpreting the sea not as a line of division but as a "constitutional laboratory" marked by interdependence, human mobility and multilevel governance, she argues that the erosion of classical territorial sovereignty

need not produce a democratic void. It may instead call for a model of *relational sovereignty*, in which deliberative practices such as citizens' assemblies help legitimise public decisions beyond the state and turn borders from barriers of exclusion into bridges of cooperative governance. Chapter 2, by Ivana Bratić and Ivana Kardum Goleš, takes a step back and examines the concept of the state itself. Starting from Max Weber's definition and that of the Montevideo Convention, and drawing briefly on Plato and Aristotle, it surveys models of state organisation, the state's principal functions and the pressures exerted on it in the twenty-first century by economic globalisation and neoliberal ideology. Written with a content and language integrated approach, the chapter doubles as a learning tool: it supplies the specialised vocabulary on which the following contributions implicitly rely.

Chapter 3, by Valentina Ranaldi, examines how the principle of conferral and international law constrain the Union's power to restrict trade for foreign-policy and security purposes. Taking the restrictive measures adopted against Russia since 2014 as its main case, it distinguishes measures based on the common commercial policy from those adopted within the Common Foreign and Security Policy, assesses their legality under general international law and the security exceptions of WTO law, and analyses the anti-circumvention mechanisms of Regulation (EU) No 833/2014. Its central argument is that the effectiveness of restrictive measures, or their economic effects on third countries, cannot by themselves extend the legal authority on which they rest. The chapter also considers how preferential agreements, such as the Euro-Mediterranean Association Agreement with Morocco, relate to those

measures without requiring partner States to apply them. It thus gives precise legal form to a question raised in Chapter 1: where the borders of Union power lie when its instruments are designed to produce effects beyond them.

Chapter 4, by Mohamed El Mouden El Mouden and Achouak Chalkha, shifts the question from what the state or the border is to who is entitled to interpret them. It treats the Mediterranean as an epistemological problem and criticises the assumption of a single rationality and the dichotomies that derive from it. Through a rereading of the Arabic-Islamic tradition of language, logic and rhetoric, and of problematology, it proposes a "third interpretive space" in which criteria are contextualised and the authority to produce meaning is redistributed among recognised interlocutors. Read together, the four chapters move from a legal reconfiguration of sovereignty, through the concept of the state and the limits of Union power in its external action, to a critical reflection on the knowledge claims that sustain all three. Chapter 4 in particular invites the reader to treat the categories of the other chapters as situated rather than neutral.

Part II, "Mobility, labour and inequality", turns to the people who cross, inhabit and work in the Mediterranean space. Chapter 5, by Anna Giulia Ingellis and Berta Perpiñán Sánchez, challenges the conventional distinction between "migration" and "mobility". After assessing the limits of the Southern Europe Migration Model, the authors show that lifestyle migrants, qualified professionals, labour migrants and people crossing the sea share the same cities, labour markets and housing systems, and they propose to understand Southern European mobilities as a *stratified migration system*, drawing on Med-thinking and

on the notion of stratified citizenship. Chapter 6, by Daria Forlenza, examines two cases that illustrate this stratification in concrete terms: seasonal Moroccan women workers in Andalusia and Sikh agricultural workers in Italy. Using a comparative qualitative approach, it argues that labour inclusion does not necessarily translate into social integration and that contemporary agricultural systems produce differentiated regimes of incorporation in which migrants are economically necessary but socially marginal; non-integration, in this reading, is not a failure of the system but one of its constitutive features. The two chapters complement each other: the first offers the regional framework and the second the empirical grounding, in a sector whose labour regime reflects the stratification described in Chapter 5.

Part III, "Security, conflict and humanitarian action", examines the Mediterranean as a space of conflict, mediation and external intervention. The chapters are arranged chronologically, so that the reader can follow how the relationship between mobility, humanitarianism and security has evolved. In Chapter 7, Juan M. de Lara Vázquez reconstructs, on the basis of archival documentation, the assistance provided by pontifical organisations to prisoners and refugees in North Africa between 1942 and 1945, with particular attention to the Spanish protectorate in Morocco. The chapter shows how this territory functioned as a space of transit, mediation and cooperation among papal diplomacy, local authorities and international Catholic organisations, and how humanitarian action took on a genuinely transnational form. Chapter 8, by Flavia De Lucia Lumeno, moves to the Algerian crisis between 1988 and 2009. Combining securitisation theory, neoclassical realism and the literature on middle-power diplomacy with archival

and parliamentary sources, it argues that Italian policy was governed by a hierarchy of security referents in which energy and economic security stood at the top, followed by the protection of nationals and the stability of the Algerian state, while the security of Algerian civilians remained largely outside the field of action; Algerian insistence on sovereignty, and its refusal of external mediation, set limits that no outside actor could overcome. Chapter 9, also by Flavia De Lucia Lumeno, brings the story to the present. It analyses how Italy's pursuit of hydrocarbon supplies and the containment of irregular maritime migration have interacted with Libya's institutional fragmentation since 2020, producing a condition of "controlled instability" that rewards armed and political actors for keeping state institutions weak, and it considers the criminal economies, the Russian military projection in Cyrenaica and the legal implications of externalised border control.

The three chapters of Part iii can be read as a historical sequence and as an argument. Chapter 7 depicts a humanitarian order in which the Mediterranean is a field of assistance, however politically constrained. Chapter 8 shows how, some half a century later, the protection of people is subordinated to the protection of energy and of the state. Chapter 9 completes the trajectory by showing how mobility itself becomes an instrument of leverage and how the delegation of border control to fragile or captured actors carries strategic, institutional and legal costs. In this way Part iii returns to the questions of Part i – what remains of sovereignty when it is shared, bartered or captured – and to those of Part ii, since the people whose movement is "managed" in Libya are among those whom the stratified systems of Southern Europe differentially include and

exclude. Chapters 3 and 9 also form a pair: the former examines the legal limits within which the Union may seek to make its measures effective beyond its borders; the latter documents the strategic and legal costs of externalising border control to fragile or captured actors.

Why this book matters

Three reasons make this collection, in our view, worth reading beyond the circle of those who took part in the programme.

First, it treats borders, security and mobility together. In public debate and in much of the literature these are handled in separate compartments – constitutional law here, labour markets there, sanctions and trade law elsewhere, foreign and energy policy elsewhere still. The chapters show that such separations are analytically costly: the Italian–Libyan arrangement cannot be understood without the stratification of mobility described in Part ii, nor the democratic legitimacy of border regimes without the constitutional reflection of Part i, nor the reach of the Union's external economic measures without the questions of sovereignty and jurisdiction that run through both.

Second, it combines theory with evidence of different kinds: archival sources, judicial and international documents, qualitative fieldwork, comparative legal analysis and conceptual reconstruction. It thereby offers students and researchers a model of how heterogeneous materials can be brought to bear on a common problem.

Third, it demonstrates, in its very composition, what a transnational and multilingual approach to the

Mediterranean can look like. The book does not aim at a single synthesis, and the authors do not always agree. Their disagreements – about whether sovereignty is eroded or reconfigured, whether integration is a failure or a function, whether security can be pursued without reference to those who live it – are part of what the volume has to offer. We hope that readers will find in them an invitation to continue the conversation that began in the classroom and that this book now extends beyond it.

PART I
BORDERS, SOVEREIGNTY AND THE STATE: LEGAL AND CONCEPTUAL FRAMEWORKS

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BORDERS, SOVEREIGNTY, AND DEMOCRATIC PARTICIPATION IN THE MEDITERRANEAN AREA TOWARDS NEW PARADIGMS OF CONTEMPORARY CONSTITUTIONALISM

Cristina Gazzetta[1]

Abstract: This paper addresses the transformations of statehood, sovereignty, and borders in the Mediterranean space from a comparative constitutional law perspective. Beyond traditional Westphalian paradigms, the Mediterranean is interpreted not as a line of division, but as a constitutional laboratory characterized by deep interdependencies, human mobility, and multilevel governance. The central thesis posits that the progressive erosion of classical territorial sovereignty does not inevitably lead to a democratic void; rather, it calls for the emergence of a model of relational sovereignty. Within this framework, democratic participation and innovative deliberative practices – such as Citizens' Assemblies – become crucial mechanisms for legitimizing public decisions beyond the state. Ultimately, the contribution highlights how democratic participation redefines the relationship between institutions, territory, and citizens, turning borders from barriers of exclusion into bridges of cooperative and inclusive governance.

Keywords: *Sovereignty, Borders, Democratic Participation, Multilevel Governance, Mediterranean Space, Relational Sovereignty.*

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1. Introduction

Historically and conceptually, the Mediterranean space presents itself as a macro-region characterized by an exceptionally high density of economic, social, environmental, historical, and cultural interdependencies[2]. Far from constituting a mere physical border, a static geographical perimeter, or an unyielding geopolitical barrier of division, the Mediterranean functions as a highly privileged observation laboratory for analyzing the profound structural transformations of contemporary constitutionalism[3]. Within this complex regional space, traditional Westphalian structures – namely the absolute territoriality of the nation-state, the rigid separation of jurisdictions, and state-centric notions of public authority – are continuously challenged, destabilized, and rearticulated by massive cross-border human mobility, transnational economic and corporate networks, the urgent necessity of managing shared marine ecosystems, and the dense presence of overlapping supranational, regional, and international governance regimes.

This study aims to examine how the ongoing transformations of statehood and the systematic reshaping of

(2) F. Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, Harper & Row, New York 1972. Fernand Braudel's foundational historiographical framework emphasizes the long-term structural unity (*la longue durée*) of the Mediterranean basin, demonstrating that geographical, climatic, and economic interdependencies historically preceded and continuously reshaped formal political borders, offering an indispensable historical foundation for contemporary legal analyses of regional integration.

(3) G. De Vergottini, *Diritto costituzionale comparato*, CEDAM, Padova 2019, pp. 45-68. The author conceptualizes comparative constitutional law as a dynamic discipline designed to analyze how constitutional forms adapt to external systemic pressures, emphasizing that regions characterized by complex cross-border relations act as primary «laboratories» for testing new forms of constitutionalism beyond classic statehood.

physical and legal borders in the Mediterranean basin necessitate a thorough re-examination of the foundational paradigms of comparative constitutional law(4). In particular, it seeks to investigate the complex, evolving link connecting the theoretical trajectory of sovereignty to the resilience, legitimacy, and normative quality of constitutional democracy(5). As normative, executive, and administrative powers increasingly shift beyond the traditional state container toward polycentric, inter-systemic decision-making frameworks, classical mechanisms of electoral authorization and parliamentary accountability risk becoming ineffective, creating an unsustainable decoupling between the exercise of public authority and democratic citizenship(6).

The methodology adopted is rooted in an inter-systemic, comparative constitutional approach that transcends formalistic, state-bound legal positivism, investigating the dynamic interactions between national constitutions, supranational legal orders, and informal regional governance networks(7). The

(4) M.P. Chiti, *Il diritto pubblico dell'integrazione sovranazionale e globale*, Editoriale Scientifica, Napoli 2022, pp. 55-82. Chiti explores how global and supranational integration transforms domestic public law into a multi-tiered administrative and constitutional architecture, requiring new analytical tools to grasp non-state normative production.

(5) M. Dogliani, *Introduzione al diritto costituzionale*, il Mulino, Bologna 1994, pp. 112-130; M. Luciani, *Il declino della sovranità e le nuove forme della rappresentanza*, in «Rivista AIC», n. 3, 2021, pp. 15-42. Luciani provides a sharp analysis of the crisis of traditional political representation in the wake of eroded state sovereignty, warning against the displacement of democratic choice toward non-majoritarian bodies.

(6) L. Ferrajoli, *Per una Costituzione della Terra. L'umanità al bivio*, Feltrinelli, Milano 2022, pp. 45-78. Ferrajoli pushes his theoretical construction further, arguing that the global nature of contemporary existential crises (climate, health, inequality) renders classical national sovereignty obsolete and mandates a planetary constitutional framework.

(7) A. Somma, *Introduzione al diritto comparato*, UTET Giuridica, Torino 2014, pp. 35-50. Somma advocates for a critical comparative methodology

central thesis of this work asserts that the progressive erosion of classical Westphalian sovereignty does not inevitably result in an irreversible democratic deficit or a normative vacuum; rather, it impels the conceptualization and operationalization of a novel paradigm of relational sovereignty, in which democratic participation and innovative deliberative mechanisms serve as the primary legitimizing force for public choices within complex, multilevel governance architectures.

2. Borders in Contemporary Constitutionalism: From Separation to Interaction

In modern Westphalian constitutional theory, the territorial border fulfilled a crucial, binary systemic function: an external demarcation function, designed to strictly delineate the state's exclusive sphere of *imperium* against foreign interference, and an internal integration function, serving to define the political community of citizens as the exclusive titleholders of constitutional rights and democratic duties[8]. For centuries, the frontier represented the rigid spatial perimeter within which state sovereignty exerted its full prescriptive and coercive force, binding together territory, population, and supreme public authority into a unified legal order[9].

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capable of overcoming formalistic, state-centered legal positivism by investigating the socio-economic drivers and inter-systemic dynamics that shape legal norms across different legal families and regional areas.

(8) N. Matteucci, *Lo Stato moderno. Lessico e percorsi*, il Mulino, Bologna 1993, p. 77. Matteucci traces the conceptual rise of the modern state, highlighting how the spatial territorial border was historically essential to create an internal sphere of peace and legal certainty (*pacificazione interna*) by monopolizing legitimate violence and defining civic allegiance.

(9) C. Schmitt, *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum*, Telos Press, New York 2003, pp. 140-155. Schmitt

However, the rapid acceleration of economic globalization, the rise of supranational legal integration, and the instantaneous flow of capital, digital communication, and technology have deeply destabilized the rigidity of this classical territorial architecture(10). As extensively highlighted in contemporary constitutional and philosophical-legal scholarship, we are witnessing a profound deterritorialization of public power and a consequential porosity of frontiers(11). Borders are gradually stripping off their historical character as impermeable lines of exclusion, sovereignty containment, and national defense; instead, they are evolving into dynamic, fluid spaces of inter-institutional contact, regulatory overlap, legal negotiation, and the joint administration of shared public competencies(12).

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details the spatial ordering (*Nomos*) of classical European public law, where sovereign equality between states was intimately anchored to clear territorial delimitations and mutual non-interference within defined sovereign borders.

(10) S. Sassen, *Territory, Authority, Rights: From Medieval to Global Assemblages*, Princeton University Press, Princeton 2006, pp. 220-245. Sassen provides a seminal sociological and legal analysis of how globalization unbundles the traditional triad of territory, authority, and rights, creating novel "assemblages" where state capacities are partially denationalized and reoriented toward global networks.

(11) M. Delmas-Marty, *Ordering Pluralism: A Conceptual Framework for Understanding the Transnational Legal World*, Hart Publishing, Oxford 2009, pp. 88-102; L. Ferrajoli, *Principia iuris. Teoria del diritto e della democrazia*, vol. 2, *Teoria della democrazia*, Laterza, Roma–Bari 2007, pp. 385-410. Delmas-Marty theorizes the concept of "porous borders" and relative legal forces within a pluralistic global legal order, while Ferrajoli warns against the unregulated deterritorialization of power, advocating for a global constitutional framework to safeguard fundamental rights against wild economic globalization.

(12) E. Balibar, *Europe, Constitution, Frontière*, Éditions du Passant, Paris 2005, pp. 15-30. Balibar develops the philosophical concept of borders as "overdetermined" democratic spaces, arguing that modern borders are no longer simple outer lines but complex, diffuse legal zones where rights, identities, and state power are continuously negotiated.

Within this transforming context, the Mediterranean basin can no longer be reduced to a security border, a geopolitical fracture, or a defensive moat. Drawing upon post-national constitutional theories and analyses of public power fragmentation[13], the Mediterranean emerges as a dense, continuous space of functional connection. Urgent climate challenges, marine biodiversity degradation, maritime security issues, energy corridors, and complex migratory realities vividly expose the structural incapacity of individual nation-states to govern multidimensional phenomena strictly within their own domestic borders, making transnational, cooperative, and inter-ordinamental legal frameworks an absolute constitutional necessity[14].

3. The Transformation of Sovereignty in Contemporary Democracies

Constitutional scholarship on sovereignty often finds itself constrained by a misleading theoretical polarization: either the rigid, nostalgic reaffirmation of an exclusive, defensive state sovereignism or the hasty declaration of the total "end

(13) J. Habermas, *The Postnational Constellation: Political Essays*, MIT Press, Cambridge (MA) 2001, pp. 58-75; S. Cassese, *La crisi dello Stato*, Laterza, Roma–Bari 2002, pp. 43-60. Habermas outlines the necessity of developing post-national democratic institutions to keep pace with economic globalization, while Cassese analyzes the fragmentation of state sovereignty into global administrative networks and multi-tiered decision-making bodies.

(14) M. Bia, F. Goria (eds.), *I confini della cittadinanza e le sfide del pluralismo nel Mediterraneo*, Giuffrè, Milano 2023, pp. 89-114; P. Bilancia (ed.), *Dinamiche della statualità e trasformazioni della sovranità*, Giuffrè, Milano 2018, pp. 101-125. Bia and Goria offer a collection of essays examining how legal pluralism and migration reshape citizenship boundaries across the Euro-Mediterranean region.

of the nation-state"[15]. The empirical reality of contemporary democratic legal systems suggests instead a far more nuanced process of structural redefinition. State sovereignty has neither vanished nor dissolved into global legal chaos; rather, its internal architecture and external mode of operation have undergone a fundamental metamorphosis. From an absolute, original, and indivisible authority, sovereignty has progressively transformed into a limited, shared, and relational power, constitutionally channeled within multi-tiered networks of international and supranational cooperation[16].

The consolidation of multilevel governance entails a deep functional unbundling of traditional state functions[17]. Regulatory, normative, and administrative decisions are increasingly generated through open, horizontal, multi-actor procedures involving municipal authorities, state governments, international organizations, supranational institutions, and non-state actors[18]. This struc-

(15) A. Pace, *La sovranità popolare e le sue forme*, in «Politica del diritto», n. 1, 1997, pp. 3-25. Pace critically examines the doctrine of popular sovereignty, highlighting the risks of reducing sovereignty to a purely formal concept while rejecting simplistic theories that declare the complete disappearance of popular authorization in contemporary public law.

(16) G. Zagrebelsky, *Il diritto mite. Legge diritti giustizia*, Einaudi, Torino 1992, pp. 12-34; N. Walker, *Intimations of Global Law*, Cambridge University Press, Cambridge 2014, pp. 102-135. Walker outlines the emerging architectures of global law, demonstrating how constitutional principles travel and adapt across national and transnational legal domains. I. Pernice, *Multilevel Constitutionalism in the European Union*, in «European Law Review», n. 5, 2002, pp. 511-529; F. Fabbrini, *EU Legislation and Multilevel Governance: Constitutional Perspectives*, Oxford University Press, Oxford 2022, pp. 145-178. Fabbrini re-examines multilevel governance in the post-Brexit and post-pandemic era, highlighting how constitutional checks must be redesigned to maintain institutional balance in complex unions.

(17) I. Pernice, *Multilevel Constitutionalism*, cit.; F. Fabbrini, *EU Legislation*, cit.

(18) S. Cassese, *Le strutture del potere transnazionale*, il Mulino, Bologna 2023, pp. 77-105. Cassese offers a comprehensive mapping of contemporary

tural shift requires extending foundational constitutional guarantees – such as democratic transparency, rule-of-law checks, fundamental rights protection, and judicial review – far beyond the institutional perimeters of individual nation-states[19].

Shared sovereignty thus expresses the practical necessity for states to pool portions of their decision-making competence in multilateral venues to effectively address complex transnational interdependencies. Nevertheless, shifting significant regulatory power toward non-electoral, technocratic, or intergovernmental bodies carries the grave risk of generating a severe "democratic deficit", creating a widening distance between decision-making centers and the communities affected by those decisions. It is precisely within this structural gap that comparative constitutional law must intervene to reimagine the instruments, venues, and procedures of democratic legitimacy.

4. Democratic Participation and the Legitimacy of Public Power

Contemporary representative democracy is experiencing a deep and widespread structural strain, evidenced by declining electoral turnout, the erosion of traditional political mediation, and growing public cynicism toward central

global governance networks, explaining how public authority is fragmented among specialized, non-electoral international agencies.

(19) D. Curtin, *Executive Power of the European Union: Law, Practices, and the Living Constitution*, Oxford University Press, Oxford 2009, pp. 115-140; A. Ruggeri, *Costituzionalismo multilivello e tutela dei diritti fondamentali*, Giappichelli, Torino 2022, pp. 60-95. Ruggeri focuses on how multilevel constitutionalism must guarantee the effective protection of fundamental rights through constructive dialogue between national and supranational courts.

representative institutions[20]. This strain is significantly exacerbated when key socio-economic, environmental, and strategic decisions are perceived as the unilateral product of distant supranational technocracies or executive-dominated intergovernmental negotiations shielded from open parliamentary scrutiny. Consequently, a powerful social demand has emerged for more direct, informed, inclusive, and continuous forms of public participation in governance processes.

To bridge the growing gulf between citizens and public authorities, comparative constitutional scholarship looks with increasing interest toward participatory and deliberative democratic practices[21]. Far from seeking to dismantle or replace representative institutions, these participatory instruments aim to complement, enrich, and revitalize representative frameworks. They establish structured spaces for reasoned public discourse, where consensus is formed not through raw majoritarian voting, but through evidence-based deliberation, the balanced weighting of competing interests, and the authentic inclusion of marginalized civic perspectives[22].

(20) Y. Pappas, *Populism and Liberal Democracy: A Comparative and Theoretical Analysis*, Oxford University Press, Oxford 2019, pp. 67-89. Pappas offers a comparative analysis of the structural strain facing liberal representative democracies, linking the rise of populism to the perceived insularity of political elites and the technocratic insulation of policy-making.

(21) J.S. Fishkin, *When the People Speak: Deliberative Democracy and Public Consultation*, Oxford University Press, Oxford 2009, pp. 95-120; U. Allegretti, *Democrazia partecipativa. Esperienze e prospettive in Italia e in Europa*, Passigli, Firenze 2010, pp. 45-70. Fishkin demonstrates through empirical research how deliberative polling and structured public consultation elevate civic understanding, while Allegretti examines the constitutional integration of participatory democracy tools across European legal systems.

(22) C. Gazzetta, *Democrazia partecipativa e governance. Le Assemblee cittadine nel diritto comparato*, Edizioni Scientifiche Italiane, Napoli 2025, pp. 30-65; J.S. Dryzek, S. Niemeyer, C. Riedy, *Deliberative Global Governance*, Cambridge University Press, Cambridge 2023, pp. 112-140. Dryzek,

In this constitutional context, the institutional mechanism of Citizens' Assemblies – composed of randomly selected, demographically representative samples of the population – has emerged as a highly sophisticated model of democratic innovation and informed public deliberation[23]. As demonstrated in recent comparative literature, when citizens are provided with balanced expert testimony, counter-arguments, and structured deliberative settings, they are fully equipped to address highly complex, sensitive issues, producing well-reasoned, public-spirited, and deeply legitimate policy recommendations[24].

Ultimately, the deliberative paradigm offers an effective antidote to political polarization and social fragmentation. In decision-making contexts that transcend local or national borders, direct democratic participation becomes an essential prerequisite for constructing durable consensus and securing the social acceptability of public policies, ensuring that cross-border, regional, and peripheral interests gain an authentic voice in complex governance networks[25].

Niemeyer, and Riedy explore how deliberative democracy principles can be applied beyond state boundaries to address planetary challenges.

(23) C. Gazzetta, *Democrazia partecipativa e governance. Le Assemblee cittadine nel diritto comparato*, cit., pp. 110-155; D. Courant, *Sortition and Deliberation: Citizens' Assemblies in Comparative Perspective*, Oxford University Press, Oxford 2024, pp. 85-120. Courant provides a critical comparative investigation into sortition-based deliberative bodies across Europe, evaluating their institutional design and policy impact.

(24) OECD, *Eight Ways to Institutionalise Deliberative Democracy*, OECD Public Governance Reviews, OECD Publishing, Paris 2021, pp. 15-40; H. Landemore, *Open Democracy: Reinventing Popular Rule for the Twenty-First Century*, Princeton University Press, Princeton 2020, pp. 80-112. The 2021 OECD report outlines concrete legal and administrative pathways to permanently embed deliberative bodies into public decision-making structures.

(25) F. Amoretti, F. Coppola (eds.), *Digital Citizenship and Local Governance in the Mediterranean*, Routledge, London–New York 2024, pp. 200-225. The volume explores how digital participation tools and

5. New Perspectives for Mediterranean Constitutionalism

The Mediterranean space is inherently a pluralistic ecosystem marked by deep cultural, religious, historical, and legal diversity[26]. The rigid, formalistic application of traditional citizenship categories tied exclusively to national state belonging proves increasingly inadequate to capture the living reality of mobile, cross-border, and multicultural populations. Comparative constitutional law is thus called to elaborate broader, more flexible, and inclusive notions of citizenship – such as residence-based citizenship, ecological citizenship, and transnational civic status – capable of guaranteeing political and participatory rights independently of formal national status.

Furthermore, effectively governing common regional challenges across the Mediterranean necessitates participatory governance frameworks that actively involve organized civil society, coastal local communities, academic networks, and sub-national authorities from both northern and southern shores[27]. The cooperative management of shared regional assets – such as marine ecosystems, water management, renewable energy corridors, and cultural heritage – provides fertile ground for experimenting with cross-border public consultations, multi-stakeholder platforms, and regional deliberative assemblies.

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local participatory governance foster civic inclusion across Mediterranean municipalities.

(26) S. Benhabib, *The Rights of Others: Aliens, Residents, and Citizens*, Cambridge University Press, Cambridge 2004, pp. 140-168. Benhabib develops a political philosophy of democratic iterations and "fair inclusion", advocating for the disaggregation of citizenship rights to accommodate mobile, transnational populations within constitutional democracies.

(27) M. Bia, F. Goria (eds.), *op. cit.*, pp. 140-175.

At this conceptual intersection, it becomes compelling to theorize the novel category of relational sovereignty[28]. By relational sovereignty, we define a constitutional model of state *potestas* that resides not in isolation, territorial closure, or decision-making autarky, but in the «state's constitutional capacity to systematically interact, cooperate, and negotiate with other actors in the international community and transnational civil society», while remaining firmly anchored to its core constitutional values. In this light, sovereignty is no longer measured by the quantity of exclusive authority exercised behind closed borders, but by the quality, density, and democratic legitimacy of the institutional relationships a state can mobilize to govern global interdependencies[29]. Democratic participation serves as its fundamental legitimizing source: sovereignty is relational precisely because it opens itself to continuous interaction with affected communities, turning traditional borders from lines of division into shared bridges of deliberative cooperation.

6. Conclusions

This research highlights that the Mediterranean space cannot be reduced to a mere geographical entity, a static boundary, or a theater of geopolitical and security disputes. On the contrary, it reveals itself as a primary laboratory for twenty-first-century

(28) R.O. Keohane, *Sovereignty in World Politics*, in «Political Studies», n. 4, 2002, pp. 743-755; N. Walker, *Late Sovereignty in Post-modern Europe*, in N. Walker (ed.), *Sovereignty in Transition*, Hart Publishing, Oxford 2003, pp. 3-32. Keohane explores "relational" and operational concepts of sovereignty in international relations, while Walker formulates the theory of "late sovereignty" and constitutional pluralism, providing the foundational conceptual tools for the model of relational sovereignty proposed in this study.

(29) N. Walker, *Intimations of Global Law*, cit., pp. 150-180.

constitutionalism, wherein the overcoming of state-centric paradigms, the transformation of territoriality, and the endurance of democratic guarantees can be rigorously tested. The structural complexities of the Mediterranean basin – ranging from cross-border environmental management and migratory flows to economic interdependencies – demonstrate that traditional Westphalian categories are no longer sufficient to explain or govern contemporary constitutional dynamics(30). By shifting the perspective from a logic of territorial exclusion to one of relational interaction, comparative constitutional law can develop more sophisticated conceptual tools to address the challenges of an increasingly interconnected global legal order(31).

The evolution of sovereignty toward relational and multilevel models demonstrates that the downsizing or reconfiguration of state territoriality does not inevitably result in a weakening of democracy or a loss of constitutional guarantees. On the contrary, when accompanied by a proper valorisation of participatory and deliberative practices, the rearticulation of sovereignty can open up new avenues for citizenship and political inclusion(32). The theoretical construction of relational sovereignty – as elaborated in this study – does not advocate for the dissolution of the state or the abandonment of constitutional identities. Rather, it emphasizes the state's constitutional capacity to enter into systemic, cooperative, and deliberative networks with other public and private actors across borders(33). In this frame-

(30) F. Braudel, *op. cit.*

(31) G. De Vergottini, *op. cit.*, pp. 45-68; A. Somma, *op. cit.*, pp. 35-50.

(32) M. Delmas-Marty, *op. cit.*, pp. 88-102; L. Ferrajoli, *Per una Costituzione della Terra. L'umanità al bivio*, cit., pp. 90-120.

(33) N. Walker, "Late Sovereignty in Post-modern Europe", cit., pp. 3-32; S. Cassese, *Le strutture del potere transnazionale*, cit., pp. 120-145.

work, state power is not measured by its capacity to isolate itself behind rigid frontiers, but by its ability to engage in shared decision-making processes while preserving fundamental rights and rule-of-law standards[34].

In this perspective, democratic participation ceases to be a simple internal procedural corrective for states and becomes a key factor in legitimizing inter-systemic and multilevel governance. The introduction and institutionalization of deliberative mechanisms, such as Citizens' Assemblies and cross-border public consultations, demonstrate that democratic legitimacy can be reconstructed beyond traditional national representation[35]. Through the gradual construction of an integrated, inclusive, and participatory Mediterranean public sphere, comparative constitutional law can rediscover its original calling: limiting the exercise of arbitrary power, protecting fundamental human rights, and ensuring that every form of public authority – whether national, supranational, or regional – remains firmly anchored to the expressed will and deliberative consensus of the human communities sharing a common destiny[36].

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(34) G. Zagrebelsky, *op. cit.*, pp. 12-34; A. Ruggeri, *op. cit.*, pp. 100-130.

(35) C. Gazzetta, *Democrazia partecipativa e governance. Le Assemblee cittadine nel diritto comparato*, cit., pp. 110-155; D. Courant, *op. cit.*, pp. 130-165; J.S. Dryzek et al., *op. cit.*, pp. 150-180.

(36) L. Ferrajoli, *Principia iuris*, cit., pp. 385-410.

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THE STATE: HISTORICAL DEVELOPMENT, CONTEMPORARY FUNCTIONS AND CHALLENGES A CONTENT AND LANGUAGE INTEGRATED APPROACH

Ivana Bratić, Ivana Kardum Goleš[1]

Abstract: This article examines two of the best-known definitions of the state: Max Weber's and that established by the Montevideo Convention, while also briefly considering Plato's and Aristotle's attempts to define the ideal state and identify the qualities that characterise successful leaders. Furthermore, the article examines different models and forms of state organisation and governance, the principal functions of the state, and the challenges confronting the modern state in the 21st century. Against this backdrop, it considers the growing influence of dominant actors within the contemporary global economy, whose pursuit of their own interests may increasingly shape, and in some cases constrain, the governance of individual states, thereby contributing to the growing primacy of market forces over the state. These developments are closely associated with economic globalisation and the broader ideological framework commonly referred to as neoliberalism. The article also approaches these specialised topics from a linguistic perspective, with particular emphasis on the acquisition and use of specialised vocabulary related to public administration, law, and political science. The selected texts are intended to support reading, discussion, and translation activities, while the specialised vocabulary draws attention to frequently used words and expressions and enables learners to use English more effectively in legal and public administration contexts.

Keywords: *state, state functions, characteristics of the state, globalisation, neoliberalism*

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1. Introduction

The state is one of the basic forms of political organization of society and a key institutional framework within which public policies are shaped, adopted and implemented, social relations are regulated and citizens' rights and obligations are exercised. Its role, organization and functioning are the subject of interest of numerous scientific disciplines, especially political science, sociology, law, economics and public administration. Understanding the state is therefore of particular importance for students of public administration, who during their education become familiar with the institutions, processes and mechanisms through which public affairs are organized and performed.

The question of the state and its organization is present in ancient political philosophy. Plato in his work *The Republic* considered an ideally ordered community in which power belongs to wise and educated rulers, while Aristotle(2) evaluated different forms of government according to whether they serve the common good or the private interests of those who rule. These notions remain relevant even in modern societies: what characteristics should good government have, what are the characteristics of successful political leaders, and how can it be ensured that the actions of state institutions are aimed at the welfare of the community.

In attempts to define the state, various theoretical approaches can be identified. Among the most famous is certainly the definition of the German sociologist and political economist Max Weber, who in his lecture *Politics as a*

(2) Plato, T*he Republic*, trans. by B. Jowett, 3rd ed., Clarendon Press, Oxford 1888, Book V, 473c–473e; Aristotle, *Politics*, trans. by H. Rackham, Harvard University Press, Cambridge, MA 1944, Book III, Chapter 7, 1279a22-1279b10.

Vocation[3] defines the state as "a human community that (successfully) claims *the monopoly on the legitimate use of physical force* within a given territory". Such a definition emphasizes the territorial dimension of the state, but also its special role in establishing and maintaining a legitimate order. On the other hand, the Montevideo Convention on the Rights and Duties of States of 1933, in its first article, establishes four basic criteria of statehood: permanent population, a certain territory, government and the ability to enter into relations with other states[4]. While Weber's approach emphasizes the characteristics of state power and its legitimate use of force, the Montevideo Convention provides a legal framework for establishing the basic elements of the state in international law.

Following the theoretical definitions of the state, it is also important to understand the models of its functioning. Weber's analysis of bureaucracy, especially in his work Economy and Society[5], emphasizes the importance of specialized knowledge, professional training, hierarchical organization, supervision and clearly defined rules in the performance of administrative tasks. The bureaucratic model is based on the rational organization of work and seeks to ensure precision, reliability, stability and efficiency of administrative action. Such principles represent an important basis for understanding modern public administration.

(3) M. Weber, "Politics as a vocation", in H.H. Gerth, C. Wright Mills (eds.), *From Max Weber: Essays in Sociology*, Oxford University Press, New York 1946, pp. 77-128: p. 78.

(4) United States Department of State, *Foreign Relations of the United States, Diplomatic Papers, 1933: The American Republics*, vol. IV, U.S. Government Printing Office, Washington, D.C. 1952, p. 215.

(5) M. Weber, *Economy and society: An outline of interpretive sociology*, University of California Press, Berkeley 1978.

In this context, the basic functions of the state, which are usually associated with the legislative, executive and judicial powers, are also considered. The legislative function refers to the adoption of laws and regulations, the executive to the formulation and implementation of public policies, while the judicial function is focused on the resolution of disputes and the application of law. The way in which these functions are organized and interconnected depends, among other things, on the constitutional order of the state. In doing so, it is important to distinguish between unitary and federal states and different forms of decentralization and the transfer of powers to the regional and local levels. Such differences affect the distribution of responsibilities, decision-making and the provision of public services.

It is particularly important to notice that the modern state faces numerous challenges arising from the increasing complexity of social relations, the expansion of public tasks and dynamic changes in the political, economic and technological environment. The growth and complexity of the administrative apparatus can make it difficult to ensure the efficient and effective functioning of state institutions, especially when they are expected to simultaneously solve increasingly diverse social problems. An additional challenge is economic globalization, in which large economic actors and market mechanisms increasingly influence the formulation of public policies and the management of social processes(6). When the interests of market actors are put ahead of broader social needs, the question arises of the state's ability to preserve autonomy in decision-making

(6) D. Harvey, *A brief history of neoliberalism*, Oxford University Press, Oxford 2007.

and effectively pursue the public interest. Such processes are also linked to neoliberalism, an ideological and political-economic framework that emphasizes the role of markets and market mechanisms in the organization of the economy and society(7).

This text is part of the teaching materials for the course English Language for Public Administration, which is taught in the first year of graduate studies at the University of Applied Sciences in Šibenik. Its purpose is to introduce students to the basic terms and concepts related to the state, its development, organization and functions, and to encourage them to think about the challenges that modern state institutions face. Since this is a course of English for specific purposes and a very specific profession, these topics are also addressed from a linguistic perspective. Texts for reading, discussion and translation, as well as the acquisition of professional terminology, enable students to develop language competencies necessary for understanding and using English in legal and administrative contexts.

In this way, by connecting content in the field of political theory, law, public administration and political economy with learning English for a profession, students are provided with a basis for understanding key concepts, following professional discussions and finding their way more successfully in an international professional environment.

(7) J.F. Petras, H. Veltmeyer, *Globalization unmasked: Imperialism in the 21st century*, Zed Books, London 2001.

2. The contemporary state between institutional complexity, globalization and neoliberal ideologies

The modern state operates in an increasingly complex social, political and economic environment in which its traditional functions are continuously transformed, and the boundaries of its action are becoming more ambiguous. Although the state remains the basic institutional framework for exercising political power, regulating social relations and protecting the public interest, its capacity for autonomous decision-making is conditioned by processes that transcend national and territorial borders. Economic globalisation, technological development, demographic changes, the growth of social expectations and the growing influence of international institutions and transnational economic actors are changing the ways in which the state shapes and implements public policies. The functioning of the modern state cannot be understood only through the analysis of its formal institutions, legal order or administrative organisation, but calls for consideration of the broader power structures within which political decisions are made and implemented. It is particularly important to look at the interconnectedness of economic, political and ideological mechanisms of power, which do not act as separate categories, but as mutually conditioned elements of the contemporary social order[8].

One of the problems arising from the growing complexity of modern developed societies is the phenomenon of state overload. This concept refers to a situation in which

(8) I. Kardum Goleš, *Analysis of neocolonial mechanisms of power in postcolonial writing*, doctoral thesis, Faculty of Humanities and Social Sciences, University of Zagreb, Zagreb 2022, pp. 57-116.

the demands placed on political and administrative institutions exceed their financial, organisational or managerial capacities[9]. With the development of the welfare state, the expansion of public services and the democratisation of political processes, the number of areas in which the state is expected to actively intervene has increased. Education, health, social security, economic stability, environmental protection, market regulation and management of technological changes are just some of the areas that require complex administrative structures and continuous harmonisation of different social interests. Crozier, Huntington and Watanuki[10] associate the problem of governing democratic societies with the increase in political participation, social demands and the limited ability of institutions to respond to them in a timely manner. Their analysis, created in the context of the political and economic crises of the 1970s, raised the question of the relationship between democratic expectations and the effectiveness of state governance.

However, state overload cannot be understood solely as a consequence of excessive expansion of the public sector or insufficient administrative efficiency. Such an interpretation would ignore the political and ideological dimension of determining state functions. Namely, the decision on which social needs will be met through public institutions and which will be left to market mechanisms is not only a technical or organisational issue, but reflects certain political priorities and social values. In developed democracies,

(9) A.H. Birch, *Overload, ungovernability and delegitimation: The theories and the British case*, «British Journal of Political Science», n. 14(2), 1984, pp. 135-160.

(10) M. Crozier, S.P. Huntington, J. Watanuki, *The crisis of democracy: Report on the governability of democracies to the Trilateral Commission*, New York University Press, New York 1975.

the state is simultaneously faced with demands for better public services, greater social protection and transparency, as well as pressures to reduce public spending, fiscal discipline and increase the competitiveness of the economy. This is where one of the fundamental challenges of modern public administration is manifested: the need to harmonise the growing expectations of citizens with limited resources, but also with different, often contradictory, understandings of the role of the state.

An additional dimension of complexity is represented by economic globalisation, which has significantly changed the relations between nation states, international institutions and market actors. Globalisation is often presented as an inevitable process of economic integration, trade liberalisation, free movement of capital and technological progress. However, such an interpretation can mask the political and ideological forces shaping it. Petras and Veltmeyer[11] do not view globalisation as a spontaneous development of market relations, but as a process that includes political decisions, institutional mechanisms and the active role of states in the organisation of international economic expansion. In other words, globalisation is not exclusively the result of the action of anonymous market forces, but is associated with concrete power relations and interests that determine its direction and consequences.

Such a perspective calls into question the widespread assumption that globalisation necessarily means the weakening or gradual disappearance of the nation-state. Although transnational capital, multinational corporations and international financial institutions limit certain aspects of state autonomy, the state remains a key political instrument

(11) J.F. Petras, H. Veltmeyer, *op. cit.*, pp. 26, 39.

for shaping economic relations. It establishes legislative and regulatory frameworks, concludes international trade agreements, shapes tax and investment policy, and provides the institutional prerequisites for the functioning of markets. Petras and Veltmeyer[12] reject the interpretation that globalisation has created a world system that has transcended the state. On the contrary, the state retains an important role in the organisation and maintenance of global economic processes, even though its functions and priorities change.

At the same time, globalisation does not affect all countries equally. Their position in the international division of labour, the availability of capital, institutional strength and political influence determine the possibilities of participation in shaping global economic rules. Held, McGrew, Goldblatt and Perraton[13] analyse globalisation as a multidimensional process that encompasses political, economic, cultural and social relations and reshapes traditional concepts of sovereignty and territorial authority. A state can retain all formal elements of sovereignty and at the same time be strongly conditioned by international economic relations and the decisions of actors over which it has no direct democratic control.

A similar issue is raised by Susan Strange[14], who warns of changes in the distribution of authority within the world economy. According to her interpretation, part of the power traditionally associated with nation states is shifted to non-state actors, including multinational

(12) *Ibid.*, pp. 51-52.

(13) D. Held, A. McGrew, D. Goldblatt, J. Perraton, *Global transformations: Politics, economics and culture*, Polity Press, Cambridge 1999.

(14) S. Strange, *The retreat of the state: The diffusion of power in the world economy*, Cambridge University Press, Cambridge 1996, pp. 3-15, 66-88.

corporations, financial markets and international organisations. However, such a process does not mean a simple withdrawal of the state from social and economic relations, but a more complex redistribution of authority and responsibility. It is particularly important to distinguish the formal political responsibility of state institutions from the real influence of economic actors on the shaping of public policies. While democratically elected institutions are in principle accountable to citizens, individual transnational economic actors can exert significant influence without comparable mechanisms of public accountability.

It is in this context that neoliberalism appears as one of the key political, economic and ideological frameworks of contemporary social development. Neoliberalism is most often associated with deregulation, privatisation, market liberalisation, stimulation of competition and emphasis on individual responsibility. However, its reduction to an economic doctrine that advocates the shrinking of the state ignores the complexity of the relationship between political power and market interests. Harvey[15] analyses neoliberalism as a political project in which economic power, institutional organisation and ideological discourse mutually support each other. Neoliberalisation does not necessarily imply a reduction in state power, but its reorientation towards the creation and maintenance of institutional conditions conducive to market activity and capital accumulation.

The ideological dimension of neoliberalism is particularly significant because certain political and economic principles are gradually presented as universal and self-evident prerequisites for social development. Competitiveness,

(15) D. Harvey, *op. cit.*, pp. 2-5, 19-21.

productivity, flexibility and economic efficiency become criteria for evaluating not only economic activities, but also an increasing number of public and social functions. Harvey[16] warns of the importance of ideological mechanisms through which the neoliberal project acquires social legitimacy, especially by linking market freedoms with the ideas of individual freedom, dignity and personal responsibility. In this way, economic relations cease to be presented solely as a result of political decisions and social interests, but are increasingly interpreted as a consequence of objective market laws to which society must adapt.

Michel Foucault, who observes the concept of power outside the traditional framework of state sovereignty, legal coercion and hierarchical relations of power, also offers important insights to the understanding of the modern state and its mechanisms of governance. In contrast to the understanding that power is concentrated in state institutions or in the hands of certain social groups, Foucault[17] emphasizes its dispersion and presence in various social relations, institutions and everyday practices. Power, according to his interpretation, operates not only through repression, but also through the production of knowledge, the formation of social norms and the direction of individual behaviour. In his work *Discipline and Punish: The Birth of the Prison*[18], he analyses the development of a disciplinary society in which institutions such as schools, hospitals, the army, factories and prisons apply various techniques of surveillance, classification, normalisation and control. Discipline is not only a means of restricting freedom, but

(16) *Ibid.*

(17) M. Foucault, *Discipline and punish: The birth of the prison*, Vintage Books, New York 1979, pp. 26-27.

(18) *Ibid.*

also a mechanism for shaping individuals whose behaviour is sought to be predictable, useful and in line with institutional requirements. Of particular importance is the connection between disciplinary power and the development of modern capitalist society, in which the management of human bodies, work and productivity is established as one of the basic prerequisites of economic organization[19].

Foucault's analysis is further developed through the concepts of *biopower* and *biopolitics*, which mark the historical shift from sovereign power focused primarily on territory and the right of punishment to forms of power that have the regulation of population life as their object. Demographic trends, health, birth rate, working capacity and other aspects of the population become the subject of systematic data collection, regulation and administrative action[20]. In this sense, the modern state governs not only through laws and political decisions, but also through complex systems of knowledge, statistics, expert assessments and institutional procedures. Foucault's concept of *governmentality*, i.e., the art or rationality of management, is particularly relevant for understanding public administration, which denotes various techniques and practices of directing the behaviour of individuals and populations. Governance is thus not limited to formal state institutions, but includes a whole network of social relations in which norms, expectations and patterns of behaviour are formed[21]. In lectures published under the title

(19) M. Foucault, *Discipline and punish*, cit., pp. 187, 215; I. Kardum Goleš, *op. cit.*, pp. 75-77.

(20) M. Foucault, *The history of sexuality, Volume 1: An introduction*, Vintage Books, New York 1980, pp. 136-145.

(21) M. Foucault, *Power: Essential works of Foucault, 1954-1984*, vol. 3, The New Press, New York 2000, pp. 205-206.

The Birth of Biopolitics[22], Foucault explores liberal and neoliberal rationalities of management and the relationship between the market, political power and individual freedom. His analysis perceives neoliberalism not only as a set of economic policies, but also as a specific way of governance in which market competition and economic rationality become important principles of the organisation of social life. By linking Foucault's research with the political-economic analysis of Harvey[23], it is therefore possible to see how contemporary state power is simultaneously realized through institutional structures, economic relations and subtle mechanisms of shaping social behaviour.

The described processes of reshaping state power, neoliberal rationality and institutional governance mechanisms have immediate consequences for understanding modern public administration and its functions. The application of market-oriented principles in the public sector can contribute to the rationalisation of administrative procedures, better management of resources and the development of performance evaluation systems. However, the problem arises when efficiency begins to be identified exclusively with financial profitability or cost reduction. Public institutions do not operate according to the same principles as private companies, as their functions are related to the pursuit of the public interest, the protection of citizens' rights and ensuring the availability of basic services. Therefore, the performance of public administration cannot be measured only by economic indicators, but must include the legality, equality, accountability, transparency

(22) M. Foucault, *The birth of biopolitics: Lectures at the Collège de France, 1978-1979*, Palgrave Macmillan, Basingstoke 2008.

(23) D. Harvey, *op. cit.*

and social effects of public policies. In this sense, the question of efficiency cannot be separated from the question of the legitimacy and purpose of public action.

The connection between globalisation and neoliberalism further raises the problem of unequal distribution of power and economic benefits. Global market integration does not necessarily imply an equal distribution of development opportunities, but can reproduce existing economic and political hierarchies. It is important to observe the continuities between historical forms of colonial domination and contemporary relations of economic dependence. Kardum Goleš[24] emphasizes that globalisation cannot be understood separately from material power relations and that its economic, political and ideological mechanisms can contribute to maintaining inequalities between different parts of the world system. It cannot be implied that all forms of international economic cooperation are necessarily exploitative, but it is necessary to reconsider the conditions under which global integration takes place and the interests it privileges in doing so.

To understand the modern state, it is particularly important to note that economic, political and ideological power do not operate independently of each other. Economic interests can influence the shaping of political decisions, political institutions enable the implementation of certain economic strategies, while ideological discourse provides a legitimation framework within which such decisions are presented as necessary, rational or socially desirable. This shifts the problem of state sovereignty and institutional autonomy from the question of formal possession of power to the question of the actual distribution of power. The state remains the

(24) I. Kardum Goleš, *op. cit.*

bearer of legal and political authority, but its action should be viewed within broader relations that include international capital, financial institutions, corporate interests and ideological patterns of contemporary capitalist development.

Modern public administration therefore operates at the intersection of contradictory expectations. It is required to simultaneously increase efficiency, reduce administrative burdens, ensure quality public services, protect social rights, implement international obligations and adapt to accelerated social changes. It is required to critically understand the social circumstances in which public policies are created, to recognize the different interests that affect them, and to preserve democratic accountability in conditions of growing interdependence of political and economic systems. That is why public administration cannot be seen as a value-neutral mechanism for the implementation of decisions, but as an institutional space in which legal norms, political priorities, economic constraints and demands for social justice meet.

The modern state is not characterized by a simple loss of power under the influence of globalisation, but by a change in the way that power is exercised, distributed and legitimized. The concept of state overload highlights the limitations of its administrative and managerial capacities, while globalisation and neoliberal ideologies raise questions about its autonomy, responsibility and attitude towards economic interests. The fundamental challenge of modern public governance is therefore not only how to organize a more efficient state, but how to ensure that its institutions, despite complex economic and political pressures, retain the ability to act in the public interest. Understanding these processes is crucial for the study of

public administration because it shows that administrative decisions are not isolated from broader social relations, but represent concrete institutional manifestations of economic, political and ideological power structures.

3. The importance of acquiring specialised vocabulary

The second part of this paper introduces basic terms and expressions relating to the state, its historical development, functions, and administrative organisation. It provides definitions in English and explains how these terms and expressions are used in the context of public administration and political science.

Teaching English for Specific Purposes (ESP) requires the systematic introduction and acquisition of specialised vocabulary and terminology relevant to students' fields of study. This can be approached at two complementary levels. First, the language teacher should incorporate English-language books, academic publications, and other specialised texts relating to the subject area into the teaching materials. Second, these materials should be used to develop students' subject-specific vocabulary and their ability to understand and use professional terminology in context. The use of specialised corpora can support this process by providing authentic examples of language use and facilitating the systematic examination of specialised vocabulary[25].

Accordingly, the ESP curriculum should be enriched with specialised texts addressing topics relevant to students' academic and professional interests. In the present context,

(25) L. Bowker, J. Pearson, *Working with specialized language: A practical guide to using corpora*, London, Routledge 2002.

which focuses on administrative and legal matters, the vocabulary selected reflects the terminology of public administration and political science. Through the systematic study of this vocabulary, students develop a specialised lexical resource and learn to distinguish between related concepts, recognise contextual meanings, and identify appropriate equivalents when translating into their native language.

This process requires not only linguistic competence but also a sound understanding of the subject matter. Students must be able to identify appropriate professional equivalents in the target language and ensure that their translations conform to its linguistic conventions, established terminology, and syntactic structures. The objective is to produce translations that are conceptually accurate and linguistically natural rather than literal translations that may sound unfamiliar or inappropriate in the native language. This emphasis on terminology and its appropriate use is consistent with the role of terminology management in translation practice[26].

Although explaining an English term in English and understanding the concept it represents are essential components of specialised vocabulary acquisition, the importance of translating the term into the students' native language should not be overlooked. Research into terminology in multilingual university settings highlights the importance of engaging with terminology across students' first language and English[27]. Comparing English termi-

(26) L. Bowker, "Terminology and translation", in H.J. Kockaert, F. Steurs (eds.), *Handbook of terminology*, vol. 1, Amsterdam/Philadelphia, John Benjamins Publishing Company, 2015, pp. 304-323.

(27) H. Malmström, Š. Mežek, D. Pecorari, P. Shaw, A. Irvine, *Engaging with terminology in the multilingual classroom: Teachers' practices for bridging the gap between L1 lectures and English reading*, «Classroom Discourse», n. 8(1), 2017, pp. 3-18.

nology with its native-language equivalents enables students to establish connections between concepts expressed in the two languages, recognise similarities and differences in their use, and develop greater awareness of the conventions governing professional terminology in each language.

Such an approach may also contribute to vocabulary acquisition and retention by providing additional semantic and linguistic associations through which new terms can be learned and recalled. Laufer and Girsai[28] investigated the role of contrastive analysis and translation in second-language vocabulary learning and reported benefits for vocabulary recall from their contrastive-analysis and translation-based instructional approach. Their findings provide a useful basis for considering the role of translation in vocabulary teaching, although their research did not specifically investigate specialised terminology in public administration.

Below is an example of technical vocabulary that should be read and understood. In English classes, as we have just emphasized, it is advisable to translate each term into one's own native language; this facilitates contrastive analysis and makes it easier to grasp and internalize the concept itself.

3.1. *The State, sovereignty and political authority*

Word or expression	Definition in English	Explanation in the context of Public Administration
Legitimate use of physical force	The recognised right of a state to use or authorise physical force within the limits of the law.	The state claims authority to use legitimate force through institutions such as the police. The exercise of force must comply with applicable legal rules[29].

(28) B. Laufer, N. Girsai, *Form-focused instruction in second language vocabulary learning: A case for contrastive analysis and translation*, «Applied Linguistics», n. 29(4), 2008, pp. 694-716.

(29) M. Weber, *From Max Weber*, cit.

Word or expression	Definition in English	Explanation in the context of Public Administration
Permanent population	A relatively stable community of people living within a state's territory.	A permanent population is one of the recognised criteria of statehood. Residents do not all have to be citizens[30].
Defined territory	A geographical area over which a state claims and exercises authority.	Territory establishes the geographical area within which a state exercises jurisdiction. Not all borders necessarily have to be undisputed[31].
To maintain	To keep something in existence or in good condition.	Public authorities maintain public order, infrastructure, records and essential services.
Effective control	The actual ability to exercise authority over a territory, institution or activity.	It refers to the practical ability to implement decisions, enforce laws and maintain public order. Its precise legal meaning depends on the context[32].
Sovereignty	The supreme authority of a state to govern itself, subject to applicable international law.	Sovereignty concerns a state's authority over its internal affairs and its independence in external relations.
External actors	Individuals, organisations or institutions outside a particular system that can influence its activities.	External actors include foreign governments, international organisations, businesses and NGOs that influence public policy or cooperate with government[33].
Internal riots	Violent public disturbances occurring within a state or community.	Riots can create challenges for public order, emergency management and the protection of individual rights.
Self-sufficing	Able to provide for one's own needs without relying substantially on external assistance.	The term describes a state or community that meets most of its needs using its own resources. Self-sufficient is more common in contemporary English.

(30) *Montevideo Convention on the Rights and Duties of States*, 165 League of Nations Treaty Series 19, 1933, *art.* 1.

(31) *Ibid.*

(32) J. Crawford, *Brownlie's Principles of Public International Law*, 9th ed., Oxford University Press, Oxford 2019, doi.org/10.1093/he/9780198737445.001.0001.

(33) United Nations, *Charter of the United Nations*, 1945.

3.2. *Bureaucracy and administrative organisation*

Word or expression	Definition in English	Explanation in the context of Public Administration
Bureaucracy	A system of administration based on formal rules, specialised roles and a hierarchy of authority.	Bureaucracy enables government institutions to implement laws, manage resources and deliver public services through established procedures[34].
Administration	The process of organising, managing and directing activities or institutions.	Public administration involves implementing government policies, managing public resources and delivering services. (Encyclopaedia Britannica, n.d.)
Bureaucratic apparatus	The organised structure of officials, departments, agencies and procedures through which a government operates.	It is the administrative machinery that turns political decisions and laws into practical action[35].
Effectiveness	The degree to which an activity or organisation achieves its intended objectives.	An effective public programme achieves its planned results, such as improving access to education[36].
Enterprise	An organisation or undertaking established to carry out economic or other organised activities.	A public enterprise is an organisation owned or controlled by the state that provides goods or services or conducts economic activities[37].
Efficiency	The ability to achieve results while making good use of time, money and other resources.	Efficient public administration minimises unnecessary costs, delays and effort while delivering services[38].
Hierarchy	A system in which people or positions are arranged in levels of authority.	A hierarchy establishes reporting relationships and clarifies who is responsible for making decisions and supervising employees[39].

(34) M. Weber, *Economy and society,* cit.

(35) *Ibid.*

(36) Organisation for Economic Co-operation and Development, *Glossary of key terms in evaluation and results based management*, 2002.

(37) Organisation for Economic Co-operation and Development, *OECD guidelines on corporate governance of state-owned enterprises 2024*, 2024.

(38) Organisation for Economic Co-operation and Development, *Glossary of key terms in evaluation…*, cit.

(39) M. Weber, *Economy and society,* cit.

Word or expression	Definition in English	Explanation in the context of Public Administration
Hierarchical	Organised according to different levels of authority or responsibility.	A hierarchical department has a chain of command, with senior officials supervising lower-level employees[40].
Performance	The way an organisation carries out its activities and the results it achieves.	Public-sector performance may be measured through service quality, processing times, costs and the achievement of policy objectives[41].
To sanction	To formally approve an action or, alternatively, to impose a penalty for breaking a rule.	A public authority may sanction a proposal by approving it, or sanction an organisation by penalising a legal violation. The context determines the meaning. (Cambridge Dictionary, n.d.)
Required standards	Levels of quality, conduct or performance established by rules or regulations.	Public institutions must meet applicable standards relating to service quality, professional conduct, safety and accountability[42].
Apex	The highest point or level of an organisation or system.	The apex of an administrative hierarchy is its highest level of authority. (Cambridge Dictionary, n.d.)
Unity	The state of being joined together or acting as one whole.	Unity in administration involves coordinated action towards shared objectives. Unity of command means that an employee normally reports to one designated superior[43].
Uniformity	Consistency in form, procedure, treatment or application.	Uniformity helps public authorities apply rules consistently and provide comparable treatment in similar cases[44].

(40) *Ibid.*

(41) Organisation for Economic Co-operation and Development, *Glossary of key terms in evaluation…*, cit.

(42) International Organization for Standardization, *ISO 9000:2015: Quality management systems—Fundamentals and vocabulary*, 2015.

(43) H. Fayol, *General and industrial management*, trans. by C. Storrs, Pitman, 1949 (ed. orig. 1916).

(44) Organisation for Economic Co-operation and Development, *Recommendation of the Council on Public Integrity*, 2017.

3.3. *The three branches of government*

Word or expression	Definition in English	Explanation in the context of Public Administration
Legislative	Relating to the making, amending or repealing of laws.	The legislative branch makes laws, scrutinises government activity and may approve public expenditure. (UK Parliament, n.d.)
Judicial	Relating to courts, judges and the administration of justice.	The judicial branch interprets and applies the law and may review whether public authorities have acted lawfully. (Encyclopaedia Britannica, n.d.)
Executive	Relating to the branch of government responsible for implementing laws and carrying out public policy.	The executive includes political leaders and institutions responsible for implementing legislation, managing services and coordinating government policy. (Encyclopaedia Britannica, n.d.)
Parliament	A legislative institution that represents citizens and performs law making and oversight functions.	Parliament debates and passes legislation and holds the government accountable. Its structure and powers vary between countries. (UK Parliament, n.d.)
Power	The ability or legal authority to influence decisions, direct actions or achieve outcomes.	Public officials exercise powers conferred by legislation or other legal instruments, and must act within their legal authority[45].
Delegated legislation	Rules made by an authorised body under powers granted by the legislature.	It enables ministers or other authorised institutions to establish detailed rules under an Act of Parliament or equivalent primary legislation. (UK Parliament, n.d.)
Act of Parliament	A law formally enacted by Parliament through the prescribed legislative procedure.	An Act may establish rights and obligations, create public bodies or authorise government action. The expression is specifically associated with the British parliamentary system. (UK Parliament, n.d.)

(45) *Ibid.*

3.4. *Law, disputes and public policy*

Word or expression	Definition in English	Explanation in the context of Public Administration
Dispute	A disagreement between two or more parties concerning rights, obligations, interests or facts.	Disputes may arise between citizens and public authorities or between public institutions. They can be resolved through administrative review, mediation, tribunals or courts. (Courts and Tribunals Judiciary, n.d.)
Courts	Official judicial institutions where cases are heard and the law is applied.	Courts resolve legal disputes and may examine whether public authorities have acted lawfully. (Courts and Tribunals Judiciary, n.d.)
Tribunals	Bodies established to decide particular types of disputes, often in specialised areas of law.	Tribunals may deal with employment, immigration, taxation and social security matters. Their powers and procedures depend on the legal system. (Courts and Tribunals Judiciary, n.d.)
General policy	A broad set of principles, objectives or guidelines directing decisions and actions.	General policy establishes the overall direction of government action, while specific programmes and regulations help put it into practice. A policy is not necessarily a law(46).

3.5. *Administrative actions and responsibilities*

Word or expression	Definition in English	Explanation in the context of Public Administration
To grant	To give or officially confer something through a formal decision.	Public authorities may grant licences, permits, benefits or funding to individuals and organisations that meet the relevant requirements. (Cambridge Dictionary, n.d.)

(46) Organisation for Economic Co-operation and Development, *Recommendation of the Council on Public Policy Evaluation*, OECD 2022.

Word or expression	Definition in English	Explanation in the context of Public Administration
To put something into operation	To make a plan, system or process start functioning or being used.	A government department puts a policy into operation by assigning responsibilities, providing resources and establishing procedures for implementation[47].
To monitor	To observe, measure or check an activity regularly to assess its progress.	Public officials monitor projects, budgets and services to identify problems and determine whether activities are progressing as planned[48].
To regulate	To control or govern an activity through rules, laws or official requirements.	Public authorities regulate areas such as transport, employment and environmental protection to establish standards and ensure compliance with applicable rules[49].

3.6. *Government institutions and structures*

Word or expression	Definition in English	Explanation in the context of Public Administration
Government	The system or group of institutions and officials responsible for directing and administering a state.	Government develops and implements public policy, manages public resources and directs public institutions. The term may refer specifically to political leaders or more broadly to governing institutions. (Encyclopaedia Britannica, n.d.)
Government departments	Organisational units within government responsible for particular areas of public policy and administration.	Departments specialise in areas such as education, health, finance and transport. They develop policies, implement legislation and manage public programmes within their responsibilities. (UK Government, n.d.)

(47) Organisation for Economic Co-operation and Development, *Glossary of key terms in evaluation…,* cit.

(48) *Ibid.*

(49) Organisation for Economic Co-operation and Development, *Recommendation of the Council on Regulatory Policy and Governance*, 2012.

4. Vocabulary exercises

After students have become familiar with the new vocabulary, in addition to reading practice, it is necessary to go through several vocabulary exercises like Definition-Term Matching, Gap-Fill exercises, Multiple-Choice Vocabulary Exercises, Contextual Vocabulary Exercises, Classification Exercises, Collocation Exercises and others. Teachers will decide on which to use according to a group's level of English knowledge.

Exercise 1: Definition–Term Matching
Match each word or expression in the box with the correct definition. Write the appropriate term next to each definition.

permanent population, to maintain, effective control, sovereignty, external actors, bureaucracy, effectiveness, performance, to sanction

1. _____ The way an organisation carries out its activities and the results it achieves.
2. _____ The supreme authority of a state to govern itself, subject to applicable international law. It concerns a state's authority over its internal affairs and its independence in external relations.
3. _____ The degree to which an activity or organisation achieves its intended objectives.
4. _____ To keep something in existence or in good condition.
5. _____ A system of administration based on formal rules, specialised roles and a hierarchy of authority.
6. _____ Individuals, organisations or institutions outside a particular system that can influence its activities.

7. _____ The actual ability to exercise authority over a territory, institution or activity.
8. _____ A relatively stable community of people living within a state's territory.
9. _____ To formally approve an action or, alternatively, to impose a penalty for breaking a rule.

Exercise 2: Gap-Fill Exercise
Complete the sentences with the correct words or expressions from the box. Use each word or expression only once.

internal riots, self-sufficing, hierarchy, required standards, apex, legislative, judicial, executive, parliament, power

1. The _____ branch of government is responsible for making, amending and repealing laws.
2. A system in which people or positions are arranged in different levels of authority is called a _____.
3. The ability or legal authority to influence decisions, direct actions or achieve outcomes is known as _____.
4. Violent public disturbances occurring within a state or community are called _____.
5. The _____ branch interprets and applies the law and may review whether public authorities have acted lawfully.
6. The highest point or level of an organisation or system is known as the _____.
7. Public institutions must meet _____ relating to service quality, professional conduct, safety and accountability.
8. A state or community that can meet most of its needs using its own resources may be described as _____.

9. The institution that debates and passes legislation and holds the government accountable is called _____.
10. The _____ branch of government is responsible for implementing laws, managing public services and coordinating government policy.

Exercise 3: Multiple-Choice Vocabulary Exercise
Choose the correct word or expression to complete each sentence. Circle A, B, or C.
1. The different _____ are responsible for carrying out specific administrative tasks, such as education, finance and healthcare.
A. courts
B. government departments
C. disputes
2. The _____ is the system or group of people responsible for governing a country or state.
A. government
B. tribunal
C. department
3. A _____ occurs when two or more parties disagree about a matter.
A. grant
B. regulation
C. dispute
4. _____ are institutions where legal cases are heard and decided by judges.
A. Government departments
B. Courts
C. Governments
5. Specialised bodies that hear and decide particular types of legal disputes are often called _____.

A. tribunals
B. departments
C. grants
6. To _____ means to officially give or allow someone to have something, such as permission, a licence or financial assistance.
A. monitor
B. regulate
C. grant
7. Public authorities need _____ the implementation of policies to check progress and identify problems.
A. to monitor
B. to dispute
C. to grant
8. Governments introduce laws and rules _____ activities in areas such as public health, transport and environmental protection.
A. to monitor
B. to regulate
C. to dispute
9. The _____ is responsible for implementing public policies and ensuring that public services are delivered.
A. government
B. court
C. tribunal

5. Conclusions

English for Specific Purposes (ESP) requires the acquisition of interconnected linguistic and cognitive skills. Because ESP focuses on the texts of particular professions or

academic disciplines, systematic acquisition and expansion of domain-specific vocabulary are essential. Specialised vocabulary can be acquired through paraphrasing, translation into the learner's first language (L1), and contrastive analysis, which examines similarities and differences between the target language and the learner's L1. With targeted instruction and sustained exposure to field-specific language during an ESP program, students develop specialist terminology and linguistic resources relevant to their discipline. This process enables more effective reading and writing of professional texts and fosters greater linguistic competence and appropriate language use in both professional and academic contexts.

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TRADE LIBERALISATION AND RESTRICTIVE MEASURES IN EUROPEAN UNION LAW OPENNESS, SECURITY AND EXTERNAL RELATIONS

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Abstract: The increasing use of restrictive measures affecting international trade raises questions concerning the legal limits of the European Union's powers, particularly where their enforcement influences commercial relations with third countries. This contribution examines the extent to which, and the legal grounds on which, the Union may adopt and enforce such measures consistently with the competences conferred by the Treaties and its obligations under international law. The analysis addresses the distinction between the common commercial policy and restrictive measures adopted within the Common Foreign and Security Policy, the international legality of autonomous restrictions under general international law and World Trade Organization law, as well as the anti-circumvention mechanisms established by Regulation (EU) No 833/2014. It argues that the increasing reliance on contractual obligations, preventive compliance requirements and duties concerning foreign entities owned or controlled by Union operators extends the practical reach of restrictive measures through different legal mechanisms. Their permissible scope cannot be determined solely by reference to their effectiveness or external economic effects, but requires an assessment of the specific obligations imposed, the relevant jurisdictional connections and the applicable limits under EU and international law.

Keywords: *EU restrictive measures, common commercial policy, international trade, WTO security exceptions, anti-circumvention, extraterritorial effects.*

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1. Introductory considerations

The progressive liberalisation of trade has occupied a central position in European integration since the establishment of the European Economic Community. The customs union and the common commercial policy, both areas of exclusive Union competence under Article 3(1) of the Treaty on the Functioning of the European Union (TFEU), reflect the connection between the removal of internal barriers and the adoption of common rules for exchanges with third countries. Article 206 TFEU identifies the progressive abolition of restrictions on international trade and foreign direct investment among the objectives of the common commercial policy. Yet Article 207 also encompasses export policy and measures to protect trade. As the Court of Justice recognised in Opinion 1/78, commercial policy cannot be understood solely as the removal of barriers: it may also involve the regulation of international markets. The existence of restrictions upon exchanges is therefore not, in itself, inconsistent with the European Union's commitment to liberalisation. What matters is the legal basis, purpose and conditions governing their adoption[2].

(2) *Consolidated version of the Treaty on the Functioning of the European Union (TFEU)*, OJ C 202, 7.6.2016, pp. 47 ff., particularly Arts. 3(1)(a) and (e), 206 and 207. Court of Justice, Opinion of 4 October 1979, *International Agreement on Natural Rubber*, Opinion 1/78, ECLI:EU:C:1979:224, paras. 44-45. The Opinion is significant since the Court recognised that the common commercial policy may encompass instruments regulating international markets, rather than being confined to the removal of trade barriers. On the relationship between internal and external economic competences, see A. Dimopoulos, *The Common Commercial Policy after Lisbon: Establishing Parallelism Between Internal and External Economic Relations?*, «Croatian Yearbook of European Law & Policy», vol. 4, n. 1, 2008, pp. 101-129, particularly pp. 101-103.

The distinction becomes more difficult when restrictions serve foreign-policy or security objectives. As the Court of Justice acknowledged in its judgment of 17 October 1995 in Case C-70/94, *Fritz Werner Industrie-Ausrüstungen GmbH v Federal Republic of Germany*, security considerations do not automatically remove an export measure from the common commercial policy(3). Restrictive measures adopted through the Common Foreign and Security Policy (CFSP), however, follow a different Treaty framework: Council decisions under Article 29 of the Treaty on European Union (TEU) may be implemented by regulations based on Article 215 TFEU. It is worth recalling that, in EU law, the term *restrictive measures* refers to instruments adopted in pursuit of foreign-policy objectives, ranging from measures targeting specific persons and entities to broader restrictions on trade and financial relations(4).

In this regard, a particularly significant example of restrictions affecting international trade is provided by the measures progressively adopted by the European Union in relation to Russia since 2014. Their introduction must be

(3) Court of Justice, judgment of 17 October 1995, Case C-70/94, *Fritz Werner Industrie-Ausrüstungen GmbH v Federal Republic of Germany*, ECLI:EU:C:1995:328, particularly paras. 7-11 and 24-28. The dispute concerned Germany's refusal to authorise the export of a vacuum-induction furnace to Libya on public-security grounds. The Court distinguished the inclusion of the restriction within the common commercial policy from its possible justification under the public-security exception provided by the applicable Community export rules.

(4) In particular, Art. 29 of the *Treaty on European Union* (TEU), OJ C 202, 7.6.2016, p. 33, provides that «The Council shall adopt decisions which shall define the approach of the Union» to matters of a geographical or thematic nature. Art. 215(1) TFEU concerns the «interruption or reduction, in part or completely, of economic and financial relations with one or more third countries», while Art. 215(2) TFEU provides for restrictive measures against natural or legal persons, groups or non-State entities.

considered against the background of the crisis in Ukraine and the subsequent hostilities in its eastern regions. The Union initially adopted restrictive measures directed against specific individuals and entities, before extending its response to particular sectors of the Russian economy[5]. In this context, on 31 July 2014, the Council adopted Decision 2014/512/CFSP and Regulation (EU) No 833/2014, both *concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine*[6].

The Decision, adopted on the basis of Article 29 TEU, established a series of restrictive measures within the CFSP framework, including restrictions concerning access to capital markets, trade in military equipment, dual-use goods and certain technologies intended for the energy

(5) The initial measures included Council Decision 2014/145/CFSP of 17 March 2014 *concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine*, OJ L 78, 17.3.2014, pp. 16-21, and Council Regulation (EU) No 269/2014 of 17 March 2014 *concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine*, OJ L 78, 17.3.2014, pp. 6-15. These instruments provided, respectively, for restrictions on admission to Member States' territories and for the freezing of funds and economic resources of designated persons and entities. The subsequent measures of July 2014 extended the restrictions to specific sectors of the Russian economy.

(6) Council Decision 2014/512/CFSP of 31 July 2014 *concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine*, OJ L 229, 31.7.2014, pp. 13-17; Council Regulation (EU) No 833/2014 of 31 July 2014 *concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine*, OJ L 229, 31.7.2014, pp. 1-11, both as amended. The Decision was adopted under Art. 29 TEU, whereas the Regulation was adopted pursuant to Art. 215 TFEU in order to give effect to those economic restrictions requiring uniform application within the Union. Not all measures provided for in the CFSP Decision were implemented through the Regulation: the arms embargo, for instance, also required implementation by the Member States. Subsequent amendments substantially extended the scope of the original restrictions.

sector. The corresponding economic restrictions falling within the scope of the TFEU were implemented, where necessary, through Regulation No 833/2014, adopted on the basis of Article 215 TFEU. The Regulation thus established uniform prohibitions and obligations directly applicable within the Member States, in accordance with Article 288 TFEU.

Substantially expanded following the intensification of hostilities in Ukraine in February 2022, these measures illustrate how economic restrictions may be employed in pursuit of foreign-policy objectives. Their effects upon international trade do not, however, mean that they must necessarily be classified as instruments of the common commercial policy under Article 207 TFEU. The distinction is significant because the two legal bases provide for different institutional procedures. Whereas Article 207(2) TFEU provides for the adoption of regulations defining the framework for implementing the common commercial policy by the European Parliament and the Council under the ordinary legislative procedure, Article 215 TFEU establishes a different mechanism, under which the Council adopts the necessary measures by qualified majority, on a joint proposal from the High Representative and the Commission, while the European Parliament is informed. This difference must be considered in light of the principle of conferral laid down in Article 5(2) TEU. As an international organisation exercising competences conferred upon it by its Member States, the Union must act within the limits and according to the procedures established by the Treaties. The choice of legal basis therefore affects the institutional procedure and the legal safeguards applicable to the measure adopted.

The measures concerning Russia raise a further question, beyond that of their legal basis: how to prevent the restrictions from being circumvented through commercial transactions involving third countries. Under Article 12g of Regulation (EU) No 833/2014, exporters of specified goods and technologies must, subject to the applicable exceptions, include in contracts with third-country purchasers a clause prohibiting their re-exportation to Russia or for use there. Article 8a requires persons and entities within the Regulation's scope to undertake their best efforts to ensure that foreign entities they own or control do not participate in activities undermining the restrictions(7). The first provision thus imposes an obligation upon exporters to obtain a contractual undertaking from their foreign customers; the second requires them to take appropriate measures concerning entities established outside the Union. Neither provision, however, makes all foreign commercial partners directly subject to EU law. The Regulation's territorial and personal scope remains governed by Article 13.

A related, but distinct, problem concerns the effects of restrictive legislation adopted by third countries. Council Regulation (EC) No 2271/96 of 22 November 1996, *protecting against the effects of the extra-territorial application*

(7) Regulation (EU) No 833/2014, cit., Arts. 8a, 12g and 13. Article 12g was introduced by Council Regulation (EU) 2023/2878 of 18 December 2023, and Article 8a by Council Regulation (EU) 2024/1745 of 24 June 2024, both *amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine*, OJ L, 2023/2878, 18.12.2023, and OJ L, 2024/1745, 24.6.2024, respectively. Article 13 defines the territorial and personal scope of application of Regulation No 833/2014, including its application to legal persons established under the law of a Member State, even when operating outside the Union. The obligation of best efforts under Article 8a must be assessed in light of the operator's actual circumstances and degree of effective control over the foreign entity (recital 30 of Regulation (EU) 2024/1745).

of legislation adopted by a third country, and actions based thereon or resulting therefrom, commonly known as the *Blocking Statute*, seeks to protect Union operators against certain such effects. In particular, Article 5 prohibits compliance with the foreign legislation specified in its Annex, subject to the possibility of authorisation. The Court of Justice examined the application of that prohibition to the termination of a commercial relationship in its judgment of 21 December 2021 in Case C-124/20, *Bank Melli Iran v Telekom Deutschland GmbH*[8].

The distinction between commercial relations and legal obligations is also relevant to the Union's agreements with third countries. Preferential trade agreements may combine trade liberalisation with political dialogue and cooperation on regional security without necessarily requiring partner States to apply Union restrictive measures. The Euro-Mediterranean Association Agreement with Morocco provides an example of such an arrangement[9].

Against this background, the present contribution investigates the legal limits within which the European Union

(8) Council Regulation (EC) No 2271/96 of 22 November 1996 *protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom*, OJ L 309, 29.11.1996, pp. 1-6, as amended, particularly Art. 5 and the Annex. Court of Justice, judgment of 21 December 2021, Case C-124/20, *Bank Melli Iran v Telekom Deutschland GmbH*, ECLI:EU:C:2021:1035, particularly paras. 45-51 and 77-95. The Court considered the prohibition on compliance with specified foreign sanctions and the need to assess its application in light of the freedom to conduct a business protected by Art. 16 of the Charter.

(9) Euro-Mediterranean Agreement *establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part*, OJ L 70, 18.3.2000, pp. 2-204, particularly Arts. 1 and 3. Article 1 provides for the gradual liberalisation of trade, while Article 3 establishes political dialogue aimed, inter alia, at contributing to security and stability in the Mediterranean region. Neither provision establishes a general obligation to align with Union restrictive measures.

may adopt and enforce restrictive measures affecting international trade, particularly where their implementation influences commercial relations with third countries. The analysis develops at three levels: the distribution of Union competences and judicial guarantees; the conditions governing restrictive measures under general international law and World Trade Organization law; and the effects of their enforcement upon commercial relations involving third countries. Particular attention is devoted to the distinction between the persons legally bound by Union measures and the foreign operators whose commercial activities may nevertheless be affected by them. Indeed, the economic effectiveness of restrictive measures cannot, by itself, extend the legal authority upon which they are based.

2. Treaty competences, restrictive measures and judicial protection

The distinction between commercial-policy instruments and restrictive measures raises the question of how to identify the appropriate Treaty basis. In its judgment of 18 July 2013 in Case C-414/11, *Daiichi Sankyo Co. Ltd and Sanofi-Aventis Deutschland GmbH v DEMO Anonimos Viomikhaniki kai Emporiki Etairia Farmakon*, concerning the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the Court of Justice clarified that an act does not fall within the common commercial policy merely because it affects international trade. Rather, it must relate specifically to such trade, being essentially intended to promote, facilitate or govern it and having direct and immediate effects upon it. Conversely, as the Court had already established in

Werner, the existence of security considerations does not automatically remove an export restriction from the common commercial policy. The identification of the appropriate legal basis therefore requires consideration of the purpose and content of the measure in light of the relevant Treaty provisions, rather than relying exclusively on its economic effects or the security objectives pursued[10].

The choice of legal basis also determines the procedure for adopting a measure and the role assigned to each EU institution. While CFSP decisions are generally adopted unanimously by the Council under Article 31(1) TEU, regulations under Article 215 TFEU are adopted by qualified majority, with the European Parliament being informed rather than participating as co-legislator. The significance of this difference emerged in the judgment of the Court of Justice of 19 July 2012 in Case C-130/10, *European Parliament v Council of the European Union*. The dispute concerned restrictive measures freezing the funds of persons associated with Al-Qaeda and the Taliban. The Parliament argued that the contested regulation should have been based on Article 75 TFEU, which provides for the adoption, under the ordinary legislative procedure, of a framework for measures concerning capital movements and payments intended to prevent

(10) Court of Justice, judgment of 18 July 2013, Case C-414/11, *Daiichi Sankyo Co. Ltd and Sanofi-Aventis Deutschland GmbH v DEMO Anonimos Viomikhaniki kai Emporiki Etairia Farmakon*, ECLI:EU:C:2013:520, particularly paras. 49-52; Court of Justice, *Werner*, C-70/94, cit., particularly paras. 7-11 and 24-28. Although *Daiichi Sankyo* concerned the commercial aspects of intellectual property, the Court reaffirmed a general criterion for identifying the scope of the common commercial policy. On the reasoning underlying the judgment and its limits, see I. Van Damme, *Case C-414/11 Daiichi: The Impact of the Lisbon Treaty on the Competence of the European Union over the TRIPS Agreement*, «Cambridge Journal of International and Comparative Law», vol. 4, n. 1, 2015, pp. 73-87, particularly pp. 79-80.

and combat terrorism. The Court nevertheless considered Article 215(2) TFEU the appropriate legal basis, since the measures formed part of the Union's external action in response to United Nations Security Council decisions. It clarified that the applicable procedure follows from the legal basis of the measure, rather than determining it. At the same time, the more limited participation of the Parliament does not exempt the Union from respecting fundamental rights and providing the legal safeguards expressly required by Article 215(3) TFEU[11].

The importance of these legal safeguards becomes particularly apparent when considering the effects of restrictive measures upon economic operators. Indeed, a prohibition applying to an entire economic sector may have particularly severe consequences for individual undertakings, while the freezing of a designated person's assets may also affect commercial relationships with operators who are not themselves subject to restrictive measures. Therefore, although individual and sectoral measures differ in their legal scope, their economic consequences cannot always be confined to the persons or activities directly targeted. An assessment of their legal effects must consequently take account of the specific prohibitions, their personal and material scope and the applicable derogations[12].

(11) Art. 31(1) TEU; Court of Justice, judgment of 19 July 2012, Case C-130/10, *European Parliament v Council of the European Union*, ECLI:EU:C:2012:472, particularly paras. 59-65, 67-72 and 78-85. The Court distinguished the functions of Art. 75 TFEU, concerning the area of freedom, security and justice, from those of Art. 215(2) TFEU in the Union's external action. On the judgment and its institutional implications, see A. Ott, *Case C-130/10 European Parliament v. Council of the European Union, Judgment of 19 July 2012, not yet reported*, «Maastricht Journal of European and Comparative Law», vol. 19, n. 4, 2012, pp. 589-594.

(12) On the different characteristics of individual and sectoral restrictive measures, see S. Poli, F. Finelli, *Context specific and structural changes in EU restrictive measures adopted in reaction to Russia's aggression on Ukraine*,

The possibility of challenging restrictive measures must also be considered in light of the limits placed upon judicial review in CFSP matters. Articles 24(1) TEU and 275 TFEU generally exclude the jurisdiction of the Court of Justice in this field, while allowing it, in particular, to monitor compliance with Article 40 TEU and to review the legality of restrictive measures against natural or legal persons. In its judgment of 28 March 2017 in Case C-72/15, *PJSC Rosneft Oil Company, formerly OJSC Rosneft Oil Company v Her Majesty's Treasury, Secretary of State for Business, Innovation and Skills and the Financial Conduct Authority*, the Court clarified that such review may also take place through a preliminary ruling on validity requested by a national court under Article 267 TFEU. However, it distinguished measures directed against identifiable undertakings from provisions of general application contained in a CFSP decision, which do not fall within the latter exception to its jurisdiction. By contrast, the Court confirmed its jurisdiction to review the corresponding regulation adopted under Article 215 TFEU. Furthermore, although the Council enjoys broad discretion when making complex political and economic assessments, that discretion does not exclude judicial review, including as regards the proportionality of the restrictions adopted[13].

«Eurojus», n. 3, 2023, pp. 19-49, particularly pp. 21-29. On the legal implications of restrictive measures targeting natural and legal persons, particularly with regard to judicial protection, see C. Eckes, *EU Restrictive Measures against Natural and Legal Persons: From Counterterrorist to Third Country Sanctions*, «Common Market Law Review», vol. 51, n. 3, 2014, pp. 869-905.

(13) Art. 24(1) TEU; Art. 275 TFEU; Court of Justice, judgment of 28 March 2017, Case C-72/15, *PJSC Rosneft Oil Company, formerly OJSC Rosneft Oil Company v Her Majesty's Treasury, Secretary of State for Business, Innovation and Skills and the Financial Conduct Authority*, ECLI:EU:C:2017:236, particularly paras. 60-81, 94-107 and 145-150. The Court held that it lacked jurisdiction to review the validity of Arts. 4 and 4a of Decision 2014/512/CFSP, which established measures of general application, while accepting jurisdiction

A further difficulty emerged in the judgment of the Court of Justice of 10 September 2024 in Case C-351/22, *Neves 77 Solutions SRL v Agenția Națională de Administrare Fiscală – Direcția Generală Antifraudă Fiscală*. The dispute concerned a Romanian undertaking penalised for acting as an intermediary in a transaction involving military equipment under a prohibition contained in Article 2(2)(a) of Decision 2014/512/CFSP, which had not been implemented, at the material time, through a regulation under Article 215 TFEU. Although the prohibition was general in character, the Court held that it had jurisdiction to interpret it, since the Council's failure to adopt the regulation required under Article 215(1) TFEU could not deprive the Court of the jurisdiction preserved by Article 40 TEU. Moreover, the Court clarified that the prohibition applied even where the military equipment concerned had never entered the territory of a Member State. Finally, it held that Union law did not preclude the automatic confiscation of the entire proceeds of the prohibited transaction, provided that the applicable guarantees, including the right to property, proportionality and legal certainty, were respected. The judgment thus illustrates the importance of both the allocation of Treaty competences and judicial protection in the enforcement of restrictive measures[14].

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over restrictions directed against identifiable legal persons and over the relevant provisions of Regulation (EU) No 833/2014. On judicial review and the Council's discretion see, among others, L. Lonardo, *Challenging EU Sanctions against Russia: The Role of the Court, Judicial Protection, and Common Foreign and Security Policy*, «Cambridge Yearbook of European Legal Studies», vol. 25, 2023, pp. 40-63, particularly pp. 55-56.

(14) Court of Justice, judgment of 10 September 2024, Case C-351/22, *Neves 77 Solutions SRL v Agenția Națională de Administrare Fiscală – Direcția Generală Antifraudă Fiscală*, ECLI:EU:C:2024:723, particularly paras. 39-61, 62-71 and 87-107. The Court considered that the failure to implement a

Finally, the enforcement of restrictive measures involves a further aspect of the distribution of competences. Although regulations adopted under Article 215 TFEU are directly applicable, the investigation of infringements and the imposition of penalties remain largely entrusted to Member State authorities. In order to reduce differences between national criminal-law systems, the Union adopted Directive (EU) 2024/1226 of the European Parliament and of the Council of 24 April 2024, *on the definition of criminal offences and penalties for the violation of Union restrictive measures and amending Directive (EU) 2018/1673*. Based on Article 83(1) TFEU, the Directive establishes minimum rules concerning criminal offences and penalties for violations of Union restrictive measures, including certain forms of circumvention[15]. It does not, however, provide a new legal basis for adopting the restrictions themselves, but concerns their enforcement through criminal law. The adoption of restrictive measures and the criminal-law response to their violation must therefore be assessed in accordance with their respective Treaty provisions.

measure of general scope through a regulation required by Art. 215(1) TFEU could not exclude its jurisdiction to interpret that measure. The national court remained responsible for verifying the applicable procedural guarantees and the requirements of legal certainty. See C. Breitler, *Navigating the Labyrinth of Jurisdiction in Restrictive Measures Cases: Neves 77 Solutions (C-351/22)*, «European Papers», vol. 10, n. 3, 2025, pp. 555-577, particularly pp. 572-574.

(15) Directive (EU) 2024/1226 of the European Parliament and of the Council of 24 April 2024 *on the definition of criminal offences and penalties for the violation of Union restrictive measures and amending Directive (EU) 2018/1673*, OJ L, 2024/1226, 29.4.2024, particularly Arts. 1-5. The Directive was preceded by Council Decision (EU) 2022/2332 of 28 November 2022 *on identifying the violation of Union restrictive measures as an area of crime that meets the criteria specified in Article 83(1) of the Treaty on the Functioning of the European Union*, OJ L 308, 29.11.2022, pp. 18-21, particularly Art. 1. The Decision made it possible to adopt minimum rules on criminal offences and penalties under Art. 83(1) TFEU. See P. Csonka, L. Zoli, *The New Directive on the Violation of Union Restrictive Measures in the Context of the EPPO*, «eucrim», vol. 19, n. 1, 2024, pp. 76-80.

3. International responsibility and the WTO security exception

Compliance with the Treaty provisions governing the adoption and enforcement of restrictive measures does not, however, establish their compatibility with international law. Indeed, Article 21(1) TEU places respect for the principles of the United Nations Charter and international law among those guiding the Union's external action. In this regard, a preliminary distinction must be drawn between measures implementing binding decisions of the United Nations Security Council and measures adopted autonomously by the Union. Under Articles 39 and 41 of the Charter, the Security Council may decide upon measures not involving the use of armed force, including the interruption of economic relations, to maintain or restore international peace and security. Pursuant to Article 25, United Nations Member States are obliged to carry out the Council's binding decisions. Although the Union is not itself a United Nations Member, it may give effect to such decisions through the legal instruments provided for by its own Treaties. Autonomous restrictive measures, by contrast, do not derive from a corresponding Security Council decision. Their compatibility with international law must therefore be assessed by determining whether they interfere with international obligations and, if so, whether a recognised legal justification is available[16].

(16) Art. 21(1) TEU; *Charter of the United Nations*, signed at San Francisco on 26 June 1945, entered into force on 24 October 1945, particularly Arts. 25, 39, 41 and 48(2). While Art. 25 requires United Nations Member States to carry out binding Security Council decisions, Art. 48(2) envisages their implementation, inter alia, through the action of those States in appropriate international agencies of which they are members. These provisions do

To assess autonomous restrictive measures under international law, it is first necessary to distinguish between retorsions and countermeasures, since the term "sanctions" does not, in itself, identify a single legal category. A restriction on economic exchanges may constitute an act of retorsion where, although unfriendly, it does not breach an international obligation. Where a restriction would otherwise be unlawful, its possible justification as a countermeasure requires a different assessment. Under the International Law Commission's 2001 *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 22 provides that countermeasures may preclude the wrongfulness of conduct that would otherwise violate an international obligation, provided that the applicable conditions are fulfilled. Article 49 further establishes that countermeasures are intended to induce the responsible State to comply with its obligations, rather than to punish it, while Articles 50-53 lay down substantive and procedural limits, including requirements concerning proportionality and termination. Consequently, the existence of an internationally wrongful act does not automatically justify every economic restriction adopted in response to it[17].

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not independently establish the Union's competence to adopt implementing measures, which remains governed by the relevant EU Treaty provisions, particularly Arts. 29 TEU and 215 TFEU.

(17) International Law Commission, *Articles on Responsibility of States for Internationally Wrongful Acts, with commentaries*, 2001, in «Yearbook of the International Law Commission», 2001, vol. II, Part Two, particularly Art. 22, Arts. 49-53 and the commentary on Part Three, Chapter II. On the distinction between retorsions and countermeasures, as well as the conditions governing the latter, see M. Paparinskis, "Articles 49-54 of the ARSIWA: Countermeasures", in M. Waibel, A. Kulick (eds.), *General International Law in International Investment Law: A Commentary*, Oxford University Press, Oxford 2024, pp. 401-411. With specific regard to Union practice, see M. Gestri, *Sanctions, Collective Countermeasures and the EU*, «Italian Yearbook

Where restrictive measures are adopted by the Union, however, an additional distinction is necessary. The competence to act under the EU Treaties does not itself determine whether the Union may rely on countermeasures under international law. Article 22 of the International Law Commission's 2011 *Draft Articles on the Responsibility of International Organizations* envisages that countermeasures taken by an international organisation may preclude wrongfulness, subject to the applicable requirements of international law. It does not, however, establish an unrestricted entitlement to take such measures in response to breaches of obligations owed to the international community as a whole. Indeed, Article 48 of the 2001 Articles on State Responsibility allows States other than an injured State to invoke responsibility for certain breaches, but Article 54 leaves unresolved the permissibility of countermeasures by such States. The distinction between invoking responsibility and taking countermeasures is therefore particularly important for autonomous Union measures: neither the Union's institutional powers nor the collective nature of the interests protected can, by itself, establish their international legality[18].

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of International Law», vol. 32 (2022), published 2023, pp. 67-92. Gestri observes that many Union restrictive measures may be characterised as retorsions, while the justification of measures conflicting with international obligations raises more controversial questions.

(18) International Law Commission, *Draft Articles on the Responsibility of International Organizations, with commentaries*, 2011, in «Yearbook of the International Law Commission», 2011, vol. II, Part Two, particularly Art. 22 and the corresponding commentary, paras. 1-2; International Law Commission, *Articles on Responsibility of States for Internationally Wrongful Acts*, cit., Arts. 48 and 54 and commentary on Art. 54. The 2011 Draft Articles do not specify the conditions governing countermeasures taken by an injured international organisation against a responsible State, whereas Art. 57 concerns measures against a responsible international organisation. On the

The World Trade Organization (WTO) establishes a further legal framework for assessing restrictive measures affecting international trade. In relation to trade in goods, import and export prohibitions may conflict with Article XI of the General Agreement on Tariffs and Trade 1994 (GATT 1994), while discriminatory treatment between trading partners and restrictions on transit may raise questions under Articles I and V, respectively. The compatibility of such restrictions with WTO law must therefore be assessed by reference to the specific obligations affected and the exceptions potentially applicable. Article XXI(b)(iii) GATT provides an exception for measures which a Member considers necessary for the protection of its essential security interests and which are taken in time of war or another emergency in international relations. Article XXI(c), by contrast, concerns action taken in pursuance of obligations under the United Nations Charter for the maintenance of international peace and security. These grounds must be examined separately, in accordance with their respective conditions. Neither the foreign-policy objectives pursued nor the characterisation of a measure as a sanction is, in itself, sufficient to establish its compatibility with WTO law[19].

debated legal position of third-party countermeasures, see M. Dawidowicz, *Third-Party Countermeasures in International Law*, Cambridge University Press, Cambridge 2017, particularly ch. 5, pp. 239-284. On related difficulties concerning the international obligations of the Union and its Member States in the distinct context of the EU Anti-Coercion Instrument, see M. Jackson, F. Paddeu, *"To deter and counteract economic coercion": the puzzle of countermeasures in the European Union's Anti-Coercion Instrument*, «Journal of International Economic Law», vol. 28, n. 4, 2025, pp. 567-588, particularly pp. 569-570.

(19) *General Agreement on Tariffs and Trade 1994* (GATT 1994), Annex 1A to the *Marrakesh Agreement Establishing the World Trade Organization*, particularly Arts. I(1), V(2), XI(1) and XXI(b)(iii) and (c). The latter provisions establish

In its report of 5 April 2019 in *Russia – Measures Concerning Traffic in Transit*, the WTO panel examined Russian restrictions on the transit of goods from Ukraine through its territory to third countries. It rejected the view that Article XXI(b)(iii) GATT is entirely self-judging: the existence of a war or another emergency in international relations, and whether the measures were taken during such an emergency, are matters open to objective assessment. At the same time, the panel recognised that WTO Members retain discretion to identify their essential security interests and, in particular, to determine the necessity of measures adopted to protect them. That discretion remains subject to good faith, which requires at least a plausible connection between the measures and the interests invoked. Applying this approach, the panel found that Russia satisfied the conditions for relying on the security exception. Its conclusion, however, concerned the particular measures and circumstances of that dispute and cannot determine the compatibility of Union restrictive measures with WTO law. Moreover, the limited plausibility threshold, rather than an ordinary proportionality assessment, leaves open questions concerning the effectiveness of the scrutiny undertaken[20].

distinct grounds for invoking security exceptions, relating respectively to the protection of essential security interests in time of war or another emergency in international relations and to action taken in pursuance of obligations under the United Nations Charter. The GATT concerns trade in goods; separate security exceptions are provided for trade in services by Art. XIV bis of the *General Agreement on Trade in Services* (GATS) and for intellectual property by Art. 73 of the *Agreement on Trade-Related Aspects of Intellectual Property Rights* (TRIPS). On the scope and interpretation of WTO security exceptions, see T. Voon, *The Security Exception in WTO Law: Entering a New Era*, «AJIL Unbound», vol. 113, 2019, pp. 45-50; P. Ranjan, *Russia-Ukraine War and WTO's National Security Exception*, «Foreign Trade Review», vol. 58, n. 2, 2023, pp. 246-258.

(20) WTO Panel, *Russia – Measures Concerning Traffic in Transit*, Report circulated on 5 April 2019, WT/DS512/R, adopted on 26 April

A final difficulty concerns the relationship between countermeasures under general international law and the WTO dispute settlement system. Article 22 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* (DSU) regulates the suspension of concessions or other obligations following non-compliance with adopted rulings, subject to the authorisation of the Dispute Settlement Body. Article 23 requires Members seeking redress for violations of WTO obligations to follow the multilateral procedures established by the DSU, thereby excluding unilateral determinations and responses in such cases. However, whether customary international law may justify restrictions otherwise incompatible with WTO agreements when they are adopted in response to breaches of obligations outside the WTO framework remains disputed. Some authors consider the WTO system to exclude such unilateral measures, whereas others maintain that its special rules do not necessarily displace countermeasures responding to violations of non-WTO obligations. The question is particularly controversial where measures are adopted by States that are not individually injured. Consequently, the seriousness

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2019, particularly paras. 7.100-7.104, 7.120-7.126, 7.130-7.139 and 7.145-7.149. The panel distinguished the objective assessment of the circumstances specified in Art. XXI(b)(iii) GATT from the discretion accorded to WTO Members concerning their essential security interests and the necessity of measures adopted to protect them, subject to good faith and a minimum requirement of plausibility. On the interpretation and implications of the report, see T. Voon, *Russia—Measures Concerning Traffic in Transit*, «American Journal of International Law», vol. 114, n. 1, 2020, pp. 96-103; P. Crivelli, M. Pinchis-Paulsen, *Separating the Political from the Economic: The Russia–Traffic in Transit Panel Report*, «World Trade Review», vol. 20, n. 4, 2021, pp. 582-605. The latter authors critically examine the limited scrutiny applied by the panel, questioning whether the economic evidence adequately supported the plausibility of the connection between the restrictions and the security interests invoked.

of the underlying breach cannot, by itself, establish the legality of the restrictions. Their assessment requires consideration of the particular WTO obligations affected, the available treaty exceptions and the possible relevance of customary international law[21].

4. Anti-circumvention, third countries and the limits of external effects

Having examined the international legal framework governing restrictive measures, the analysis turns to the scope of the obligations through which they are enforced under EU law. Article 13 of Regulation (EU) No 833/2014 provides the starting point. In addition to activities taking place within Union territory, the Regulation applies to nationals of Member States and to legal persons constituted under the law of a Member State, irrespective of their location, as well as to legal persons, entities or bodies in respect of business conducted wholly or partly within the Union.

(21) *Understanding on Rules and Procedures Governing the Settlement of Disputes*, Annex 2 to the *Marrakesh Agreement Establishing the World Trade Organization*, particularly Arts. 1(1), 22 and 23; International Law Commission, *Articles on Responsibility of States for Internationally Wrongful Acts*, cit., particularly Arts. 54-55. On the debated relationship between the WTO dispute settlement system and countermeasures under customary international law, see D. Azaria, *Trade Countermeasures for Breaches of International Law Outside the WTO*, «International and Comparative Law Quarterly», vol. 71, n. 2, 2022, pp. 389-423, particularly pp. 401-406 and 419-423; S. Taira, *WTO Dispute Settlement and Trade Sanctions as Permissible Third-Party Countermeasures under Customary International Law*, «International Community Law Review», vol. 26, nn. 1-2, 2024, pp. 151-186, particularly pp. 170-175 and 185-186. Azaria and Taira argue that the DSU does not, in itself, exclude the possibility of relying on countermeasures under customary international law in response to breaches of non-WTO obligations, although this interpretation remains debated in the literature.

Consequently, activities carried out abroad may fall within its scope because of the persons involved or their connection with the Union. Article 13, however, does not itself establish a prohibition: the applicable substantive provision must also be identified, together with any relevant exceptions or derogations. Nor does a commercial relationship with an operator subject to the Regulation automatically make a third-country counterparty bound by the same obligations. The assessment of anti-circumvention mechanisms must therefore distinguish the addressees of each obligation from the wider commercial relationships that its application may affect[22].

The scope of Article 13 must be considered alongside the general prohibition of circumvention established by Article 12 of Regulation No 833/2014. The latter prohibits knowing and intentional participation in activities whose object or effect is to circumvent the Regulation's prohibitions. In its judgment of 21 December 2011 in Case C-72/11, *Criminal proceedings against Mohsen Afrasiabi, Behzad Sahabi and Heinz Ulrich Kessel*, concerning restrictive measures applicable to Iran, the Court of Justice

(22) Regulation (EU) No 833/2014, cit., particularly Art. 13(a)–(e), as amended. See also European Commission, *Report from the Commission to the European Parliament and the Council relating to Article 7(a) of Council Regulation (EC) No 2271/96 ("Blocking Statute")*, COM(2021) 535 final, 3 September 2021, introductory part, which distinguishes the legal scope of Union sanctions from their economic effects in third countries. On the evolving external reach of EU restrictive measures, see S. Silingardi, *The EU 11th and 12th Packages of Sanctions Against Russia: How Far is the EU Willing to Go Extraterritorially?*, «Global Trade and Customs Journal», vol. 19, nn. 7-8, 2024, pp. 546-554; T. Ruys, F. Rodríguez Silvestre, "Secondary Sanctions after Russia's Invasion of Ukraine: A Whole New World?", in T. Ruys, C. Ryngaert, F. Rodríguez Silvestre (eds.), *The Cambridge Handbook of Secondary Sanctions and International Law*, Cambridge University Press, Cambridge 2024, pp. 463-500.

clarified that circumvention may occur through arrangements which formally avoid the elements of a direct infringement but nevertheless seek to frustrate, or have the effect of frustrating, the underlying prohibition. It also established that knowledge and intention are cumulative requirements, which may be satisfied not only where circumvention is deliberately pursued, but also where a person is aware that participation may have that object or effect and accepts that possibility. This interpretation was expressly incorporated into Article 12 by Regulation (EU) 2024/1745. Consequently, the use of intermediaries or the involvement of third-country operators cannot, in itself, establish circumvention: the prohibited activity and the required subjective elements must still be assessed in light of the particular circumstances[23].

Beyond the general prohibition of circumvention, Articles 12g and 12gb introduce preventive obligations whose legal operation differs. Article 12g requires exporters of specified goods and technologies to obtain a contractual undertaking against their re-exportation to Russia, accompanied by adequate remedies; they must also notify

(23) Regulation (EU) No 833/2014, cit., Art. 12, as amended by Regulation (EU) 2024/1745, cit., Art. 1(25) and recital 37; Court of Justice, judgment of 21 December 2011, Case C-72/11, *Criminal proceedings against Mohsen Afrasiabi, Behzad Sahabi and Heinz Ulrich Kessel*, ECLI:EU:C:2011:874, particularly paras. 60-68. The judgment concerned Art. 7(4) of Regulation (EC) No 423/2007, rather than Art. 12 of Regulation No 833/2014, whose wording was subsequently aligned with the Court's interpretation. On the judgment and the relationship between the effectiveness of restrictive measures and the requirements of knowledge and intent, see S. Blockmans, *Curbing the Circumvention of Sanctions against Iran over its Nuclear Programme: Afrasiabi*, «Common Market Law Review», vol. 50, n. 2, 2013, pp. 623-640, particularly pp. 632-636; on the interpretation and enforcement of EU anti-circumvention provisions, see F. Finelli, *Countering Circumvention of Restrictive Measures: The EU Response*, «Common Market Law Review», vol. 60, n. 3, 2023, pp. 733-762.

the competent national authority upon becoming aware of a breach of that undertaking. Its distinctive feature is that EU law regulates the exporter's conduct, while the purchaser established in a third country assumes an obligation under the contract, rather than becoming directly bound by the Regulation. Article 12gb, in turn, requires operators dealing in common high priority items and the goods listed in Annex XLVIII to maintain documented risk assessments and proportionate controls aimed at preventing their diversion to Russia. It also requires operators within its scope to ensure that foreign entities they own or control implement these procedures, except where they cannot exercise control for reasons they did not cause. Unlike Article 12, these preventive obligations do not depend on proof of knowing and intentional participation in circumvention. Their application nevertheless remains subject to the categories of goods, exceptions and other conditions expressly established by the respective provisions[24].

Article 8a introduces a broader obligation, distinct from the product-specific compliance requirements of Article

(24) Regulation (EU) No 833/2014, cit., particularly Arts. 12g(1)–(4) and 12gb(1)–(4), and Annexes VIII, XL and XLVIII, as amended; Council Regulation (EU) 2025/395 of 24 February 2025 *amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine*, OJ L, 2025/395, 24.2.2025, particularly Art. 1(34). On the contractual obligation, see European Commission, *Frequently Asked Questions concerning the "No re-export to Russia" Clause*, updated 18 December 2024, particularly questions 2 and 4-6; on the distinct due diligence requirements, see European Commission, *Enhanced Due Diligence for Operators Manufacturing and/or Trading with CHP Items*, Frequently Asked Questions, updated 23 July 2025, particularly questions 2, 6 and 15-16. On the external effects of contractual anti-circumvention mechanisms, see Å. Gustafsson, *EU Sanctions Measures' Increasing Extraterritoriality: The EU's "No Re-export" to Russia Clause and Other Recent Circumvention Measures*, «Nordic Journal of International Law», vol. 95, n. 1, 2026, pp. 51-81; see also S. Silingardi, *The EU*, cit., pp. 546-554.

12gb. It requires persons falling within the Regulation's scope to undertake their best efforts to prevent entities established outside the Union that they own or control from participating in activities undermining the restrictive measures. The notion of "undermining", explained in recital 29 of Regulation (EU) 2024/1745, refers to conduct producing effects which the restrictions seek to prevent and is therefore not confined to intentional circumvention within the meaning of Article 12. Nevertheless, "best efforts" does not amount to an unconditional guarantee of compliance by every foreign subsidiary. Under recital 30, the Union operator must take all suitable and necessary actions that are feasible in view of its nature, size and factual circumstances, particularly the degree of effective control it can exercise. Obstacles arising from third-country legislation are consequently relevant where they prevent the exercise of control for reasons not attributable to the Union operator, without excluding the obligation to take other feasible measures. Article 8a thus seeks to influence conduct outside the Union through obligations imposed upon the Union operator, rather than by making foreign subsidiaries generally subject to the Regulation[25].

(25) Regulation (EU) No 833/2014, cit., Art. 8a, read in conjunction with Art. 13; Regulation (EU) 2024/1745, cit., recitals 27-30. Recital 28 identifies the criteria relevant to ownership and control, while recital 29 clarifies the meaning of activities *undermining* restrictive measures. Recital 30 limits the required *best efforts* to actions that are suitable, necessary and feasible in the circumstances of the Union operator. See European Commission, *"Best Efforts" Obligation: Frequently Asked Questions*, 22 November 2024, particularly questions 1-7. The Commission clarifies that limitations on effective control arising from third-country legislation must be assessed case by case and that the operator cannot rely on a loss of control attributable to its own conduct. On the external effects of the obligation and the associated jurisdictional questions, see Å. Gustafsson, *EU Sanctions*, cit. For a broader examination of recent EU anti-circumvention instruments, see I. Bogdanova, S. Allegrezza, *EU*

The mechanisms examined above raise a question that cannot be settled solely by identifying their formal addressees. The European Commission has traditionally maintained that Union restrictive measures apply within the scope of EU jurisdiction, even though they are intended to produce effects in third countries. Yet the increasing reliance upon contractual obligations and duties concerning foreign entities makes the distinction between legal application and external economic effects more complex. As Gustafsson observes, the contractual prohibition of re-exportation relies upon a technique described as "extraterritoriality by contract", while other anti-circumvention provisions operate through different legal connections with persons subject to Union law. Such mechanisms do not, merely because they influence transactions abroad, make every foreign operator directly subject to EU legislation. Equally, their legality cannot be presumed solely from the existence of a contractual or corporate relationship. The assessment must therefore consider the precise obligation imposed, the relevant territorial or personal connection and the possible difficulties arising from conflicting third-country legislation[26].

Sanctions Implementation and Enforcement: Legal and Policy Recommendations, KLEPTOTRACE, February 2025, particularly section 4.4.

(26) Regulation (EU) No 833/2014, cit., particularly Arts. 8a, 12g, 12gb and 13. On the distinction between the scope of application of Union sanctions and their external economic effects, see European Commission, *Report relating to Article 7(a) of Council Regulation (EC) No 2271/96*, COM(2021) 535 final, cit., introductory part. On the external reach of EU anti-circumvention mechanisms and the jurisdictional difficulties they may raise, see Å. Gustafsson, *EU Sanctions*, cit., pp. 51-81; S. Silingardi, *The EU*, cit., pp. 546-554; T. Ruys, F. Rodríguez Silvestre, "Secondary", cit., pp. 463-500. The latter contributions examine different techniques through which Union restrictive measures may affect conduct abroad, without implying that all such techniques are legally equivalent to secondary sanctions.

A further perspective is offered by the Union's response to foreign secondary sanctions. Whereas the anti-circumvention provisions examined above seek to prevent Union restrictions from being undermined through commercial relationships involving third countries, Regulation (EC) No 2271/96, the *Blocking Statute*, seeks to protect Union operators against the effects of specified foreign legislation applied extraterritorially. In *Bank Melli Iran*, the Court confirmed that the prohibition on complying with such legislation applies even in the absence of an individual order from the foreign authorities. It also clarified that the annulment of a contractual termination contrary to that prohibition must be assessed in light of the freedom to conduct a business under Article 16 of the Charter and the principle of proportionality, taking account of the economic consequences for the operator concerned. The comparison does not establish an equivalence between the two regulatory approaches, whose addressees, objectives and legal mechanisms differ. It nevertheless illustrates how the Union's response to restrictions affecting international commercial relations must reconcile the effectiveness of its measures with the legal obligations and safeguards applicable to economic operators[27].

(27) Regulation (EC) No 2271/96, cit., particularly Arts. 5 and 11 and the Annex; Court of Justice, *Bank Melli Iran*, C-124/20, cit., particularly paras. 45-51 and 77-95. The Court held that Art. 5 applies even without an individual order issued by foreign authorities and that national courts must assess the proportionality of annulling a contractual termination in light of Arts. 16 and 52(1) of the Charter, taking account of the economic losses potentially incurred by the operator. On the difficulties of reconciling the effectiveness of the Blocking Statute with the protection of economic operators, see C. Cellerino, *L'effettività del cd. "regolamento di blocco" tra coercizione straniera e libertà di impresa: la Corte di giustizia si pronuncia nel caso Bank Melli Iran*, «European Papers», vol. 7, n. 2, 2022, pp. 561-572, particularly pp. 569-572; C. Ryngaert, *Interpreting an unsatisfactory EU Blocking Statute: Bank Melli Iran*, «Common Market Law Review», vol. 60, n. 2, 2023, pp. 517-532.

These distinctions are also relevant to the Union's relations with third countries linked to it by preferential trade agreements. The Euro-Mediterranean Association Agreement with Morocco illustrates the point: its provisions on trade liberalisation and political dialogue do not impose a general obligation upon Morocco to align with Union restrictive measures. Non-alignment by a partner State cannot therefore, in itself, be equated with circumvention of EU law. Nevertheless, preferential commercial relations do not exempt transactions involving third-country undertakings from the obligations applicable to their Union counterparties. Such obligations arise from the relevant restrictive-measures legislation, subject to its personal and territorial scope, rather than from the association agreement. Consequently, political cooperation, legal obligations and indirect commercial effects must remain distinct when assessing the permissible reach of Union restrictive measures[(28)].

5. Conclusion

The foregoing analysis has shown that the relationship between trade liberalisation and restrictive measures cannot

(28) *Euro-Mediterranean Agreement with Morocco*, cit., particularly Arts. 1 and 3; Regulation (EU) No 833/2014, cit., particularly Arts. 8a, 12, 12g and 13. On the distinct practice of third-country alignment with Union restrictive measures, see P.J. Cardwell, E. Moret, *The EU, sanctions and regional leadership*, «European Security», vol. 32, n. 1, 2023, pp. 1-21, particularly pp. 7-8. The authors distinguish the political decision of third States to align with Union sanctions from the existence of a legal obligation to do so, also discussing the position of Mediterranean partners. The association agreement does not independently extend the obligations established by Union restrictive-measures legislation to persons outside its scope.

be reduced to a simple opposition between economic openness and security. Under the principle of conferral, the Union's power to adopt restrictions affecting international trade must be assessed in light of the purpose and content of each measure and the relevant Treaty provisions. In particular, measures adopted within the Common Foreign and Security Policy and implemented under Article 215 TFEU cannot be classified as instruments of the common commercial policy merely because they affect international trade. The distinction entails specific institutional procedures and legal safeguards, while the pursuit of foreign-policy objectives does not exclude judicial review within the limits established by the Treaties.

Nor does the conformity of restrictive measures with EU law establish their legality under international law. Autonomous restrictions must be assessed in relation to the international obligations affected and the possible grounds capable of justifying their violation. In this respect, the distinction between retorsions and countermeasures remains fundamental, particularly given the unresolved questions concerning collective countermeasures and their adoption by international organisations. Within the WTO framework, the invocation of security exceptions is likewise subject to the conditions established by the relevant agreements and to the applicable standard of review. Neither the seriousness of the underlying international situation nor the objectives pursued can therefore constitute, in themselves, a sufficient legal justification.

The principal finding of this contribution concerns the legal techniques through which the Union seeks to ensure the effectiveness of restrictive measures in commercial relationships involving third countries. Article 13 of Regulation (EU)

No 833/2014 identifies the territorial and personal connections governing its application, while Articles 12, 12g, 12gb and 8a establish obligations differing in their scope and conditions. The general prohibition of circumvention, contractual restrictions on re-exportation, preventive compliance duties and obligations concerning foreign entities owned or controlled by Union operators must consequently be distinguished. Although these mechanisms may influence economic activities outside the Union, their effects do not, in themselves, make foreign counterparties directly subject to Union legislation. Equally, the existence of contractual or corporate connections does not, by itself, resolve every question concerning the permissible reach of the obligations imposed.

The same distinction applies to preferential commercial relations with third countries, which do not automatically entail an obligation for partner States to align with Union restrictive measures. Ultimately, the effectiveness of such measures must be pursued within the limits of the powers conferred upon the Union and in compliance with its international obligations. Their permissible reach depends upon the identification of the relevant legal basis, the persons subject to the obligations imposed, the applicable jurisdictional connections and the safeguards required by EU law, rather than upon the extent of their economic effects alone.

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LA GEOPOLÍTICA DEL SABER EN EL MEDITERRÁNEO
PLURALIDAD DE RACIONALIDADES Y CONSTRUCCIÓN DE UN TERCER ESPACIO INTERPRETATIVO

Mohamed El Mouden El Mouden, Achouak Chalkha[1]

Resumen: El capítulo examina el Mediterráneo como problema epistemológico: no la existencia de diferencias culturales, sino las jerarquías que se establecen entre las distintas formas de producir, transmitir y legitimar el conocimiento. A partir de una crítica de la racionalidad única y de las dicotomías norte/sur y Occidente/Oriente, y de una relectura de la tradición arábigo-islámica (lengua, lógica, retórica) y de la problematología, propone la noción de tercer espacio interpretativo: un marco para contextualizar criterios, ampliar las posibilidades de interpretación y redistribuir la autoridad en la construcción del sentido entre sujetos reconocidos como interlocutores. El alcance del trabajo es teórico.

Palabras clave: *geopolítica del saber, Mediterráneo, pluralidad de racionalidades, tercer espacio interpretativo, tradición arábigo-islámica, problematología.*

Abstract: The chapter examines the Mediterranean as an epistemological problem: not the existence of cultural differences, but the hierarchies established among the different ways of producing, transmitting and legitimising knowledge. Starting from a critique of single rationality and of the North/South and West/East dichotomies, and from a rereading of the Arabic-Islamic tradition (language, logic, rhetoric) and of problematology, it proposes the notion of a third interpretive space: a framework for contextualising criteria, widening the possibilities of interpretation and redistributing authority in the construction of meaning among subjects recognised as interlocutors. The scope of the work is theoretical.

Keywords: *geopolitics of knowledge, Mediterranean, plurality of rationalities, third interpretive space, Arabic-Islamic tradition, problematology.*

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1. Introducción: el Mediterráneo como problema epistemológico

El Mediterráneo ha sido, a lo largo de su historia, un espacio de encuentro entre lenguas, religiones y tradiciones de pensamiento. Sin embargo, reconocer esta diversidad no equivale a esclarecer las condiciones en las que sus distintas expresiones han podido producir, transmitir y legitimar sus saberes. El problema que plantea este capítulo no es, por tanto, la existencia de diferencias culturales, sino el modo en que estas se interpretan y las jerarquías que se establecen entre ellas. Desde esta perspectiva, el Mediterráneo se presenta no solo como un espacio geográfico e histórico, sino también como un problema epistemológico: quién puede producir conocimiento sobre él, desde qué categorías y con qué autoridad para interpretar a los demás.

El Mediterráneo, como otros espacios de encuentro entre culturas, ha estado sujeto a una concepción de la diversidad que distingue entre culturas consideradas centrales y otras situadas en los márgenes. Esto ha influido en las relaciones entre sus riberas norte y sur, cuyos conflictos, a lo largo de la historia, no han sido únicamente militares, sino también culturales e intelectuales. A ello se añaden las consecuencias de una racionalidad formal que, mediante sus clasificaciones, ha condicionado el reconocimiento de la pluralidad mediterránea en condiciones de igualdad. De este modo, dicha pluralidad ha quedado sometida a dicotomías como norte/sur y Occidente/Oriente. Estas distinciones van más allá de la delimitación geográfica, pues sitúan las diferencias culturales dentro de una jerarquía que contribuye a mantener el predominio de unas culturas sobre otras.

La reflexión de Amin Maalouf sobre las pertenencias múltiples permite introducir esta cuestión desde la experiencia de la identidad. En el preámbulo de *Identidades asesinas*, el autor vincula su singularidad con su pertenencia a varios países, idiomas y tradiciones culturales, y rechaza que la autenticidad exija renunciar a una parte de sí mismo:

«Lo que hace que yo sea yo, y no otro, es ese estar en las lindes de dos países, de dos o tres idiomas, de varias tradiciones culturales. Es eso justamente lo que define mi identidad. ¿Sería acaso más sincero si amputara de mí una parte de lo que soy?»[2].

Esta perspectiva invita a pensar la pluralidad no como una suma de elementos separables, sino como una relación constitutiva de la propia identidad. Desde otro contexto y con un propósito distinto, Aristóteles advierte en su crítica a la *República* de Platón que «la ciudad es múltiple» y que llevar su unificación al extremo supondría destruirla. La comunidad política, sostiene, no se compone únicamente de un número de individuos, sino de individuos diferentes[3]. Sin atribuir a esta reflexión una teoría contemporánea de la diversidad cultural, cabe recuperar la tensión que plantea entre la existencia de una comunidad y la preservación de las diferencias que la constituyen.

Siempre se ha establecido una relación entre la cuestión de la diversidad cultural y la identidad, o entre la cultura y la identidad. Sin embargo, el vínculo entre la razón y la identidad solo se ha desarrollado, en realidad, partiendo de la dominación y el despotismo. Así, se ha asociado a las sociedades civilizadas con la racionalidad, mientras que

(2) A. Maalouf, *Identidades asesinas*, Alianza Editorial, Madrid 1999, p. 11.

(3) *Política*, II, 2, 1261a 15-24.

las sociedades consideradas no racionales han sido calificadas de no civilizadas. Esta concepción se ha utilizado para justificar prácticas coloniales, al considerar la razón formal desarrollada en Occidente como la única y la superior a todas las demás. Al mismo tiempo, se han excluido otras formas de racionalidad sustentadas en los mecanismos de la lógica natural.

¿Es posible establecer hoy una relación entre la razón y la identidad, y entre la pluralidad de racionalidades y la identidad, del mismo modo que se ha relacionado la diversidad cultural con la identidad?

Esto exige que volvamos a pensar la razón en su relación con la cultura, no desde la comparación conceptual, sino desde sus mecanismos de funcionamiento conceptual y procedimental. Tampoco se trata de determinar cuál de las dos organiza y orienta a la otra: ¿es la cultura la que produce la razón, o es la razón la que produce la cultura? Se trata, más bien, de atender a la especificidad de ambos conceptos. Es decir, del mismo modo que hablamos de diversidad cultural, ¿podemos hablar de una pluralidad de racionalidades?

Ahora bien, la cuestión que aquí nos interesa exige un paso adicional: una cosa es reconocer que existen culturas distintas y otra admitir que estas producen saberes legítimos y formas de racionalidad que no se dejan reducir a un único modelo. La pregunta no consiste únicamente en cómo convivir con la diferencia, sino también en cómo comprenderla sin someterla de antemano a criterios que determinen qué puede decir, qué cuenta como argumento y qué merece ser reconocido como conocimiento.

Nuestra propuesta parte de una distinción entre el reconocimiento de la diversidad cultural y el reconocimiento de

la pluralidad de racionalidades. Sostenemos que, en los discursos y prácticas examinados en nuestras investigaciones, la afirmación de las diferencias culturales puede coexistir con su subordinación a un criterio único de validez. Hemos relacionado esta tendencia con la extensión de un modelo de racionalidad formal, articulado en torno a los principios de identidad, no contradicción y tercero excluido, a ámbitos interpretativos que no se agotan en la demostración lógica[4]. El problema no reside en la validez de estos principios dentro de su ámbito, sino en convertirlos en un criterio exclusivo para juzgar los valores, los discursos y las relaciones relaciones.

Este desplazamiento constituye el núcleo de lo que hemos denominado tiranía interpretativa: una forma de razonamiento que fija de antemano un único resultado admisible y descarta otras posibilidades de sentido bajo el argumento de evitar la contradicción[5]. Trasladada al espacio mediterráneo, esta cuestión permite examinar cómo una determinada perspectiva adquiere autoridad para interpretar otras tradiciones sin reconocerles una capacidad equivalente para intervenir en la definición de los criterios de interpretación.

En este marco, entendemos la geopolítica del saber como la relación entre los lugares de producción del

(4) M. El Mouden El Mouden, *La République de Platon et l'État Muʿtazilite de Bagdad: Quand il manque la logique du troisième espace*, «European Public & Social Innovation Review», 9, 2024, pp. 1-19.

(5) M. El Mouden El Mouden, "El discurso natural: Sus aspectos y características en la tradición griega y arábigo-islámica", en M. El Mouden, A.J. Martín Castellanos, R. González Galiana, R. Crismán Pérez (eds.), *El mundo árabe e islámico y Occidente. Retos de construcción del conocimiento sobre el otro*, Dykinson, 2022, pp. 75-97; M. El Mouden El Mouden, *La République de Platon et l'État…*, cit.; M. El Mouden El Mouden, *Los fundamentos de la argumentación, la retórica y el tercer espacio lógico en el discurso racional de los mutakallimīn: Abū al-Ḥasan al-Ashʿarī como modelo*, Dykinson, 2024.

conocimiento y el poder de establecer qué se reconoce como racional. Todo saber se inscribe en un campo pragmático constituido por condiciones lingüísticas, doctrinales y cognoscitivas específicas[6]. Desde este planteamiento, la dominación epistemológica aparece cuando los criterios elaborados dentro de un campo se presentan como universales y se erigen en jueces de los demás, sin someter a examen sus propios presupuestos. El Mediterráneo interesa aquí como un espacio desde el que analizar estas relaciones, no como una unidad cultural homogénea ni como la simple oposición entre dos orillas.

A partir de estas consideraciones, el capítulo se articula en torno a la siguiente pregunta: ¿en qué condiciones la diversidad cultural del Mediterráneo puede traducirse en el reconocimiento efectivo de una pluralidad de racionalidades, sin desembocar ni en la exclusividad de una razón única ni en un relativismo que impida el examen crítico? ¿Cómo afectaría el giro hacia una reconsideración no proposicional de la racionalidad a la configuración geopolítica del Mediterráneo?

El presente estudio parte de tres consideraciones.

La primera es que la diversidad cultural puede ser reconocida y, al mismo tiempo, quedar sometida a una tiranía interpretativa. Se trata de que los criterios de una racionalidad particular se utilicen como una medida universal para juzgar los saberes de otras tradiciones.

La segunda es que el enfoque proposicional influye en las relaciones con el otro y condiciona el reconocimiento de dicha diversidad. Esto ocurre cuando las diferencias de

(6) T. ʿAbd al-Raḥmān, *Tajdīd al-manhaj fi taqwīm al-turāṯ* [Renovación del método en la evaluación de la herencia], Al-Markaz al-Thaqāfī al-ʿArabī, 1994, citado en M. El Mouden El Mouden, *Los signos culturales árabes e islámicos, el tercer espacio y la tiranía interpretativa en los discursos de los medios de comunicación en el Mediterráneo*, «deSignis», 40, 2024, pp. 149-168.

sentido y de perspectiva se reducen a alternativas excluyentes, de manera que la aceptación de una interpretación exige descartar las demás.

La tercera es que el tercer espacio lógico, expuesto en nuestros trabajos anteriores, puede reformularse como un tercer espacio interpretativo. Con ello nos referimos a la posibilidad de relacionar distintas racionalidades y discutir sus interpretaciones sin atribuir a una de ellas la autoridad exclusiva para establecer los criterios de dicha discusión.

2. Geopolítica del saber: jerarquías y el poder interpretativo

2.1. *Conocimiento, poder y lugar de enunciación*

La geopolítica del saber plantea una cuestión que precede al examen de las interpretaciones: ¿quién dispone del poder para establecer los criterios con los que estas serán evaluadas? El conocimiento no se produce desde una posición exterior a las lenguas, las tradiciones y las instituciones: se elabora en condiciones concretas que intervienen en la delimitación de sus objetos, en la formulación de sus preguntas y en el reconocimiento de sus resultados. Desde esta perspectiva, el lugar de enunciación no constituye una circunstancia secundaria, sino una dimensión necesaria para comprender cómo una interpretación adquiere legitimidad y capacidad para juzgar otras.

El concepto de campo pragmático permite precisar este problema. Según ʿAbd al-Raḥmān, todo saber se inscribe en un ámbito constituido por fundamentos lingüísticos, doctrinales y epistémicos específicos[7]. Reconocer esta ins-

(7) T. ʿAbd al-Raḥmān, *op. cit.*, pp. 244-245.

cripción no significa reducir la validez del conocimiento a su procedencia, sino advertir que sus categorías no pueden trasladarse de un campo a otro sin examinar su pertinencia. La dominación epistemológica comienza cuando una perspectiva deja de reconocer sus condiciones de elaboración y presenta sus propios criterios como la única medida posible de racionalidad.

Este desplazamiento constituye una de las condiciones de lo que hemos denominado tiranía interpretativa. No se trata de un efecto necesario de la lógica formal, sino de una operación mediante la cual un sujeto, una institución o un discurso convierte un criterio de validez en una autoridad excluyente. La cuestión decisiva no es, por tanto, que existan reglas de razonamiento, sino que estas se utilicen para determinar anticipadamente quién puede intervenir en la construcción del sentido y qué respuestas pueden considerarse admisibles.

2.2. *La construcción de las oposiciones dicotómicas: Oriente/Occidente y Europa/mundo árabe*

En el marco de este capítulo, las oposiciones Oriente/Occidente y Europa/mundo árabe interesan como categorías que organizan la interpretación del Mediterráneo. Su uso se vuelve problemático cuando dejan de funcionar como delimitaciones contextuales y pasan a designar totalidades homogéneas, dotadas de identidades intelectuales estables y mutuamente excluyentes. Bajo esta operación, la diferencia entre tradiciones se transforma en una distribución anticipada de capacidades: unas aparecen autorizadas para producir conocimiento y otras quedan situadas como objetos de explicación.

Nuestro corpus impide atribuir este mecanismo a una sola tradición. Las controversias examinadas en torno a la

lógica, la demostración y la argumentación atraviesan tanto el pensamiento griego y moderno como la tradición arábigo-islámica. No resulta adecuado, por ello, contraponer una Europa exclusivamente formalista a un mundo árabe constitutivamente argumentativo. Tampoco cabe presentar la tradición arábigo-islámica como un bloque ajeno a las jerarquías entre formas de conocimiento.

La evaluación del kalām (filosofía islámica) ofrece un ejemplo de estas disputas internas. Nuestros trabajos han examinado el lugar atribuido a la lógica por al-Ġazzālī, las objeciones de Ibn Rušd a los procedimientos de los mutakallimūn y la clasificación de la razón árabe propuesta por al-Jābirī[8]. Estos debates muestran que el poder interpretativo también se disputa dentro de las tradiciones. La cuestión no consiste simplemente en identificar una influencia exterior, sino en analizar cómo un determinado modelo de conocimiento se convierte en criterio para ordenar y valorar los demás.

Por ello, superar el binarismo no significa invertir sus términos y atribuir a una ribera la pluralidad que se niega a la otra. Significa reconocer que ambas son internamente heterogéneas y que sus relaciones no pueden reducirse a la confrontación de dos sujetos colectivos unificados. La frontera entre la apertura interpretativa y la imposición de una lectura única no coincide necesariamente con la separación geográfica entre norte y sur.

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(8) M. El Mouden El Mouden, *Al-ʿAqlāniyya al-ʾislāmiyya ʿinda l-ʾuṣūliyyīn wa-l-mutakallimīn bayna t-taʾṯīr al-ʾariṭī maʿ Ibn Rušd wa-Ibn Ḥazm wa-bayna t-taʾṣīl al-ʾislāmī maʿ Ibn Taymiyya*, «Al-Andalus Magreb», n. 24, 2017, pp. 155-173; M. El Mouden El Mouden, *Los signos culturales árabes e islámicos,…*, cit.

2.3. *Desigualdades en la legitimación y circulación del conocimiento*

Las desigualdades epistemológicas no se manifiestan únicamente en la exclusión expresa de un saber. También aparecen cuando se reconoce su existencia, pero se le niega la capacidad de intervenir en la definición de los criterios que lo evalúan. Un discurso puede circular como testimonio cultural, objeto histórico o expresión religiosa sin ser admitido como una aportación racional susceptible de interlocución.

En nuestros análisis de la historiografía del pensamiento árabe, esta desigualdad se concreta en la evaluación del kalām desde las exigencias de la demostración. Cuando un discurso orientado a la argumentación se juzga exclusivamente por su distancia respecto del burhān (demostración), sus procedimientos aparecen como insuficiencias de un modelo que no constituye necesariamente su finalidad. La jerarquía se establece, entonces, antes del examen de su funcionamiento: se reconoce una sola forma culminante de racionalidad y se distribuyen las demás según su proximidad a ella[9].

A partir de estos resultados, distinguimos tres operaciones de la tiranía interpretativa. La primera es el traslado de un criterio de racionalidad a un ámbito sin justificar su adecuación. La segunda es la clausura, que reduce las posibilidades de interpretación a una alternativa previamente delimitada. La tercera es la exclusión, que priva a los sujetos implicados de una capacidad efectiva para intervenir en la elaboración del sentido. Son estas operaciones, y no

(9) M. El Mouden El Mouden, *Al-ᶜAqlāniyya al-ʾislāmiyya ᶜinda l-ʾuṣūliyyīn wa-l-mutakallimīn bayna…*, cit.; M. El Mouden El Mouden, *Los signos culturales árabes e islámicos,…*, cit.

la existencia de reglas lógicas en sí misma, las que permiten convertir una pretensión de validez en un instrumento de dominación.

3. Pluralidad de racionalidades: diferencias, encuentros y traducciones

3.1. *La crítica a la racionalidad única como criterio de interpretación*

La crítica que proponemos no cuestiona la legitimidad de la lógica formal, sino la pretensión de hacer de ella una descripción exhaustiva de la racionalidad. En la reconstrucción desarrollada en nuestros trabajos, los principios de identidad, no contradicción y tercero excluido ocupan un lugar central en el modelo formal y en su búsqueda de relaciones necesarias entre premisas y conclusiones(10). Sin embargo, la validez de una inferencia no resuelve por sí sola la pertinencia de sus premisas, la interpretación de sus términos ni su adecuación al contexto.

La expresión «este hombre no es un hombre» permite ilustrar esta diferencia. Si ambos usos del término mantienen exactamente el mismo significado y referencia, el enunciado plantea una contradicción. En cambio, si el segundo uso remite a una cualidad moral o a una expectativa social, la expresión no niega la identidad del individuo, sino que formula una valoración mediante un desplazamiento semántico: su comprensión exige reconstruir el uso, no limitarse a comparar la forma superficial de sus términos.

(10) M. El Mouden El Mouden, *Los fundamentos de la argumentación, la…*, cit.

Conviene, por ello, distinguir la contradicción lógica de la pluralidad de sentidos. La propia formulación aristotélica del principio de no contradicción introduce la exigencia de considerar lo mismo bajo el mismo respecto. La diversidad de perspectivas no constituye, por sí sola, una infracción de este principio. Nuestro problema aparece cuando diferencias de contexto, significado o valoración se presentan como alternativas lógicamente incompatibles y una de ellas queda eliminada antes de ser interpretada.

Esta precisión obliga también a evitar una lectura uniforme de la tradición filosófica. En nuestros trabajos hemos destacado que Aristóteles reconoce el ámbito de lo plausible, aunque lo sitúe en una jerarquía presidida por la demostración[11]. La crítica no debe dirigirse, por tanto, contra una supuesta continuidad sin matices entre Platón, Aristóteles y la modernidad, sino contra las operaciones concretas mediante las cuales una determinada forma de certeza pretende agotar las posibilidades del razonamiento.

Desde esta perspectiva, la discusión sobre los valores requiere distinguir validez deductiva, verdad de los enunciados, fuerza argumentativa y gradación de las cualidades. Que podamos considerar a una persona más o menos generosa no demuestra por sí mismo que una proposición sea simultáneamente verdadera y falsa. Muestra, más bien, que determinados objetos exigen escalas y criterios de evaluación que no quedan descritos suficientemente por una alternativa binaria. Así entendido, el principio disposicional permite defender la pluralidad de la evaluación sin convertirla en una refutación general de la lógica formal[12].

(11) M. El Mouden El Mouden, *El discurso natural…*, cit.

(12) M. El Mouden El Mouden, *Los fundamentos de la argumentación, la retórica y el tercer espacio lógico en el discurso racional de los mutakallimīn: Abū al-Ḥasan al-Ashʿarī como modelo*, Dykinson, 2024.

3.1.1. La pluralidad de racionalidades frente a la universalización del saber

La relación entre la pluralidad de racionalidades y la posibilidad de construir un espacio compartido de interpretación constituye una cuestión central de este capítulo. Para plantearla, partimos de una concepción de la razón que no presupone su unidad universal ni la incomunicación entre sus distintas formas. Desde esta perspectiva, la geopolítica del saber en el Mediterráneo no puede abordarse únicamente como una confrontación entre tradiciones intelectuales previamente delimitadas, sino también como una interrogación sobre las condiciones que permiten reconocer su diversidad sin convertir sus diferencias en fronteras insuperables.

La problematología ofrece un punto de partida para formular esta cuestión: pensar la pluralidad sin subordinarla a un único modelo de racionalidad y sin disolverla en una multiplicidad de universos incomunicados. En el marco de este artículo, ambas posibilidades representan límites que conviene evitar. La primera convertiría una forma particular de conocimiento en medida universal de las demás; la segunda dificultaría la construcción de criterios compartidos de comprensión y discusión.

En el marco de una geopolítica del saber en el Mediterráneo, esta perspectiva exige examinar tanto las diferencias entre las tradiciones intelectuales como las relaciones de autoridad desde las que esas diferencias se interpretan y valoran.

El problema no consiste únicamente en reconocer que existen distintas formas de conocimiento. También es necesario preguntarse si su reconocimiento depende de la

aceptación de un modelo particular que se presenta como universal. Sin embargo, cuestionar esa pretensión no obliga a adoptar la posición inversa: considerar que cada racionalidad constituye un universo cerrado, cuyos criterios solo resultan comprensibles desde su interior. Entre la subordinación a una medida única y la fragmentación en ámbitos incomunicados, la problematología permite formular una posibilidad distinta: «Je pense que l'une des principales conséquences de la problématologie est qu'elle nous permet de penser l'exercice de la raison sans l'unifier dans une seule abstraction universelle ni le fragmenter en mille rationalités locales. Cela tient au fait que l'interrogativité se noue aux conséquences effectives des différentes problématisations, celles-ci la réinscrivant comme un point de départ toujours réitéré et renouvelé au fil de leurs conséquences»[13].

La tensión que plantea este pasaje permite precisar nuestro punto de partida: reconocer la pluralidad no equivale a renunciar a la relación entre las distintas formas de saber. Lo que se cuestiona es que dicha relación deba organizarse necesariamente mediante la reducción de todas ellas a un fundamento único. Desde nuestra lectura, el encuentro puede comenzar por la capacidad de interrogar los problemas y examinar las condiciones desde las que cada perspectiva los formula.

Esta orientación permite abordar el Mediterráneo sin presuponer que sus diferencias deban resolverse en una identidad común y sin convertirlas, por el contrario, en fronteras definitivas. La cuestión pasa a ser cómo construir relaciones interpretativas capaces de reconocer esas diferencias y, al mismo tiempo, someter a discusión las categorías con las que se comprenden. De este modo, el

(13) *Ibid.*

reconocimiento de la pluralidad conduce al problema del espacio que puede hacer posible su interlocución.

3.1.2. La interrogación como principio de construcción de un tercer espacio interpretativo

Reconocer la pluralidad de racionalidades no resuelve, por sí solo, el problema de su relación. Es necesario precisar qué puede hacer posible el encuentro entre formas de conocimiento cuyas reglas, propósitos y procedimientos no coinciden plenamente. La propuesta que desarrollamos aquí sitúa esa posibilidad en la interrogación: no como un lenguaje neutral que borraría las diferencias, sino como una práctica mediante la cual cada perspectiva puede explicitar sus presupuestos, examinar sus límites y abrirse a las preguntas que las otras le dirigen.

Desde este planteamiento, el tercer espacio interpretativo no designa una síntesis definitiva de las tradiciones mediterráneas ni un punto intermedio entre posiciones consideradas homogéneas. Se concibe, más bien, como un ámbito relacional que se construye en el propio ejercicio de interpretación. Su carácter compartido no exige la identidad de las respuestas, sino la posibilidad de formular problemas comunes y discutir las condiciones desde las que se responde a ellos. Esta lectura encuentra un apoyo conceptual en la relación que Carrilho establece entre la heterogeneidad de las racionalidades y la continuidad del movimiento interrogativo: «Ainsi, [la rationalité peut être pensée], comme je le propose, comme un champ, un espace ou un déroulement [différencié]. Les jeux des rationalités et l'hétérogénéité de leurs règles, aussi bien que la diversité de leurs propos, ne contredisent en rien, tout au

contraire, un exercice de la raison qui se conçoit comme un inépuisable mouvement d'interrogation»[14].

El tercer espacio interpretativo que proponemos no designa una posición neutral situada por encima de las tradiciones ni una síntesis destinada a superar definitivamente sus tensiones. Se entiende como un ámbito de relación que se construye mediante la formulación de preguntas, la explicitación de presupuestos y la revisión de interpretaciones. Su carácter compartido no procede de una coincidencia previa entre los interlocutores, sino de la posibilidad de sostener un intercambio en el que sus diferencias puedan ser examinadas.

Esta distinción resulta fundamental: si compartir un espacio exigiera adoptar las mismas reglas y alcanzar las mismas conclusiones, el diálogo solo sería posible después de haber eliminado aquello que lo hace necesario. Por el contrario, un espacio interpretativo abierto debe permitir que la diversidad de procedimientos y propósitos participe en la discusión sin quedar descalificada de antemano. En este sentido, el precedente fragmento vincula la heterogeneidad de las racionalidades con la continuidad del ejercicio[15].

A partir de este planteamiento, lo común puede pensarse como una práctica de relación y no necesariamente como un contenido idéntico. La posibilidad de preguntar, responder y revisar las propias posiciones permite concebir una continuidad del intercambio que no depende de la desaparición del desacuerdo. La heterogeneidad deja así de interpretarse exclusivamente como una dificultad: también puede hacer visibles los límites de una perspectiva y abrir problemas que no se advertirían desde sus categorías iniciales.

(14) *Ibid.*
(15) *Ibid.*

En el contexto de este artículo, el tercer espacio se define precisamente por esa apertura. No se limita a reunir discursos diferentes, sino que plantea la posibilidad de que el encuentro transforme las condiciones de su interpretación. No obstante, esa transformación requiere algo más que la presencia de distintas voces. Exige que los interlocutores puedan intervenir también en la definición de los problemas y en la discusión de los criterios con los que se valoran sus respuestas. Por ello, la construcción de un espacio compartido remite necesariamente a las relaciones de autoridad que organizan el reconocimiento del saber.

3.1.3. La revisión de las dicotomías y la apertura de las condiciones del conocimiento

Desde esta perspectiva, la geopolítica del saber no se limita a preguntar qué interpretaciones circulan en el espacio mediterráneo. También examina quién puede establecer las condiciones de su legitimidad: qué preguntas se consideran pertinentes, qué procedimientos se reconocen como válidos y qué posiciones quedan excluidas antes de entrar en discusión. Una relación interpretativa puede parecer abierta y, sin embargo, mantenerse restringida si solo uno de sus participantes conserva la capacidad de definir aquello que merece ser preguntado.

La crítica a la alternativa entre resolución científica y ausencia de sentido ofrece un punto de apoyo para abordar este problema. No se trata de rechazar la investigación científica, sino de cuestionar la conversión de un determinado modo de resolución en criterio exclusivo de legitimidad de todas las preguntas. El último fragmento permite relacionar esa crítica con una comprensión de la crisis

que no clausura la investigación: «Le panorama philosophique contemporain reste encore, pour une bonne part, prisonnier de la dichotomie d'origine positiviste qui place la problématicité philosophique devant une seule alternative: soit elle se résout scientifiquement, soit elle est dénuée de sens. Cette situation, qui se révèle souvent paralysante, donne à la problématicité philosophique, comme le suggère la réflexion de Wittgenstein, la forme suivante: "I don't know my way about". Il est peut-être permis de sortir de cette situation si les conséquences de la problématologie sont celles que j'ai suggérées. Et si cela est possible, c'est parce que la problématologie n'est pas une philosophie de la crise. Cette notion perd ici son statut de point de repère majeur du sens pour apparaître comme une simple démarche, un moment de la recherche interrogative»(16).

La conexión con nuestro argumento consiste en distinguir entre la dificultad de responder desde un marco determinado y la supuesta falta de sentido de aquello que lo desborda. En una relación entre perspectivas diferentes, la incomprensión no debe interpretarse automáticamente como prueba de la irracionalidad del otro. Puede revelar también una insuficiencia de las categorías empleadas para comprenderlo y, por tanto, la necesidad de someterlas a revisión.

Esta apertura no implica renunciar a la crítica ni considerar equivalentes todas las afirmaciones. Exige que los criterios de evaluación puedan ser discutidos junto con los argumentos a los que se aplican. Desde este punto de vista, la crisis de un marco interpretativo puede constituir un momento de la investigación, en lugar de funcionar como confirmación de una incompatibilidad insuperable.

(16) *Ibid.*, p. 72.

El tercer espacio interpretativo adquiere así un carácter procesual: no garantiza la reconciliación ni elimina las relaciones de poder, pero permite convertirlas en objeto de examen. Su construcción depende de mantener abierta la relación entre racionalidades diferentes y de interrogar las condiciones desiguales en las que participan en la producción de sentido. Es en esa articulación entre pluralidad, interlocución y revisión crítica donde situamos su pertinencia para una geopolítica del saber en el Mediterráneo.

La construcción de ese espacio exige, además, interrogar los criterios que determinan qué problemas se reconocen como legítimos y qué formas de respuesta se consideran inteligibles. En el plano de la geopolítica del saber, la cuestión no se limita a la coexistencia de distintas perspectivas: afecta también a la capacidad de establecer las reglas de su reconocimiento. Por ello, nuestro análisis debe atender tanto a la diversidad de los discursos como a las relaciones de autoridad que intervienen en su valoración.

La crítica de Carrilho a la alternativa entre resolución científica y ausencia de sentido permite formular este problema, sin que ello implique atribuirle directamente una teoría de las relaciones mediterráneas. Su planteamiento invita a no confundir los límites de un determinado procedimiento de respuesta con la ilegitimidad de la pregunta. Trasladada al marco de este artículo, esta apertura permite concebir el desacuerdo y la crisis de los marcos interpretativos no necesariamente como pruebas de una incompatibilidad definitiva, sino como momentos en los que resulta posible revisar las categorías del encuentro. El tercer espacio se construye, así, manteniendo abierta la interrogación sobre las diferencias y sobre las condiciones desiguales en que estas se interpretan.

3.2. *La tradición arábigo-islámica y la elaboración histórica de la diversidad racional*

El estudio de la diversidad racional en el Mediterráneo requiere tener en cuenta los esfuerzos epistemológicos y cognitivos desarrollados en su orilla sur, así como en los espacios intelectuales vinculados a ella. En el presente trabajo, nuestra atención se fija en algunas aportaciones de la tradición arábigo-islámica que permiten examinar esta cuestión desde la lengua, la lógica, la retórica y el análisis del discurso. La finalidad de esta revisión es recuperar conceptos y procedimientos que puedan contribuir a la elaboración del marco teórico y analítico de la investigación.

Para ello, partimos de trabajos sobre el discurso natural, las controversias sobre la racionalidad y la práctica argumentativa del kalām[17]. Estas investigaciones permiten poner en relación diferentes formas de plantear el conocimiento y su justificación. No obstante, dicha relación no supone que los autores estudiados compartieran una misma concepción de la razón ni que sus propuestas respondieran a unas condiciones históricas equivalentes.

El recorrido comprende distintas expresiones de este esfuerzo intelectual: las controversias de los mutakallimūn, las elaboraciones mutazilíes y aš$^{\varsigma}$aríes, las posiciones de autores vinculados a al-Ándalus y la recuperación contemporánea de estos problemas. Así pues, no pretendemos establecer una continuidad lineal entre dichas aportaciones. Nos interesa observar cómo se formularon preguntas sobre las posibilidades del conocimiento, los procedimientos del razonamiento y las condiciones que permiten justificar una interpretación ante otros.

(17) M. El Mouden El Mouden, *Al-$^{\varsigma}$Aqlāniyya al-$^{\prime}$islāmiyya $^{\varsigma}$inda l-$^{\prime}$uṣūliyyīn wa-l-mutakallimīn bayna…*, cit.

Esta perspectiva tiene consecuencias para el estudio de la geopolítica del saber. Si las aportaciones de la tradición arábigo-islámica se consideran únicamente objetos que deben explicarse mediante categorías externas, su participación en la elaboración de los criterios de análisis queda restringida. En cambio, su consideración como recursos teóricos permite revisar también las categorías desde las que se estudia la diversidad racional. A nuestro juicio, esta cuestión resulta necesaria para plantear la construcción de un tercer espacio interpretativo en el Mediterráneo.

3.2.1. La lengua y la interpretación: la pluralidad de significados como problema racional

Una primera dimensión del análisis corresponde a la lengua y a sus posibilidades de significación. En nuestro estudio sobre el discurso natural revisamos sus aspectos y características en la tradición griega y arábigo-islámica[18]. Este trabajo constituye un antecedente para examinar la relación entre los usos lingüísticos y los procedimientos mediante los cuales se argumenta una interpretación.

La posibilidad de que una expresión presente varios sentidos plantea una dificultad interpretativa, pero no implica por sí misma una ausencia de racionalidad. Dicha posibilidad exige tener en cuenta el contexto, las relaciones entre los enunciados y los argumentos que permiten sostener una lectura. Así pues, la cuestión no consiste únicamente en identificar los significados disponibles, sino también en

(18) M. El Mouden El Mouden, *La teoría de la problematologie y la hermenéutica: Hacia un horizonte argumentativo para liberar la interpretación de la tiranía proposicional*, «HUMAN REVIEW. International Humanities Review / Revista Internacional de Humanidades», 13(5), 2022, pp. 1-15, doi.org/10.37819/revhuman.v13i5.1166.

explicar por qué uno de ellos resulta adecuado en una situación determinada.

Desde esta perspectiva, la amplitud semántica de la lengua no debe considerarse de antemano una deficiencia que haya que eliminar. Su análisis permite observar procedimientos de conocimiento que no se limitan a la asignación de un significado único. Esto conlleva una atención particular a las condiciones de interpretación, pues una misma expresión puede adquirir sentidos diferentes en virtud de su uso y de las relaciones que establece dentro del discurso.

En el marco de nuestro trabajo esta cuestión se vincula con la forma en que se comprende una tradición distinta de la propia. Cuando sus expresiones se interpretan exclusivamente mediante categorías previamente fijadas, sus posibilidades de significación pueden quedar restringidas. El tercer espacio interpretativo requiere, por tanto, que dichas categorías también puedan revisarse. De lo contrario, la interpretación corre el riesgo de reproducir los límites del marco desde el que se realiza, en lugar de permitir un conocimiento más amplio de la realidad estudiada.

3.2.2. La lógica y la materia del conocimiento: el alcance de los procedimientos racionales

Una segunda dimensión corresponde a las controversias sobre la racionalidad y los procedimientos de conocimiento. En los estudios sobre los uṣūliyyūn (los juristas de la legislación islámica) y los mutakallimūn (filósofos musulmanes) tuvimos en cuenta las posiciones de Ibn Rušd, Ibn Ḥazm e Ibn Taymiyya[19]. La consideración de estos autores permite

(19) M. El Mouden El Mouden, *Al-ʿAqlāniyya al-ʾislāmiyya ʿinda l-ʾuṣūliyyīn wa-l-mutakallimīn bayna…*, cit.

observar diferencias internas y evita presentar la tradición arábigo-islámica como un conjunto doctrinal homogéneo.

Nuestra atención se fija aquí en la relación entre la forma del razonamiento y la materia sobre la que se razona. La corrección de un esquema constituye una cuestión relevante, pero el análisis del conocimiento requiere considerar también el objeto al que se aplica y las condiciones que permiten conocerlo. Así pues, nos interesa revisar el alcance que se atribuye a un procedimiento cuando este se utiliza como criterio general para valorar prácticas distintas.

Esta revisión no supone una oposición entre razón y ausencia de razón. Por el contrario, permite preguntar qué se entiende por ejercicio racional en cada caso y mediante qué recursos se justifican sus resultados. La diversidad de procedimientos no implica necesariamente su incomparabilidad, pero exige hacer explícitos sus presupuestos y sus ámbitos de aplicación.

Para el presente estudio, esta distinción permite evitar que las diferentes formas de conocimiento se valoren únicamente por su proximidad a un modelo previamente seleccionado. En lugar de partir de una clasificación de las tradiciones, proponemos observar los problemas que plantean y los procedimientos que emplean. De este modo, la discusión sobre la diversidad racional se vincula con el análisis de prácticas concretas de razonamiento y no solo con la atribución de características generales a una cultura.

3.2.3. La retórica y la interlocución: la justificación del conocimiento ante otros

Una tercera dimensión se encuentra en la práctica argumentativa de al-Ashʿarī. Nuestro estudio de su discurso

racional aborda la relación entre argumentación, retórica y tercer espacio lógico[20]. En este caso, el interés del análisis consiste en examinar cómo se organizan las afirmaciones y cómo se justifican ante un interlocutor.

Una argumentación no se comprende únicamente mediante la identificación de sus conclusiones. También es necesario tener en cuenta las preguntas a las que responde, las posiciones con las que discute y los recursos que utiliza para sostener una respuesta. Desde esta perspectiva, el kalām requiere un análisis de sus condiciones de ejercicio, en lugar de ser considerado de antemano una demostración insuficiente por no ajustarse exclusivamente a un procedimiento deductivo.

La relación con el interlocutor adquiere, por tanto, una función en el examen de la racionalidad. Las afirmaciones se formulan dentro de una discusión y su justificación tiene en cuenta objeciones, presupuestos y posibilidades de respuesta. Esto permite observar una dimensión del conocimiento que no se agota en la estructura aislada de un enunciado.

Dicha dimensión resulta relevante para nuestra propuesta del tercer espacio interpretativo. Si los participantes solo pueden intervenir para aceptar o rechazar respuestas formuladas desde un marco ajeno, su participación permanece limitada. La construcción de un espacio compartido requiere que puedan intervenir también en la definición de las preguntas y en la discusión de los criterios empleados. Así pues, la interlocución no se reduce a la presencia de varias voces, sino que afecta a las condiciones en las que dichas voces participan en la elaboración del conocimiento.

(20) M. El Mouden El Mouden, *Los fundamentos de la argumentación, la retórica y el tercer espacio lógico*, cit.

3.2.4. El análisis del discurso y la problematología: preguntas y condiciones de interpretación

Las dimensiones anteriores pueden ponerse en relación mediante un análisis del discurso atento a la significación, al razonamiento y a la interlocución. Desde este enfoque, no basta con observar qué se afirma. Es necesario revisar también qué pregunta organiza el discurso, qué respuestas admite y qué posibilidades deja fuera de consideración.

Desde las perspectivas epistemológicas de la problematología y la hermenéutica propuestas por Michel Meyer, la interpretación puede ampliarse más allá de su reducción a una dicotomía proposicional[21]. Se trata, así, de explorar las posibilidades de una interpretación que no quede limitada, desde su inicio, a una alternativa entre dos respuestas previamente establecidas. Este es el problema que recoge la referencia a la reducción de la pluralidad de respuestas a la oposición «A o –A»[22].

La relación de este planteamiento con las investigaciones anteriores no supone que los autores clásicos formularan los mismos problemas que las teorías contemporáneas. Tampoco pretendemos establecer una dependencia histórica entre propuestas alejadas en el tiempo. La finalidad es construir una relación analítica que permita contrastar procedimientos y reconocer sus respectivas condiciones de elaboración.

En esta dirección, nuestra propuesta sobre el tercer espacio lógico pone en diálogo la problematología con el cuestionamiento interpretativo de Ibn Qutayba[23]. Este ejerci-

(21) M. El Mouden El Mouden, *El mundo árabe e islámico y…*, cit.

(22) M. Meyer, *Problématologie, philosophie, science*, Mardaga, París 1986, p. 15.

(23) M. El Mouden El Mouden, *La teoría de la problematologie y la hermenéutica*, cit.

cio permite revisar las posibilidades del razonamiento y de la interpretación sin convertir la tradición en una respuesta ya terminada a los problemas actuales. Su interés reside en que puede contribuir a formular dichos problemas y a discutir los instrumentos con los que se estudian.

La recuperación contemporánea de estas aportaciones debe distinguirse, por tanto, de su contexto histórico de origen. Esta distinción evita atribuir a los autores categorías que no utilizaron y, al mismo tiempo, permite examinar la utilidad de sus planteamientos para una investigación actual. En nuestro caso, dicha utilidad se vincula con la construcción de un marco analítico que reconozca distintos procedimientos racionales y permita discutir sus relaciones.

3.2.5. La diversidad racional y el tercer espacio interpretativo en el Mediterráneo

La revisión realizada permite relacionar cuatro dimensiones del problema. La lengua remite a las posibilidades de significación y a sus condiciones de interpretación. La lógica plantea la cuestión de los procedimientos y de su alcance. La retórica sitúa la justificación ante un interlocutor. Por último, el análisis del discurso permite observar cómo se articulan las preguntas, las respuestas y los presupuestos que intervienen en la producción de sentido.

Esta organización responde a nuestra lectura del corpus. No pretendemos atribuirla de forma idéntica a todos los autores ni establecer una evolución continua entre sus aportaciones. Su finalidad es disponer de criterios que permitan examinar la diversidad racional sin reducirla a una oposición general entre tradiciones.

Desde esta perspectiva, el tercer espacio interpretativo no se entiende como una síntesis que elimine las diferencias. Tampoco constituye una posición neutral desde la que puedan resolverse todas las controversias. Se trata de una posibilidad de relación en la que los argumentos y los criterios de valoración pueden ser objeto de revisión. La diversidad racional no queda, por tanto, circunscrita a la coexistencia de discursos, sino que plantea el problema de las condiciones en las que estos pueden interrogarse y discutirse.

La contribución de la tradición arábigo-islámica a este planteamiento consiste en participar en la elaboración de los conceptos y procedimientos de análisis. Ello permite que la orilla sur del Mediterráneo y los espacios intelectuales vinculados a ella no se consideren únicamente receptores de categorías o proveedores de materiales de estudio. Sus aportaciones pueden intervenir también en la formulación de las preguntas que orientan la investigación.

Nuestra propuesta se sitúa en esta relación entre producción del conocimiento y participación en sus criterios de reconocimiento. La construcción de un tercer espacio interpretativo requiere examinar quién puede formular los problemas, qué procedimientos se consideran legítimos y cómo se justifican esas decisiones. Así pues, la geopolítica del saber no afecta solo a la circulación de interpretaciones, sino también a las condiciones que permiten elaborarlas, discutirlas y reconocerlas.

3.3. Traducción y mediación: posibilidades y límites de la comprensión intercultural

La relación entre racionalidades exige mediaciones, pero estas no son operaciones neutrales. Traducir un concepto

supone seleccionar equivalencias y decidir qué aspectos de su campo de significación se conservan, se explican o se omiten. El problema aparece cuando una equivalencia parcial se presenta como definición exhaustiva y las categorías de llegada sustituyen por completo las preguntas del campo de origen.

El concepto de campo pragmático permite formular una exigencia inicial: antes de valorar un discurso, es necesario reconstruir sus condiciones lingüísticas, doctrinales y epistémicas[24]. Esta reconstrucción no otorga inmunidad frente a la crítica; impide, más bien, que la crítica confunda la diferencia entre procedimientos con la ausencia de racionalidad.

La problematología ofrece una segunda orientación al situar en el centro las preguntas que hacen significativa una respuesta. Comprender un discurso no consiste únicamente en identificar lo que afirma, sino también en reconstruir el problema al que responde y los desacuerdos que mantiene abiertos[25]. La traducción intercultural requiere, por ello, algo más que trasladar proposiciones: exige mediar entre horizontes de preguntas.

A esta dimensión se añade la relación entre los interlocutores. En nuestra lectura de Meyer, la retórica se entiende como negociación de la distancia entre sujetos, una distancia en la que intervienen razones, valores, actitudes y representaciones sociales[26]. La comprensión intercultural no elimina necesariamente el desacuerdo; puede hacer explícitas sus condiciones y permitir que este se formule sin convertir al otro en un sujeto incapaz de razonar.

(24) T. ʿAbd al-Raḥmān, *op. cit.*

(25) M. El Mouden El Mouden, *La teoría de la problematologie y la hermenéutica*, cit.

(26) M. El Mouden, R. Crismán-Pérez, *La incorporación de las actitudes lingüísticas y las representaciones sociales a la teoría de la argumentación de Michel Meyer*, «Revista Iberoamericana de Argumentación», n. 23, 2021, pp. 23-42.

4. Hacia un tercer espacio interpretativo mediterráneo

4.1. *Definición y alcance del tercer espacio interpretativo*

Definimos el tercer espacio interpretativo como un marco compartido en el que sujetos situados en distintas tradiciones pueden interpretar un mismo objeto, explicitar sus criterios y discutir sus pretensiones de validez sin que una perspectiva se atribuya de antemano la autoridad exclusiva para juzgar a las demás.

Esta definición reúne tres dimensiones presentes en nuestros trabajos. La primera concierne a la coexistencia de interpretaciones diferentes sobre un mismo objeto[27]. La segunda consiste en suspender una alternativa binaria cuando esta no recoge adecuadamente las posibilidades del problema[28]. La tercera se refiere a la articulación metodológica entre procedimientos formales, argumentativos y contextuales, atendiendo a las exigencias del campo estudiado[29].

Conviene distinguir estos niveles. Admitir interpretaciones enfrentadas en un espacio de discusión no significa declarar verdaderas todas sus afirmaciones. Suspender una alternativa tampoco equivale necesariamente a introducir un tercer valor lógico: puede significar cuestionar las categorías con las que se formuló el problema. Del mismo modo, relacionar métodos no obliga a disolver sus diferencias.

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(27) M. El Mouden El Mouden, *La République de Platon et l'État…*, cit.

(28) R. Crismán-Pérez, M. El Mouden, *Las actitudes lingüísticas y argumentativas de Nietzsche: Un precedente de una nueva teoría de la argumentación*, «Estudios Nietzsche», n. 21, 2021, pp. 153-171.

(29) M. El Mouden El Mouden, *Los signos culturales árabes e islámicos,…*, cit.

El tercer espacio es, por tanto, una propuesta de organización de la interpretación, no un sistema lógico formal ya constituido. Su alcance reside en establecer condiciones para que las diferencias puedan examinarse sin convertirse inmediatamente en exclusiones.

4.2. *Más allá del binarismo y de la síntesis homogeneizadora*

La propuesta mantiene una relación con el tercer espacio cultural de Bhabha(30), tal como ha sido recuperado en trabajos anteriores, pero desplaza la atención hacia la relación entre racionalidades y criterios de interpretación. Bhabha define este espacio como aquel que, "aunque no representable en sí mismo, constituye las condiciones discursivas de enunciación que garantizan que el significado y los símbolos de la cultura no posean una unidad o fijeza primordial; que incluso los mismos signos pueden ser apropiados, traducidos, rehistorizados y leídos de nuevo"(31). No se trata de sustituir una teoría por otra, sino de precisar el problema al que responde nuestra reformulación.

El tercer espacio interpretativo no es un punto medio entre Europa y el mundo árabe ni una síntesis destinada a resolver todas sus diferencias. Ambas posibilidades conservarían la imagen de dos totalidades previamente cerradas. Nuestra propuesta parte, en cambio, de la pluralidad interna de los sujetos y de la posibilidad de que sus perspectivas se modifiquen durante la interlocución.

El principio según el cual no toda pluralidad constituye una contradicción resulta aquí decisivo(32). Antes de situar

(30) H.K. Bhabha, *The Location of Culture*, Routledge, 1994, p. 37.

(31) *Ibid.*

(32) M. El Mouden El Mouden, *La République de Platon et l'État Muʿtazilite de Bagdad: Quand il manque la logique du troisième espace*,

dos posiciones bajo la alternativa A o –A, es necesario comprobar que se refieren al mismo objeto, mantienen el mismo sentido y responden a una misma pregunta. Cuando existen discrepancias efectivas, el tercer espacio no obliga a borrarlas: permite precisar sus fundamentos y someter sus argumentos a discusión.

Este planteamiento tampoco conduce a aceptar cualquier interpretación. Reconocer al otro como sujeto interpretativo no significa respaldar todas sus conclusiones. Significa admitir que tiene derecho a formularlas, justificarlas y revisarlas dentro de una relación que también permite cuestionarlas.

5. Conclusiones: hacia una interpretación plural del Mediterráneo

El recorrido realizado permite sostener que el reconocimiento de la diversidad cultural no garantiza, por sí mismo, el reconocimiento de una pluralidad de racionalidades. La diferencia puede ser admitida como objeto de representación y, al mismo tiempo, quedar subordinada a criterios de validez que no puede discutir. El problema epistemológico del Mediterráneo concierne, por tanto, tanto a los contenidos del conocimiento como a la distribución del poder para producirlo e interpretarlo.

La relectura del concepto ha permitido distinguir tres operaciones de la tiranía interpretativa: el traslado injustificado de un criterio entre campos, la clausura de las posibilidades de sentido y la exclusión del otro como sujeto interpretativo. Esta formulación evita atribuir la dominación

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a la lógica formal en sí misma y sitúa el análisis en sus mediaciones discursivas e institucionales.

Asimismo, los estudios sobre la tradición arábigo-islámica y sobre la argumentación permiten defender que la racionalidad no se agota en la demostración(33). Esta convergencia no elimina las diferencias entre autores, épocas y procedimientos. Muestra la necesidad de evaluar cada práctica atendiendo a su objeto, sus preguntas y sus condiciones de interlocución. También obliga a distinguir la contradicción lógica, la pluralidad semántica y la gradación de las valoraciones.

La aportación principal del capítulo es la formulación del tercer espacio interpretativo como un marco para contextualizar criterios, ampliar las posibilidades de interpretación y redistribuir la autoridad en la construcción del sentido. Su propuesta no consiste en aceptar todas las lecturas ni en reemplazar una razón única por otra, sino en establecer condiciones para discutir, comparar y revisar interpretaciones entre sujetos reconocidos como interlocutores.

El alcance del trabajo es teórico y se apoya en la reconsideración de investigaciones anteriores. Queda pendiente contrastar sistemáticamente sus operaciones en nuevos corpus y examinar las condiciones institucionales de su aplicación. Pensar el Mediterráneo desde esta perspectiva no significa renunciar al juicio crítico, sino evitar que sus criterios se conviertan en una frontera que excluya al otro antes de escucharlo.

(33) T. ʿAbd al-Raḥmān, *op. cit.*

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WE MOVE, OTHERS MIGRATE?
RETHINKING HUMAN MOBILITY AS A STRATIFIED SYSTEM IN SOUTHERN EUROPE

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Abstract: This chapter questions the conventional distinction between "migration" and "mobility", which separates the movements of racialised and underprivileged migrants at Europe's southern border from the intra-European mobility of privileged citizens and expatriates. After reviewing the Southern Europe Migration Model (SEMM) and its limitations, it examines Southern Europe as a space of multiscalar and multidirectional mobility, in which lifestyle migrants, qualified professionals, labour migrants and people crossing the Mediterranean share the same cities, labour markets and housing systems. Drawing on Med-thinking and on the notion of stratified citizenship, the authors propose to conceptualise Southern European mobilities as a stratified migration system and indicate lines for future research on the relationship between geographical and social mobility, legal status, racialisation and border management.

Keywords: *human mobility, migration, Southern Europe, Mediterranean, stratification, Med-thinking.*

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1. Rethinking multiple migratory flows in Southern Europe

Traditionally, international migration has been studied as the movement of people from one country to another, across borders defined by nation-states. Research has therefore focused on the trajectory from the place of origin to the destination, looking at both wider social and economic structures and individual experiences. Topics have included push-pull factors, connections with and impacts on countries of origin and destination, integration and people's personal reasons for migrating. From a sociological perspective, economic and political migration have received the most scholarly attention, as they were among the most widespread forms of migration in modern Western industrial societies. Globalisation, digitalisation and the increasing affordability and accessibility of travel have profoundly transformed human mobility by facilitating cross-border connections of various kinds. If we use the traditional categories of the sociology of migration without considering the hybrid nature of postmodern migrations, we risk losing sight of how these new models blur the boundaries between tourism and migration, between the search for a better quality of life and work-related plans, and between the citizenship we hold and the places where we live, work and pay taxes. In this sense, scholars have made a considerable conceptual effort to delineate these boundaries and to examine processes of experiential hybridisation. Since the mid-2000s, Sheller and Urry[2] highlighted the *mobility turn*, calling for a different approach

(2) M. Sheller, J. Urry, *The New Mobilities Paradigm*, «Environment and Planning A», 38(2), 2006, pp. 207-226.

to the study of movement and a change in the existing research framework. This shift gathered and synthesised, under a single umbrella idea, evidence from a broader body of research on changing migration patterns, through concepts such as *circular migration*[3], *transnationalism*[4] and *lifestyle migration*[5], which have challenged the traditional understanding of migration. We aim to contribute to this debate by arguing that the study of new migration patterns requires new conceptual and analytical tools.

In Europe, mobility received a further boost when the Schengen arrangements began to operate in 1995. They removed controls at internal borders and thereby shifted greater attention towards the shared external border of an area that gradually expanded. Without claiming to offer a full review of the literature, which is beyond the scope of this chapter, a broad distinction can be observed. Research on economic and political migration continues to grow, often focusing on emergencies, social challenges and migration policies. At the same time, research on new mobilities pays more attention to experiences such as intra-European movement, which is particularly relevant to our analysis. This separation also shapes research priorities to some extent: structural inequalities often receive more attention in studies of migration, while personal experiences and

(3) W. Zelinsky, *The Hypothesis of the Mobility Transition*, «Geographical Review», 61(2), 1971, pp. 219-249; M. Chapman, R.M. Prothero, *Themes on Circulation in the Third World*, «International Migration Review», 17(4), 1983, pp. 597-632.

(4) N. Glick Schiller, L. Basch, C. Blanc-Szanton, *Transnationalism: a new analytic framework for understanding migration*, «Annals of the New York Academy of Sciences», 645(1), 1992, pp. 1-24.

(5) M. Benson, K. O'Reilly, *Migration and the search for a better way of life: A critical exploration of lifestyle migration*, «The Sociological Review», 57(4), 2009, pp. 608-625.

choices have been more prominent in studies of mobility, at least in their first stage. Moreover, the growing body of research on emerging mobilities has resulted in two broad areas of study that reinforce the dichotomous and stereotyped division between *migration* and *new mobilities*.

Applying this perspective to Southern Europe (*hereafter* SE), we can say that both in public opinion and in scholarship there is a widespread and stereotypical perception of a clear-cut distinction between mobility within the European space and migratory flows at its southern border, particularly in the Mediterranean, as though these were two entirely distinct phenomena. On one side stands the migrant, generally racialised, underprivileged and non-Western, fleeing his or her country in search of a livelihood; on the other, the expatriate, Western and relatively privileged, moving within the Global North or between North and South. This separation is also visible in everyday language, through familiar distinctions such as expats/migrants and mobility/migration. Who could possibly say that a European citizen engaged in intra-European mobility is perceived in the same way as an African migrant attempting to cross a border fence? Who could claim that they face similar challenges and difficulties? And what of the perceived impact of their presence on the destination societies, that of Western investors on the one hand and of labour migrants or asylum seekers on the other? This chapter proposes that, even if these groups are often perceived differently and face unequal constraints, their experiences and impacts cannot be understood independently of one another; a better understanding can be reached if they are analysed within a shared framework.

In this chapter, we develop our theoretical discussion through the case of SE, a focus that makes the argument

more concrete, taking advantage of the geographical position of the area and its role as a crossroads, or gateway to Europe, for different migration flows, ranging from lifestyle migration to labour migration and the arrival of refugees. Because of changes in contemporary global mobilities, these movements overlap and interact, creating complex patterns of mobility and settlement. SE cities and regions are shaped by movements from the Global North, which can contribute to gentrification and changes in urban space, as well as by arrivals from across the Mediterranean in search of protection, safety and opportunities to settle. Although these movements are often studied separately, they take place in shared spaces, settle in a combined and dynamic way in the urban context and influence one another. Our aim is to question the sharp division between these forms of mobility and the stereotypes that support it. We examine the different flows present in SE, how they coexist in receiving societies, and why a broader framework is needed to understand their connections.

The chapter is organised as follows. The next section introduces the Southern Europe Migration Model (SEMM), explaining how it has been used to describe migration in the region and discussing its current limitations. We then propose a shift from this model towards an understanding of SE as a mobility subsystem and describe the different flows within it. The following section explores how these movements meet and become connected in the everyday life of SE cities. Finally, the chapter explores alternative approaches that integrate these forms of mobility into a comprehensive analytical framework and proposes guidelines for developing innovative perspectives that capture their contemporary characteristics in greater depth.

2. The Southern Europe Migration Model (SEMM) and its limitations in the current migration context

Like many of their other structural characteristics, the countries along Europe's southern borders also share common features in terms of migration. The idea that Italy, Spain, Greece and Portugal share similar migration dynamics was developed by King(6), who conceptualised the SEMM. The term clearly indicated the existence of distinctive features in the region's tradition of emigration, but also in its late transition to a major destination for immigration at the end of the last century(7). From the perspective of dominant narratives about linear progress and a single model of development in Western countries, SE had traditionally been considered a semi-peripheral area in the global economic landscape, characterised by late or incomplete industrialisation, where modernisation had largely relied on construction, services and tourism. The gradual entry of all SE countries into the European Union, the profound transformation of the global economy, and the substantial change in Western Europe's role in the post-Fordist era gave SE countries a more prominent role at the beginning of this century.

In this context, the SEMM highlights that the incorporation of migrants was characterised, on the one hand, by migrants' entry into secondary segments of the labour market, in low-productivity sectors that relied heavily on

(6) R. King, "Southern Europe in the changing global map of migration", in R. King, G. Lazaridis, C. Tsardanidis (eds.), *Eldorado or Fortress? Migration in Southern Europe*, Macmillan, Basingstoke 2000, pp. 3-26.

(7) R. King, D. DeBono, *Irregular migration and the "Southern European model" of migration*, «Journal of Mediterranean Studies», 22(1), 2013, pp. 1-31.

low-paid or informal employment; on the other hand, it was marked by a high proportion of women, who entered care work, domestic service or prostitution. The integration policies implemented by these countries in response to the wave of immigration were also marked by weak governance, highly permeable borders and periodic regularisation programmes. The SEMM was further characterised by the wide range of migrants' origins, with arrivals from across the world. These included flows from South America, driven in Spain and Portugal in particular by postcolonial dynamics, as well as economic and political migration from North Africa, which made the Mediterranean a space of intense migrant arrivals.

Overall, although the SEMM remains a valuable framework for analysing SE's historical transition from emigration to immigration and the relationship between labour-market segmentation and migration governance, its explanatory scope nevertheless requires reassessment in the contemporary migration context. An emphasis on national configurations may understate the multiscalar interaction between European regulation, transnational networks and local dynamics. Similarly, interpreting migration primarily through the transition from emigration to immigration may insufficiently account for the simultaneous occurrence of immigration, emigration, return and circular mobility. Its application also requires greater attention to the interdependencies between labour migration, lifestyle migration and intra-European mobility, rather than treating them as analytically discrete flows. Finally, a regional model may obscure territorial heterogeneity and the intersecting effects of class, gender, racialisation and citizenship on mobility opportunities. These limitations suggest

extending the SEMM through a relational and multiscalar perspective, while retaining its insights into SE's structural characteristics.

In the following section we introduce an alternative perspective, starting from a review of the flows most frequently analysed by scholars.

3. Southern Europe as a migration space: the shift from a migration model to a mobility subsystem

3.1. *Freedom of movement: multiscalar and multidirectional mobility within Europe*

The significant changes taking place in SE with regard to mobility cannot be understood without broadening our scope to the larger system in which it is embedded and the transformations that have occurred within it. The *creation of a single mobility area* for citizens of EU Member States has been a powerful incentive and accelerator for intra-European migration[8]. The ease of transport and communication within Europe, the digital revolution and the mobility programmes and policies promoted by the European Commission to foster integration have boosted internal European mobility for tourism, study, lifestyle and work purposes, contributing to the reinforcement of European identity[9]. Reviewing the literature, we can identify four

(8) A. Bermúdez, L. Oso, *Recent trends in intra-EU mobilities: The articulation between migration, social protection, gender and citizenship systems*, «Ethnic and Racial Studies», 43(14), 2020, pp. 2513-2530.

(9) A. Favell, *The new face of East–West migration in Europe*, «Journal of Ethnic and Migration Studies», 34(5), 2008, pp. 701-716; E. Recchi, *Senza frontiere. La libera circolazione delle persone in Europa*, il Mulino, Bologna 2013.

main flows within the European migration system; since Southern Europe is a key area in three of them, SE appears as a crossroads of multiple interconnected flows and as a multiscalar subsystem.

The first two flows on which we focus are a sort of new edition of the postwar economic migration, a movement of workers from underdeveloped areas to central or western European countries. As a result of the Great Recession, a substantial outflow of predominantly young, highly qualified workers (scientists, health workers, etc.)[10] moved from southern to northern Europe, in search of good jobs and career opportunities, especially to the UK, Germany and France[11]. This mobility has been interpreted through two opposing approaches: on the one hand, as an active exercise of the right to freedom of movement within the European Union that contributes to the construction of European citizenship[12] and, on the other, as *brain drain,* a transfer of high-quality human capital from the South to

(10) L. Bartolini, R. Gropas, A. Triandafyllidou, *Drivers of Highly Skilled Mobility from Southern Europe: Escaping the Crisis and Emancipating Oneself*, «Journal of Ethnic and Migration Studies», 43, 2017, pp. 652-673; P. Góis, J. Marques, *Portuguese Intra-EU Migration: The Dynamics of an Ongoing Migration Process*, «Ethnic and Racial Studies», 43, 2020, pp. 1-21.

(11) R. Huete, A. Mantecón, J. Estévez, *Challenges in Lifestyle Migration Research: Reflections and Findings about the Spanish Crisis*, «Mobilities», 8(3), 2013, pp. 331-348; J. Domínguez-Mujica, T. Pérez García, "The economic crisis and the Southern European migration model", in B. Glorius, J. Domínguez-Mujica (eds.), *European Mobility in Times of Crisis: The New Context of European South-North Migration*, transcript Verlag, Bielefeld 2017, pp. 17-48; F. Torres Pérez, *Procesos de estructuración y cambio en España contemporánea. 1970-2020*, Proyecto docente, Facultat de Ciències Socials, Universitat de València, València 2020.

(12) E. Recchi, A. Favell (eds.), *Pioneers of European Integration: Citizenship and Mobility in the EU*, Edward Elgar Publishing, Cheltenham–Northampton 2009.

northern Europe[13], driven by structural job insecurity and precarious working conditions in SE and contributing to the further impoverishment of the area. In the receiving societies, this South-North mobility helped to address shortages of qualified workers, strengthening the provision of specialised services, research and other knowledge-intensive activities. The second flow is East-West economic migration of low-qualified workers from former communist countries to Western ones, a result of the enlargement of the European Union[14]. Although the great majority of this flow, and its more qualified part, went to central Europe or the UK, a significant share of the flows from Romania, Bulgaria and the countries of the former USSR entered the secondary segment of the labour market in SE countries, in low-productivity sectors such as construction, agriculture and domestic care, contributing to their survival through low wages and informality. As we have already seen, in SE receiving societies these movements contribute not only to labour supply but also to the organisation of everyday life.

More recently, two new and hitherto unstudied flows have been detected and analysed, which have in common that they are neither economic nor political migration and are aligned with the changes in post-modern societies. Furthermore, while sixty per cent of migrants from the countries more recently admitted to the EU emigrate mainly for economic reasons, this is true of only forty per

(13) C. González Enríquez, J.P. Martínez Romera, *La emigración española cualificada tras la crisis. Una comparación con la migración desde el Sur de Europa e Irlanda*, «Migraciones. Publicación del Instituto Universitario de Estudios sobre Migraciones», 43, 2017, pp. 117-145.

(14) A. Favell, *op. cit.*; M. Fischer-Souan, *Between "Labour Migration" and "New European Mobilities": Motivations for Migration of Southern and Eastern Europeans in the EU*, «Social Inclusion», 7(4), 2019, pp. 7-17.

cent of migrants from the EU-15, which includes the SE countries; the latter are more strongly motivated by other factors such as romantic relationships, the desire for autonomy, a path towards independent personal growth and the search for a fulfilling lifestyle[15].

The first flow considered is the well-known *lifestyle migration*, which has been widely studied over the last two decades[16]. It involves voluntary residential movements by affluent or retired people from Northern and Central Europe who move all or part of their residence to SE territories[17] in pursuit of a better way of life, understood in holistic and multidimensional terms. In this flow, decisions to migrate may involve an explicit critique of the emphasis on work, production and material achievement in Western societies, alongside a search for alternative ways of living organised around lifestyle aspirations, consumption and post-materialist values[18]. These aspirations include a slow-

(15) European Commission, *Geographical and Labour Market Mobility*, «Special Eurobarometer», 337, 2010.

(16) M. Benson, *Lifestyle Migration: From the State of the Art to the Future of the Field*, «Dve domovini / Two Homelands», 42, 2015; M. Benson, K. O'Reilly, *Migration and the search for a…*, cit.; M.Á. Casado-Díaz, *Retiring to Spain: An Analysis of Differences among North European Nationals*, «Journal of Ethnic and Migration Studies», 32(8), 2006, pp. 1321-1339; M.Á. Casado-Díaz, C. Kaiser, A.M. Warnes, *Northern European retired residents in nine southern European areas: Characteristics, motivations and adjustment*, «Ageing & Society», 24(3), 2004, pp. 353-381; A. Castilla-Polo, R. Huete-Nieves, A. Mantecón, C. Rosa-Jiménez, *Explaining the complexity in the tourism-migration conceptual framework*, «Current Issues in Tourism», 26(3), 2023, pp. 358-379.

(17) S. Cividino, G. Egidi, L. Salvati, *Unraveling the (Uneven) Linkage? A Reflection on Population Aging and Suburbanization in a Mediterranean Perspective*, «Sustainability», 12(11), 2020, art. 4546.

(18) A. Delli Paoli, D. Maddaloni, *Conceptualizing Motives for Migration: a Typology of Italian Migrants in the Athens Area*, «Journal of International Migration and Integration», 22(4), 2021, pp. 1465-1484.

er pace of life, greater control over time, authenticity and personal fulfilment, often associated with favourable climates, access to natural environments and opportunities for outdoor living. Migration is thus interpreted as part of a reflexive project of self-fulfilment, through which individuals seek existential well-being and personal growth.

Even though multiple studies emphasise this facet of this kind of migration, it is not exempt from material factors. Unlike "pure" labour migration, the main economic motivation lies in relocating to areas where one's income and savings can provide favourable living conditions, rather than in the search for employment. The Mediterranean area is characterised by continuous flows of people from countries such as the United Kingdom, Germany and the Netherlands, who establish permanent or temporary residence in different areas of the Mediterranean sunbelt. These include Portugal's Algarve region, the Costa del Sol and Costa Blanca in Spain, Tuscany in Italy and Malta[19]. This type of mobility is therefore also shaped by differences in purchasing power between territories, and it generates significant socio-spatial transformations in receiving societies, including *transnational gentrification*, the expansion of *touristification* and *urban sprawl*[20].

Considerably less attention has been paid to the fourth type, a fast-growing and surprising set of flows within SE, quantitatively less relevant than those along the South-North and East-West axes but theoretically quite challenging to understand. It seems to be a varied phenomenon, ranging from southern European middle-class people who

(19) *Ibid.*

(20) M. Hayes, H. Zaban, *Transnational gentrification: The crossroads of transnational mobility and urban research*, «Urban Studies», 57(15), 2020, pp. 3009-3024.

are not especially interested in better job and career opportunities and who move with their families, to Erasmus students who, after their degree, decide to emigrate to the country where they spent their Erasmus period, and to small entrepreneurs and professionals[21]. While the reasons for studying the first three flows are quite clear, the internal movements of SE lack, at first glance, explanatory structural factors such as differences in the level of development and in lifestyle between the countries of origin and destination. Moreover, internal flows in SE have no historical roots. There are diverse factors, combining institutional, economic, sociocultural and even political dimensions, including academic and university networks (particularly those created through programmes such as Erasmus), emotional and family ties, transnational professional networks, and factors related to climate, shared forms of social interaction and cultural affinities across the Mediterranean[22], which create a generally facilitating environment; in recent years, however, the idea has emerged repeatedly that quality of life is one of the main drivers of these migrations. Among these migrants, a better life is achieved in an urban context and thanks to a convenient balance between taxes, cost of living and the availability of amenities, which makes it affordable to maintain a middle-class standard of living[23].

(21) A.G. Ingellis, F.O. Esteban, *Labor Insertion of Italian Professionals in Valencia: Between Emerging and Traditional Professions*, «Professions and Professionalism», 11(1), 2021, art. e3890.

(22) M.Á. Casado-Díaz *et al.*, *Northern European retired residents in nine…*, cit.

(23) P. Pumares, B. González-Martín, A. Montanari, B. Staniscia, *Reciprocal Youth Mobilities between Italy and Spain: A Question of Elective Affinities*, «Population, Space and Place», 24, 2018, e2113; B. Staniscia, L. Deravignone, B. González-Martín, P. Pumares, *Youth mobility and the*

Within these dynamics, Spain occupies a particularly relevant position as a destination for intra-European and trans-Mediterranean mobility. Its role goes beyond that of a transit or redistribution space for migration flows, as data from Eurostat and the United Nations show[24], a position reinforced by Spain's geographical location, its historical and cultural connections and its integration into European mobility networks.

3.2. *Mapping mobility flows into Southern Europe from beyond European borders*

A thorough understanding of migration in Southern Europe cannot overlook its multiple connections with countries outside Europe. For the sake of exposition, we present these flows in two typologies.

The first is labour migration from the so-called Global South, which meets the productive structures and labour-market needs of Europe. These economies rely heavily on labour-intensive work, often characterised by low productivity and precarious working conditions. In SE in particular, migrants from African and Latin American countries, irrespective of their qualifications, are disproportionately concentrated in sectors such as agriculture,

development of human capital: is there a Southern European model?, «Journal of Ethnic and Migration Studies», 47(8), 2021, pp. 1866-1882; A.G. Ingellis, F.O. Esteban, *Labor Insertion*, cit.; A.G. Ingellis, L. Stornaiuolo, *Italians in Valencia: A New Lifestyle Migration in an Urban Context*, «Migraciones», 55, 2022, pp. 1-20; A.G. Ingellis, D. Maddaloni, *In Search of a Good Life in a Southern European Country: The New Italian Migration to Athens and Valencia*, «Revista Internacional de Estudios Migratorios», 12(1), 2022, pp. 55-83.

(24) P. Cuadrado, Á.L. Gómez, T. Sastre, *Comparing the characteristics of migratory flows to Spain and other European Union countries*, «Economic Bulletin», 3, 2024.

care and domestic work, construction, hospitality and tourism, as well as in various forms of street vending and informal economic activity. Barriers to the recognition of degrees obtained outside European education systems constrain access to the primary segment of the labour market. This employment pattern also has a clear territorial dimension, with examples that include agricultural work in the greenhouses of Huelva and Almería in Spain, as well as in Sibari, Calabria and other areas of southern Italy, and care work concentrated particularly in large cities and metropolitan areas such as Rome and Madrid[25]. This structural dependence on migrant labour coexists with restrictive policies on entry and residence that produce precarious legal and socioeconomic positions. In this context, measures such as amnesties and periodic extraordinary regularisation programmes can help to move part of this necessary workforce from the informal to the formal economy[26]. Taken together, these dynamics reveal a fundamental contradiction between the tightening of European borders and the persistent demand for migrant workers in key sectors of Mediterranean societies and economies.

However, the concentration of migrants in these occupations should not be interpreted as evidence that

(25) C. Finotelli, G. Echeverría, *So close but yet so far? Labour Migration Governance in Italy and Spain*, «International Migration», 55(S1), 2017, pp. 39-51; A. Miranda, A. Pérez-Caramés (eds.), *Migration Patterns Across the Mediterranean: Exchanges, Conflicts and Coexistence*, Edward Elgar Publishing, Cheltenham–Northampton 2023; N. Ribas-Mateos, J. Malheiros, "An extended foreword to a critique on Mediterranean Europe as a place of migration", in A. Miranda, A. Pérez-Caramés (eds.), *Migration Patterns Across the Mediterranean: Exchanges, Conflicts and Coexistence*, Edward Elgar Publishing, Cheltenham–Northampton 2023, pp. 11-28.

(26) F. Torres Pérez, *Procesos de estructuración y cambio en…*, cit.; M. Baldwin-Edwards, *Regularisations and Employment in Spain. REGANE Assessment Report*, ICMPD, Vienna 2014.

migration from the Global South consists exclusively of people with limited qualifications. Educational attainment and professional experience frequently diverge from occupational position because of structural and cultural barriers (namely the recognition of foreign qualifications, language requirements, residence conditions and discriminatory recruitment practices), which can generate occupational downgrading among qualified migrants[27]. Empirical evidence collected over the past thirty years reveals this heterogeneity and the presence of profiles with high educational capital[28], especially in the health sector. Cases such as that of the Filipino population that has immigrated to SE stand out: around fifty per cent of the community hold university degrees, yet most of them work as domestic workers for wealthy families[29]. A further illustrative case is the growing number of doctors, nurses and tech professionals from Latin America who, while completing the official accreditation of their specialties, often begin their careers in private healthcare or in tertiary-sector niches.

Another dimension of SE's connections with Latin America concerns the descendants of earlier European emigrants who fled to America during the wars of the mid-twentieth century and who now obtain or recover

(27) M. Baldwin-Edwards, J. Arango (eds.), *Immigrants and the Informal Economy in Southern Europe*, Frank Cass, London 1999.

(28) M. Baldwin-Edwards, J. Arango (eds.), *Immigrants and the Informal Economy in…*, cit.; A. Capote Lama, A. Pérez-Caramés, B. Fernández-Suárez, "Jóvenes andaluces en la reciente emigración española a Europa (2008-2018)", in R. Ruiz Álvarez, E. Moral Montero (eds.), *Gentes que vienen y van: estudios en torno a las migraciones: ayer, hoy, mañana*, Editorial Universidad de Granada, Granada 2020, pp. 295-309.

(29) M. Crisci, S. degli Uberti, A. Pelliccia, M. Santurro, *Patterns and Motivations of Intra-Urban Residential Mobility in a Southern European Metropolis. The Case of Filipino Migrants in Rome*, «Population, Space and Place», 31, 2025, e2875.

a European nationality, a compensatory citizenship[30], through ancestry-based provisions. This is a relatively recent development, as states prohibited dual nationality until the 1990s, when a shift towards a less exclusive and less territorially bound understanding of citizenship began to take place. By acquiring or recovering their ancestors' nationality through the principle of *ius sanguinis* and other ancestry-based provisions, these descendants gain a legal status that allows them to circumvent immigration restrictions and move more freely. To some extent, these measures reflect a postcolonial approach and historical redress, recognising the continuing significance of historical and postcolonial ties. In fact, for many middle- and upper-class people and elites in Latin America, a European passport acts as a form of insurance against political or economic instability at home, giving them access to mobility and residence rights within Europe. However, these rights do not necessarily translate into equal treatment, as experiences may also be shaped by institutional and sociocultural racism. This is what makes it a *strategic citizenship,* and it has historically positioned SE countries (Spain, Italy and Portugal) as both places of settlement and gateways to other EU destinations. These trajectories therefore blur the distinction between a foreign immigrant and a returning national, showing how legal frameworks and social perceptions can define these traditional categories in different ways for these hybrid migrants.

The second typology of immigration from outside Europe is geographically based in the Mediterranean Sea,

(30) Y. Harpaz, P. Mateos, *Strategic citizenship: Negotiating membership in the age of dual nationality*, «Journal of Ethnic and Migration Studies», 45(6), 2019, pp. 843-857.

which is a key element in understanding SE migration, and not only because of the distinctive geopolitical positions of Italy and Spain. Eurocentric views tend to divide the world into an allegedly rich and developed North and a poor and developing South, and these views feed the *crisis narratives* that have turned the Mediterranean into a *border spectacle*[31]. We should remember, however, that this sea was once the cradle of Western civilisation and has historically enabled the continuous interchange and movement of people, goods, technologies and ideas, functioning as a crossroads of a wide range of cultures. As Cassano points out[32], this basin is home to "Southern thinking", an expression he coined to synthesise an alternative way of thinking to the *pensée unique* of Western capitalism, one in which the South is the subject of thought and promotes tolerance, multiculturalism and community over utilitarian individualism, a linear conception of progress, rationality and the prioritisation of profit over human well-being. To consider the Mediterranean simply as a *border sea* would be a simplification that overlooks its historical role as a meeting point, crossroads and space of different forms of mobility[33]. Furthermore, only a myopic view can understand colonialism as a closed chapter of history when it continues to shape mobility today and to present the Mediterranean as an impassable border, rather than as a dynamic space connected through networks, with a recent past well summed up in the phrase «We are here because you were there»[34]. The Ceuta assault crisis is a

(31) N.P. De Genova, *Migrant "Illegality" and Deportability in Everyday Life*, «Annual Review of Anthropology», 31, 2002, pp. 419-447.

(32) F. Cassano, *Il pensiero meridiano*, Laterza, Roma–Bari 1996.

(33) N. Ribas-Mateos, J. Malheiros, *op. cit.*

(34) A. Sivanandan, *We are here because you were there*, n.d., https://asivanandan.com/key_sayings/we-are-here-because-you-were-there/.

clear example, among others, of the interconnection of mobilities between the two shores, of the relevance of geopolitical relations among the countries on both sides of the Mediterranean Sea and of their mutual influences.

Based on this understanding of the relevance of the Mediterranean Sea for SE, we offer a short portrait of the mobility of people crossing the external borders of the Schengen Area from the southern shore of the Mediterranean Sea. Even before the so-called *2015 refugee crisis*, migration dynamics in the Mediterranean had already moved beyond patterns based exclusively on labour mobility, developing into complex and multidirectional systems shaped by geopolitical crises and armed conflicts, such as those in Syria, Afghanistan, the Sahel and the Balkans(35). This has led to an increase in applications for international protection and in the arrival of people with irregular migration status(36). This is the context in which the concept of the *border spectacle*(37) becomes particularly relevant in the Mediterranean case(38), as it refers to the combination of border militarisation with the hypervisibility of, and the narratives surrounding, rescue operations, shipwrecks and arrivals. These representational practices construct migrants either as vulnerable subjects or as threats, thereby justifying and normalising certain forms of state violence and border control within the *colonial matrix*

(35) F. Benassi, M. Carella, F. Heins, *Migration in the Mediterranean region: A response to crises and an emergency in its own right*, «Investigaciones Geográficas», 77, 2022, pp. 15-36.

(36) *Ibid.*

(37) N.P. De Genova, *op. cit.*

(38) R. van Reekum, *Out of sight, out of mind? Visualization and the Mediterranean "migration crisis"*, «Mediterranean Politics», 21(3), 2016, pp. 382-402.

of power[39]. In contrast to what has been observed for intra-European mobility, these flows are particularly shaped by border-control regimes, visa policies, asylum and international protection procedures, and surveillance and interception practices. The result is the securitisation of the contemporary Mediterranean, because this type of migration is defined by the classification and hierarchisation of people by states in terms of legitimacy and acceptability. The Mediterranean thus becomes a space where humanitarian, legal, political and security-related issues intersect, producing different levels of accessibility, vulnerability and opportunities to remain.

As emerges from the above description of the main mobility flows, SE has over the last two decades become a multiscalar space of interconnection in which emigration, immigration of a wide range of types and transit take place simultaneously. All this considered, studying migration in SE requires moving beyond traditional approaches. The specific characteristics of the SEMM, together with trans-Mediterranean and intra-SE mobility, make it necessary to question some dominant theoretical frameworks that have shaped migration studies since the nineteenth century, based on the main features of migration in modernity. First, the push-pull model[40] reduces human mobility to a relatively static calculation of factors encouraging people to leave one place and attracting them

(39) M. Lemberg-Pedersen, *Manufacturing displacement: Externalization and postcoloniality in European migration control*, «Global Affairs», 5(3), 2019, pp. 247-271.

(40) J.R. Harris, M.P. Todaro, *Migration, Unemployment and Development: A Two-Sector Analysis*, «The American Economic Review», 60(1), 1970, pp. 126-142; E.S. Lee, *A theory of migration*, «Demography», 3(1), 1966, pp. 47-57.

to another[41]. Second, the multidimensional character of the multiple flows coexisting in SE also challenges the rigid centre-periphery dichotomy[42]. Although world-systems theory is useful for explaining how colonial powers attract populations from colonised peripheries, its application to the Mediterranean makes it more difficult to account for the polycentric dynamics that characterise the region.

Many of the flows examined so far in this chapter intersect in the capitals and coastal cities of SE, in their contemporary urban life. In the following section, we present a range of everyday situations that illustrate how they overlap and interact.

4. Unequal mobilities, shared spaces: Mediterranean cities as places of stratified coexistence

Today, cities have become strategic nodes in the global economy, concentrating transnational capital, specialised services and a growing demand for polarised labour, both qualified and precarious. These global cities[43] are therefore spaces where different migrant profiles come together, interact and reshape the socio-urban space in unequal ways. To study these contemporary socio-spatial transformations in SE cities, we need to move beyond the traditional analytical divide that treats privileged mobility (lifestyle

(41) H. de Haas, *Towards a global migration paradigm and the imperative of ridding ourselves of the "push-pull" model*, «Comparative Migration Studies», 13, 2025, art. 76.

(42) I. Wallerstein, *The Modern World-System: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century*, Academic Press, New York 1974.

(43) S. Sassen, *The global city: Introducing a concept*, «Brown Journal of World Affairs», 11(2), 2005, pp. 27-43.

migrants, expats, retirees from the Global North, etc.) and labour and asylum migration from the Global South (care workers, agricultural and construction workers, informal street vendors and applicants for international protection) as two separate and unrelated phenomena[44]. Despite the quite extensive spatial and social segregation between them in urban space, these forms of mobility are neither isolated nor entirely divergent; rather, they represent interdependent and unequal positions within the same stratified system of global mobility and the territorial division of labour[45]. This is why an intersectional perspective is essential.

Transnational middle- and upper-class groups from higher-income economies often develop *geographic arbitrage strategies*[46], increasing the purchasing power of their savings, pensions or incomes by relocating to urban areas in SE, where the cost of living and housing is considerably lower[47]. However, these *lifestyle* displacements imply not only the appropriation of urban centres by wealthier newcomers but also a close link with a large workforce employed under precarious conditions and, in most cases, made up of racialised workers[48]. These workers, particularly migrants, are responsible for much of the social reproduction that sustains everyday life: they provide low-cost domestic and care services for local and foreign families, build and renovate properties, clean urban spaces and work

(44) M. Hayes, H. Zaban, *Transnational gentrification*, cit.

(45) D. Biaback Anong, Z. Perko, *Free movement and the global colour line: Origin-based stratification and race in regional mobility regimes*, «Journal of Ethnic and Migration Studies», 52(11), 2026, pp. 2771-2792.

(46) M. Hayes, *"We gained a lot over what we would have had": The geographic arbitrage of North American lifestyle migrants to Cuenca, Ecuador*, «Journal of Ethnic and Migration Studies», 40(12), 2014, pp. 1953-1971.

(47) M. Hayes, H. Zaban, *Transnational gentrification*, cit.

(48) *Ibid.*

in the hospitality sector, which has expanded considerably owing to tourism[49]. Mediterranean cities thus become spaces where different forms of mobility overlap, with the highly regulated and selective freedom of movement enjoyed by some materially sustained by the forced immobility, insecure legal status and socio-spatial segregation experienced by others.

From a postcolonial and intersectional perspective, large cities and their metropolitan areas are spaces where colonial continuities are concentrated and reproduced (from heritage architecture to the historical segregation of urban centres), processes shaped by the *colonial matrix of power* and *the global colour line*, a concept originally theorised by Du Bois[50]. In this context, the phenomenon of *transnational gentrification*[51] helps to explain how the arrival of transnational financial capital and international tourism platforms brings the *rent gap* into a global context, turning residential housing into financial and tourism assets. As a result, the exchange value of urban land is maximised for the benefit of international investors and high-income consumers, while its use value for locals and established migrant communities is drastically reduced. This process is visible across Europe and has become particularly marked in Spain in recent months, as rising prices displace working-class residents and reshape urban space around the consumption and leisure expectations of people from the Global North. The housing protests and demonstrations

(49) B. İşleyen, N. El Qadim, *Border and im/mobility entanglements in the Mediterranean: Introduction to the special issue*, «Environment and Planning D: Society and Space», 41(1), 2023, pp. 3-13.

(50) W.E.B. Du Bois, *The Souls of Black Folk: Essays and Sketches*, A. C. McClurg, Chicago 1903.

(51) M. Hayes, H. Zaban, *Transnational gentrification*, cit.

in Madrid, Valencia, Barcelona, Málaga and elsewhere are proof of this ongoing conflict. Furthermore, from a cultural perspective, SE cities end up as *tourist backdrops* and *theme parks* in which local cultures are reduced to caricatures, alongside the confinement of precarious migrant populations to peripheral areas lacking adequate infrastructure and community services[52].

Despite this residential segregation, which frequently results in social segregation, the overlap between privileged mobilities and labour or political migrations can be clearly observed in many experiences of everyday urban life. The following examples of everyday social interaction in North-Mediterranean cities illustrate the multiple points of encounter between migrants from diverse backgrounds in urban life, a dimension that remains largely underexplored in the academic literature on migration and mobilities, in which the impact of the two kinds of displacement on the local community is treated separately.

One example is the Filipino community in Rome, which illustrates the close relationship between ethnic occupational niches, the local welfare regime and the housing market[53]. Filipino women workers fill gaps in the care services for dependent people in the typically Mediterranean welfare model. During the initial stages of migration, they often live in their employers' homes or share rented accommodation in affluent neighbourhoods in Rome's historic centre and northern districts (such as Parioli, Farnesina

(52) U. Beck, *La sociedad del riesgo: Hacia una nueva modernidad*, Paidós, Barcelona 1998; R.D. Bullard, *Dumping in Dixie: Race, Class, and Environmental Quality*, 3rd ed., Westview Press, Boulder 2000, pp. 21-37.

(53) M. Crisci, S. degli Uberti, A. Pelliccia, M. Santurro, *Patterns and Motivations*, cit.

and Cassia)[54], arrangements that must also be understood in the context of increasingly high housing prices in the Italian capital, driven by pressure from tourists and students, and of the very limited availability of social housing (also characteristic of its welfare model). Sometimes, at a later stage, when family reunification takes place or migrants seek greater independence in their housing arrangements, Filipino residents move to more affordable peripheral neighbourhoods. These movements have been described through the concept of *ethnic employment-driven residential mobility*[55]: rather than necessarily reflecting the formation of isolated ethnic enclaves, these relocations are largely driven by the need to remain close to, and well connected with, the affluent neighbourhoods where care services are provided.

Another example is the commercial replacement and socio-spatial displacement taking place in Ruzafa, a central neighbourhood of Valencia that, throughout the 1990s and 2000s, was home to a significant network of businesses and residences belonging in particular to Chinese and Latin American migrant communities. However, property revaluation and the internationalisation of the rental market have led to a sharp increase in prices[56], which has pushed established migrant residents and their businesses towards the metropolitan periphery[57]. This case illustrates

(54) *Ibid.*

(55) *Ibid.*

(56) M. Janoschka, G. Alexandri, H. Orozco Ramos, S. Vives-Miró, *Tracing the socio-spatial logics of transnational landlords' real estate investment: Blackstone in Madrid*, «European Urban and Regional Studies», 27(2), 2020, pp. 125-141.

(57) L. Romero Renau, L. Lara Martín, *De barrio-problema a barrio de moda: Gentrificación comercial en Russafa, el «Soho» valenciano*, «Anales de Geografía de la Universidad Complutense», 35(1), 2015, pp. 187-212; F.

the impact of touristification, short-term rentals and commercial gentrification associated with the growing arrival of people from the Global North.

Malta may represent an even more extreme case, bringing together the contradictions between colonial memory, mass tourism and the racial segmentation of labour. As a former British colony, the island has positioned itself as an attractive destination for retirement, holidays and financial services, particularly for people from the United Kingdom. Furthermore, especially since Malta joined the European Union and the British naval presence ended, the shift towards a tourism- and construction-based economy has placed increasing pressure on the island's limited geographical and demographic space[58], and the Maltese economy now relies heavily on the large-scale recruitment of workers from South and Southeast Asia (particularly Pakistan, India and the Philippines). Migrant workers are responsible for much of the island's everyday infrastructure, including public transport, hospitality services, distribution and construction, while facing highly precarious working conditions and housing insecurity, which reproduces the hierarchies of *the global colour line* within the island's everyday infrastructure itself.

Lastly, a phenomenon that can be observed across the Mediterranean, and that is particularly revealing of the overlap between capital and mobility in cities such as Madrid or Barcelona, is the private healthcare sector.

Torres Pérez, *Gentrificación en Russafa (Valencia): De barrio de inmigrantes a cosmopolitismo cool*, «Anales del Museo Nacional de Antropología», 23, 2024, pp. 37-50.

(58) A.G. Grech, *Did Malta's accession to the EU raise its potential growth? A focus on the foreign workforce*, «Journal of Economic Integration», 32(4), 2017, pp. 873-890.

Highly qualified doctors and healthcare professionals from Latin American and South Asian countries are recruited by private clinics and healthcare centres[59]. In destinations such as the Costa del Sol, private healthcare provision is linked to tourism-related mobilities and international resident communities through hospitals, clinics, insurers and intermediaries catering to international patients. At the same time, research on older British migrants documents the use of private care services, shaped by financial resources and language preferences[60]. The result is that, especially in Spain, private hospitals and clinics become a crossroads for high-income people on the move and highly qualified workers from Latin America. This situation shows that social hierarchies are shaped not only by economic and social capital but also by racialisation, challenging simplistic interpretations of global subordination. It also reflects how educational and intellectual capital is extracted from the Global South and used to support the residential privileges of people from the Global North within a healthcare market deeply segmented by social class and purchasing power.

The dynamics evoked by all these examples suggest that the multiple overlapping mobility flows in SE cities should no longer be analysed through isolated or dichotomised categories, which artificially, and not neutrally, divide a wide and nuanced range of mobilities. Just as the urban transformations driven by privileged mobility and

(59) A. Freire, E. Masanet, *Médicos latinoamericanos en Cataluña: procesos de integración y desarrollo profesional*, «REMHU: Revista Interdisciplinar da Mobilidade Humana», 21(41), 2013, pp. 225-240; M.C. Romero, E. Masanet, *Contratación internacional de médicos/as latinoamericanos/as en Portugal y España*, «Forum Sociológico», 27, 2015, pp. 53-60.

(60) K. Hall, *Care precarity among older British migrants in Spain*, «Ageing & Society», 43(8), 2023, pp. 1915-1933.

those associated with labour and asylum migration need to be examined together, as mutually constitutive processes within the political economy of space, the wide range of diverse and overlapping mobility flows present in SE will probably be better understood if considered as an interconnected set of elements, in a word, a system, in which the position of each group depends not only on its endowment of different forms of capital but also on the presence and relative position of the other flows. For example, the more favourable economic living conditions that relocation to the South offers high-income movers from the North would not be possible without the low-cost services and small businesses provided by labour, precarious and irregular migration.

5. In search of a new paradigm for understanding the contemporary Southern European migration system

In contrast to the dominant economic and structural approaches to the study of migration, essentially based on the model of modern society, the many changes that have occurred in post-modern society call for new perspectives able to incorporate the changes affecting human mobility as a result of globalisation, digitalisation and global interconnection. The flows in SE that intersect and overlap across the region, generating complex patterns of mobility and settlement, are a good case study for new attempts to use new theoretical categories for this purpose. SE cities and territories, in fact, are subject to the pressures generated by both types of movement: those originating in the Global North, with their associated processes of

gentrification and socio-spatial transformation, and those arriving from the other side of the Mediterranean or from the Global South in search of protection, refuge and opportunities for settlement. Both forms of mobility contribute to profound transformations in destination societies and raise the challenge of establishing sustainable foundations for coexistence among local populations, expatriates and migrants. Furthermore, although the management of Mediterranean borders has traditionally been conceptualised as a phenomenon largely disconnected from intra-European mobility, political responses and inter-state relations during episodes such as the assault on the border of Ceuta have demonstrated the extent to which these processes are interconnected. The crisis in Ceuta led Italy to suspend Schengen between Spain and Italy, with consequences for Spain–Italy mobility, one of the most relevant intra-Southern migration flows. Even though the ideological origin of that decision was quite clear, its consequences show that the management of external migratory flows is not external to the functioning of the European area of free movement; rather, the latter depends, to a significant extent, on the capacity of European states to coordinate their migration and border policies and to develop mechanisms for the collective and solidarity-based management of migratory pressures originating beyond the European Union. In short, *Fortress Europe* is an illusion: no one is saved alone.

5.1. *Two theoretical tools for an alternative perspective*

In this section we present two theoretical tools that can contribute to building an alternative epistemological

framework for understanding contemporary international mobility: *Med-thinking*[61] and *stratified citizenship*[62].

As for the first, the proposal comes from Ricard Zapata-Barrero[63], who advocates a paradigm shift towards *Med-thinking*, an approach that seeks to redefine the Mediterranean not as a polarised space divided between a receiving North and an emigration-oriented South, but as an interconnected ontological and analytical category shaped by flows, urban networks and exchanges of resources. It incorporates a *longue durée* historical perspective, inspired by authors such as Fernand Braudel and Edward Said, which makes it possible to situate contemporary mobility within the broader context of historical relations, exchanges and the legacies of imperialism and colonialism. From this perspective, mobility is understood as a structural dimension of Mediterranean interconnectedness rather than as a series of isolated or temporary phenomena. This approach also involves an epistemological shift away from dominant perspectives, incorporating the voices and experiences of non-European civil society and moving beyond a focus exclusively on major Mediterranean cities. It also makes it possible to incorporate an intersectional dimension into the study of contemporary international mobility. The ability and actual possibility of migrating are not neutral or abstract; they are deeply shaped by the interaction and hierarchical tensions between socioeconomic class, passport and citizenship status, racialisation, gender,

(61) R. Zapata-Barrero, *Editorial: "Mediterranean thinking" for mapping a Mediterranean migration research agenda*, «Comparative Migration Studies», 8, 2020, art. 6.

(62) Y. Harpaz, P. Mateos, *op. cit.*

(63) R. Zapata-Barrero, *op. cit.*

sexuality and educational capital, among other factors[64]. However, recognising these inequalities does not mean viewing migrants as passive subjects controlled by structures of domination. Rather, they should also be understood as agents whose experiences and possibilities for action are shaped by their intersectional positions. In contrast to dominant narratives that represent the Mediterranean as a *border spectacle*, it is necessary to recover its role as a historical space of struggle, resistance and claims for freedom of movement, expressed through practices of border disruption and survival. The Mediterranean can therefore be understood as a relational and polycentric space, and understanding it requires attention both to the inequalities and power relations that shape mobility and to the networks of interdependence, practices of exchange and possibilities for building a regional future based on cosmopolitanism and the recognition of diversity.

The second theoretical tool we place at the base of our proposal is stratified *citizenship.* It refers to the unequal distribution of rights and opportunities, especially those relating to mobility, among individuals who may belong to the same political community but occupy different positions in terms of intersecting factors such as nationality, social class, origin, racialisation, gender and socioeconomic status[65]. This approach starts from the idea that citizenship is not a homogeneous status whose rights are exercised in the same way by everyone[66]. It covers, among

(64) D. Biaback Anong, Z. Perko, *op. cit.*

(65) K. Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, «University of Chicago Legal Forum», 1989(1), art. 8, pp. 139-167.

(66) D. Biaback Anong, Z. Perko, *op. cit.*

others, people naturalised in European countries after arriving from non-European countries, individuals with dual European nationality and so-called second-generation migrants, whose hybrid identity may be a matter of choice, yet whose circumstances and treatment differ from those of native nationals.

As mentioned above, this is the case of people, mostly Latin American, who (re)acquire European citizenship through ancestry *(ius sanguinis)* in countries such as Spain and Italy and who find that possessing European citizenship does not eliminate the interaction between nationality, racialisation and class that shapes people's actual ability to move. As a result, racialised European citizens may experience disproportionate checks, racial profiling and other forms of surveillance even at the internal borders of the Schengen Area[67], making visible the *global colour line*[68]. Overall, the concept of *stratified citizenship* makes it possible to analyse how certain legal statuses act as resources that facilitate mobility while others restrict it, and at the same time shows how even citizenship generally considered privileged can be affected by informal mechanisms of differentiation and control.

5.2. *Conceptualising Southern European mobilities as a stratified migration system*

As discussed at the beginning, recent studies of human mobilities have identified a dichotomous representation of mobilities, which stereotypically divides them into, on the one hand, high-income movers from the Global North,

(67) *Ibid.*
(68) W.E.B. Du Bois, *op. cit.*

categorised under the label of "new mobilities", and, on the other, labour- or politically motivated mobility from the Global South, labelled as "migration". Throughout the text, we have highlighted how this stance is not neutral and reinforces the societal representation, and also how it obscures the complexity and multidimensional nature of each flow, as well as the many ways in which they overlap and the multiple forms of hybridisation. Examples include the importance of economic considerations in so-called lifestyle migration; the migration of highly qualified people from South American countries; the vulnerabilities that people from Northern Europe may experience throughout their lives; and the presence of flows that cannot be clearly assigned to either category, such as those within SE. Moreover, studying these flows separately according to motivations and origins prevents us from seeing the many connections they have with local populations and with one another. As Zaban and Buhr[(69)] argue in their volume on privilege in migration, this perspective is short-sighted, since both phenomena are part of an emerging stratification of global mobilities.

The two theoretical tools described in the previous section provide two potential building blocks for the new analytical model we advocate. First, this model should improve the vision of mobility in SE as a complex system that includes all the flows analysed here, and make visible their multiple connections with changing receiving societies and the tensions within them. *Med-thinking* offers an example of a comprehensive paradigm that can support this epistemological shift towards considering contemporary international

(69) H. Zaban, F. Buhr (eds.), *Privilege in Migration: Mobilities, Inequalities, and the Urban Context*, Springer, Cham 2026.

migration as a single, multifaceted phenomenon. Second, it should allow us to view this whole as a single global community rooted in a specific place, making it possible to analyse the multiple emerging forms of stratification that bring together local populations and newcomers. Within this framework, place of origin, passport and postcolonial relations operate as key structural factors at the macro level, while class, gender and ethnicity play a central role at the individual level. Together, these factors produce multiple social positions that may need to be understood through new typologies of multidimensional strata, extending traditional models of class stratification. SE could then be represented as a crossroads of multiple migration flows, ranging from lifestyle migration to economic migration and refugee arrivals, occupying different positions within this stratified system.

All this considered, the capitals and coastal cities of SE offer a significant setting for analysing mobility as a segmented system intertwined with local social-class stratification. Drawing on Bourdieu and Wacquant[70], we could therefore understand major SE cities as fields in which different strata of local and global populations compete for resources and capital, bringing physical, urban and social mobility into close interaction.

6. Conclusion

The main aim of this chapter has been to argue for the need to overcome dominant and traditional theoretical perspectives that study contemporary human mobility in SE as a

(70) P. Bourdieu, L.J.D. Wacquant, *An Invitation to Reflexive Sociology*, University of Chicago Press, Chicago 1992.

set of separate flows defined by origin, motivation or legal status. We advocate a more comprehensive perspective that understands this mobility as an emerging stratified system. While the SEMM remains useful for explaining the region's historical transition from emigration to immigration, its state-centred and linear assumptions have become insufficient in a context shaped by globalisation, digitalisation, transnational ties and increasingly hybrid forms of mobility. The conventional divide between "migration" and "mobility", with which most scholars currently label the diverse flows moving from, towards and within SE, obscures the interdependence between privileged movements (namely lifestyle migration, retirement migration or intra-European professional mobility) and labour migration, refugee arrivals and precarious mobility from the Global South.

These flows coexist in the same cities, labour markets and housing systems, where the mobility privileges of some groups are possible and sustainable because of the restricted mobility and precarious labour of others, and because of the multiple interactions among them and with local communities. Processes of transnational gentrification, touristification and socio-spatial displacement are inseparable from the migrant labour that sustains urban reproduction in sectors such as care, construction, hospitality and domestic work. SE cities therefore emerge as key sites for observing this emerging global community as a stratified system. Mobility, in this sense, is not only a geographical process but also a mechanism through which class, race, gender, nationality and citizenship are reproduced and contested in concrete social contexts. To capture these dynamics, the chapter has proposed combining two theoretical tools: *Med-thinking* and *stratified citizenship*. The

former reconceptualises the Mediterranean as a relational and historically interconnected space rather than a simple border between North and South; the latter highlights the unequal distribution of rights and opportunities for movement among people who may formally share the same citizenship. Combined, these tools could improve researchers' ability to analyse how passports, postcolonial relations, racialisation, class and gender interact to produce unequal capacities to move, settle, work and belong.

To sum up, the guidelines of our proposal for improving the understanding of contemporary international human mobilities are the following: first, to study multiple flows in a concrete geographical and social context, namely SE, as a global community; second, to study them as a system; and finally, to focus attention on the multiple factors that contribute to its multidimensional stratification. Future research should therefore examine the interaction between these axes of stratification, particularly the relationship between geographical and social mobility, legal status and racialisation, and the ways in which external border management shapes internal European free movement. Understanding SE as a stratified migration system offers a more adequate framework for analysing contemporary mobility and for developing critical research and policies committed to spatial justice and more equal forms of coexistence.

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BEYOND INTEGRATION
SEASONAL MIGRATION, AGRICULTURAL TRANSFORMATION AND THE HIDDEN COSTS OF LABOUR INCLUSION IN SOUTHERN EUROPE

Daria Forlenza[1]

Abstract: Migration policies in Europe continue to prioritize labour-market incorporation as a principal indicator of successful integration. However, the experiences of migrant workers employed in agricultural systems reveal persistent forms of exclusion, vulnerability, and structural inequality that remain largely invisible within integration frameworks. This article examines two interconnected cases related to the socio-economic consequences of non-integration among temporary migrant workers: seasonal female Moroccan workers in Andalusia and Sikh migrant communities involved in agricultural transformation in Italy. Through a comparative qualitative approach, the study argues that labour inclusion does not necessarily translate into social integration. Rather, contemporary agricultural systems often produce differentiated regimes of incorporation in which migrants are economically necessary but socially marginal. The findings contribute to debates on migration governance, labour segmentation, and rural transformation by showing how non-integration functions not as a failure of the system but as one of its constitutive features.

Keywords: migration, seasonal labour, temporeras, Sikh communities, Southern Europe.

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1. Introduction

During the last two decades, Southern European agricultural regions have become increasingly dependent on migrant labour. Workers recruited through seasonal migration programmes, temporary contracts, and transnational mobility schemes have become essential to sustaining agricultural productivity and competitiveness. Despite their economic relevance, these workers frequently experience precarious living conditions, limited social participation, and restricted access to rights and welfare services. This paradox raises important sociological questions.

Can labour market participation be considered a sufficient indicator of integration? To what extent do contemporary agricultural labour regimes produce forms of inclusion that coexist with social exclusion? And how do different migrant groups experience these processes across distinct national and territorial contexts?

This article addresses these questions through a comparative analysis of two empirical cases concerning migrant labour in Southern Europe. The first case concerns Moroccan women employed under seasonal recruitment schemes in the agricultural sector of Huelva, Spain. The second focuses on Sikh migrant communities involved in agricultural transformation processes in the Roman countryside, southern Italy. The article argues that integration should not be interpreted as a linear process leading from employment to inclusion. Instead, migrant labour regimes frequently generate forms of partial incorporation characterized by economic participation combined with social marginality.

2. Theoretical Framework

Traditional integration theories have often assumed that participation in employment gradually promotes social inclusion. Classical sociological approaches, particularly structural functionalism, conceptualized society as an integrated social organism in which cohesion depended upon the incorporation of individuals into shared norms and institutions. Within this framework, authors such as Talcott Parsons interpreted integration as a necessary condition for social order, while situations of non-integration or marginality were generally understood as forms of dysfunction that threatened social equilibrium[2]. Contemporary migration scholarship, however, has increasingly moved beyond this binary opposition between integration and non-integration, focusing instead on the processes, trajectories, and differentiated forms of incorporation experienced by migrants within complex social structures.

More recent scholarship challenges the assumption that labour market participation automatically produces social inclusion, demonstrating that labour incorporation may coexist with segregation, exclusion, and unequal access to rights. Researchers have highlighted how migration systems create differentiated forms of membership because migrants occupy positions that are economically functional yet politically and socially subordinate[3]. Rather than

(2) T. Parsons, *The Social System*, Free Press, New York 1951.

(3) L. Berntsen, S. Danaj, P. de Beer, N. Bilitza, *Sourcing in or sourcing out? Diverging migrant labour regimes and use of temporary labour in the Dutch and Austrian food industries*, «European Journal of Industrial Relations», 2026; S. Castles, H. de Haas, M.J. Miller, *The Age of Migration: International Population Movements in the Modern World (6th ed.)*, Palgrave Macmillan, London 2020; R. Penninx, B. Garcés-Mascareñas, "The Concept of Integration as an Analytical Tool and as a Policy Concept", in B.

viewing non-integration as an individual failure, this article conceptualizes it as a structural outcome of labour market organization. The concept of non-integration refers to situations in which migrants are fully incorporated into productive systems while remaining excluded from the social, political, and welfare dimensions of citizenship. This condition is particularly visible within the agri-food sector, where migrant workers are often essential to agricultural production but continue to experience marginal positions in relation to housing, healthcare, welfare provision, political participation, and opportunities for long-term social mobility. Rather than representing a temporary stage towards inclusion, non-integration frequently becomes a structural feature of labour markets that rely on migrant work while limiting access to broader forms of social recognition. Processes of agricultural restructuring across Southern Europe have further reinforced these dynamics by increasing the demand for flexible, mobile, and low-cost labour. Within this framework, migrant workers are disproportionately concentrated in the most precarious and least protected segments of agricultural production chains. As a result, labour hierarchies are systematically organized around factors such as nationality, gender, legal status, and mobility patterns, producing differentiated opportunities and unequal access to rights. The agri-food market therefore offers a particularly clear example of how economic inclusion can coexist with social

Garcés-Mascareñas, R. Penninx (eds.), *Integration Processes and Policies in Europe*, Springer, Cham 2016, pp. 11-29; S. Mezzadra, B. Neilson, *Border as Method, or, the Multiplication of Labor*, Duke University Press, Durham 2013; M. Ambrosini, *Immigration in Italy: Between Economic Acceptance and Political Rejection*, «Journal of International Migration and Integration», n. 14(1), 2013, pp. 175-194; C.-U. Schierup, P. Hansen, S. Castles, *Migration, Citizenship, and the European Welfare State: A European Dilemma*, Oxford University Press, Oxford 2006.

exclusion, generating forms of labour incorporation that do not necessarily correspond to effective integration into the host society.

3. Moroccan *Temporeras* and the Gendered Logic of Seasonal Migration

The recruitment of Moroccan women in Huelva (Spain) – called *temporeras* – represents one of the most emblematic examples of regulated seasonal migration in Europe. Women are selected according to criteria that include family responsibilities and expectations regarding return migration. While the programme provides access to employment opportunities, it simultaneously reinforces forms of dependency and vulnerability. Field evidence shows that labour mobility remains strongly controlled by employers and institutional arrangements. Workers contribute significantly to agricultural production while encountering barriers to social participation, long-term settlement, and access to opportunities beyond seasonal employment[4]. Research has shown that circular migration schemes rely on gendered recruitment practices that privilege women with family responsibilities, assuming greater compliance and a stronger propensity to return to their country of origin[5]. Such mechanisms contribute to the production of

(4) D. Forlenza, F. Cimagalli, *Processi di marginalizzazione: il caso delle temporeras in Andalusia*, «Sicurezza e Scienze Sociali», n. 3, 2024.

(5) A. Reigada Olaizola, *Más allá de la inmigración ordenada: contratación en origen y trabajo agrícola femenino en Andalucía*, «Política y Sociedad», n. 49(1), 2012, pp. 103-122; M. Gordo Márquez, *La gestión de la migración circular en la agricultura onubense: las temporeras marroquíes*, «Estudios Geográficos», n. 75(276), 2014, pp. 87-117.

a segmented labour force whose economic value contrasts with limited access to social rights and pathways to full citizenship. The *temporeras* therefore experience a condition of inclusion through work and exclusion through social status, illustrating the limits of integration narratives centred exclusively on employment. As highlighted by recent studies, seasonal labour migration programmes may simultaneously promote economic incorporation while reproducing forms of social invisibility, precariousness and structural marginality.

4. Sikh Communities and Agricultural Change in Italy

The settlement of Sikh communities in Italian agricultural districts represents a different yet related trajectory. Unlike temporary seasonal workers, many Sikh migrants have developed stable forms of residence and participation in local economic systems. Today, Sikh migrants constitute one of the most significant migrant groups employed in Italian agriculture, particularly in the livestock, dairy, and intensive farming sectors of the Po Valley and Northern Italy, including the province of Cremona, where their contribution has become essential for agricultural production and livestock management, and in the Roman countryside, central Italy (Agro Pontino). Their involvement in farming activities highlights a significant connection between agriculture, labour conditions and health inequalities, demonstrating how occupational risks, limited knowledge of social rights, and barriers to healthcare access are often interconnected. While Sikh workers have become central to agricultural modernization and labour specialization, structural inequalities

continue to shape their everyday experiences. Recent researches[6] have shown that stable residence does not necessarily correspond to full social integration. Difficulties in accessing healthcare services, limited health literacy, linguistic barriers, and insufficient knowledge of labour rights continue to affect significant segments of the community. Many Sikh workers remain exposed to forms of labour exploitation and occupational vulnerability despite their economic relevance within the agricultural sector. Social marginalization may translate into unequal access to healthcare resources and preventive services, reinforcing broader processes of exclusion[7]. The relationship between agricultural labour and health therefore emerges as a crucial dimension for understanding migrant incorporation. The Sikh case demonstrates that even relatively consolidated migrant communities may remain positioned within unequal social structures, where economic inclusion coexists with persistent barriers to social citizenship, welfare access, and full recognition within the host society.

5. The Hidden Costs of Non-Integration

The comparative analysis highlights the existence of multiple costs associated with non-integration.

(6) M. Omizzolo, *Per motivi di giustizia*, People, Busto Arsizio 2022; K. Carnà, *Curare la salute: una priorità per i Sikh*, «Confronti», n. XLIII(7/8), 2016.

(7) M. Bordogna, *Nuove disuguaglianze di salute: il caso degli immigrati*, «Cambio», n. 3(5), 2013; L. Pesenti, *Co-progettazione territoriale e povertà sanitaria: un ambito di sperimentazione per un Welfare Responsabile*, «Studi di Sociologia», 2022, pp. 77-88.

Economic Costs
Limited integration reduces labour mobility, skill recognition, productivity, and opportunities for social advancement.

Social Costs
Marginalization contributes to spatial segregation, weak social cohesion, and limited interaction between migrant and local populations.

Institutional Costs
Insufficient access to healthcare, education, and welfare services generates long-term pressures on public systems while undermining social cohesion.

Human Costs
Migrants themselves bear the greatest burden through precariousness, uncertainty, and restricted opportunities for participation and citizenship.

These costs suggest that non-integration should be understood not merely as a migrant issue but as a broader societal challenge.

6. Discussion

During the course of the research conducted in Spain and Italy, eighteen key informants were interviewed, including social workers, healthcare professionals, representatives of associations, intercultural mediators, and other actors directly involved in supporting migrant agricultural workers. The following discussion draws on the comparative

analysis of these interviews and focuses on the main issues emerging across the case studies.

The findings reveal a common pattern in both national contexts: migrant workers are primarily incorporated as a labour force, while their recognition as social actors and rights-bearing individuals remains limited. Employment, although essential for economic inclusion, does not automatically translate into broader processes of social integration. Across the cases examined, labour incorporation often occurs within systems characterized by asymmetrical power relations, dependence on employers, and restricted access to rights, welfare resources, and opportunities for participation.

The Italian case of Sikh agricultural workers demonstrates how long-term settlement and economic contribution may coexist with conditions of social marginality. While the agricultural expertise of the Sikh community has facilitated its consolidation within local productive systems, significant obstacles persist regarding the knowledge and exercise of labour, social, and healthcare rights. Interviewees highlighted the continuing presence of exploitative working conditions, inadequate protection measures, and limited awareness of available services. In this context, associations, social services, and local networks emerge as crucial actors capable of promoting access to information, rights, and institutional resources.

Similarly, the case of Moroccan *temporeras* in Huelva illustrates how migrants' inclusion remains largely confined to the sphere of production. Despite their central role in the agricultural economy, these women frequently experience precarious housing conditions, barriers to healthcare access, and limited opportunities for social participation.

The temporary and circular nature of migration programmes further restricts long-term integration prospects, reinforcing a model in which workers are valued primarily for their economic contribution while their broader social needs remain insufficiently addressed.

The comparison between the two cases suggests that non-integration should not be interpreted as an individual failure or a lack of willingness to participate. Rather, it appears as a structural outcome of labour regimes that prioritize productivity while offering limited opportunities for social recognition and citizenship. In both contexts, access to healthcare constitutes a particularly significant indicator of this condition. The ability to obtain healthcare services is influenced not only by formal entitlement but also by workers' capacity to understand institutional procedures, navigate bureaucratic systems, and access appropriate support networks.

Particular attention emerged regarding the role of intermediary actors. Associations, intercultural mediators, community organizations, and socially engaged professionals often act as bridges between migrant workers and public institutions. Their activities extend beyond practical support by fostering trust, facilitating communication, increasing awareness of rights, and creating opportunities for social participation. Across the case studies, the presence of such actors appeared essential for reducing exclusion and strengthening migrants' ability to access healthcare, welfare services, and labour protections.

The interviews also highlighted the importance of cultural dimensions in healthcare access and utilization. The study conducted among members of the Sikh community revealed how culturally mediated understandings of

pain, illness, and care can generate forms of misunderstanding between patients and healthcare professionals. Communication barriers are not limited to language differences but also involve distinct cultural norms regarding the expression of suffering and vulnerability. As a result, healthcare inequalities may persist even when formal access to healthcare is available. Intercultural mediation therefore emerges as a fundamental component of equitable healthcare provision.

Across the empirical contexts, another recurring element concerns the fragility of existing support systems. Many forms of assistance continue to rely on informal networks, voluntary activities, or project-based interventions rather than on stable and institutionalized mechanisms. Consequently, migrants' access to rights and services often depends on the availability of local actors capable of providing guidance and accompaniment. This condition contributes to the reproduction of inequalities and creates significant territorial differences in opportunities for inclusion.

The findings also underline the relationship between health, labour conditions, and social integration. Healthcare vulnerability often becomes more pronounced during the early stages of arrival and settlement, when workers face administrative, linguistic, and informational barriers. Without adequate social support, these initial difficulties may evolve into long-term patterns of exclusion affecting not only access to healthcare but also housing, employment stability, and participation in community life.

Overall, the comparative evidence suggests that integration cannot be reduced to labour market participation

alone. More comprehensive approaches are needed, capable of addressing healthcare protection, social participation, access to rights, and institutional recognition simultaneously. The study highlights the importance of strengthening collaboration between public institutions, healthcare systems, employers, and civil society organizations in order to develop more inclusive and rights-based models of integration. In this perspective, mediation should not be considered an auxiliary service but rather a structural condition for promoting social inclusion, healthcare equity, and effective citizenship among migrant populations.

7. Conclusions

This article has examined distinct yet interconnected experiences of migrant labour in Southern Europe. The cases of Moroccan *temporeras* and of Sikh agricultural workers, as temporary migrant in the labour systems, demonstrate that integration cannot be reduced to labour market participation. The findings suggest that contemporary agricultural regimes frequently generate forms of inclusion without membership, participation without recognition, and employment without citizenship. Future migration policies should therefore move beyond economic indicators and address the structural mechanisms that reproduce non-integration. Only by linking labour rights, welfare access, social participation, and legal protection can integration become a meaningful and sustainable process. The evidence presented in these case studies is drawn from interviews with key informants, aimed at highlighting both the obstacles encountered by migrant workers and the strategies developed to

foster their integration. The findings also indicate that future improvements require a greater harmonization of European policies regulating migrant labour in sensitive sectors such as agriculture. Given the transnational nature of labour recruitment systems and seasonal mobility patterns, fragmented national approaches often result in unequal levels of protection and inconsistent access to rights across different countries and regions. A more coordinated European framework could contribute to strengthening labour standards, improving access to healthcare and welfare services, enhancing monitoring mechanisms against exploitation, and promoting integration pathways that recognize migrants not only as workers but also as full social actors and rights-bearing citizens. Such an approach would be particularly important for ensuring that labour mobility within the agri-food sector is accompanied by adequate social protection and by equal opportunities for participation and inclusion.

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PART III
SECURITY, CONFLICT AND HUMANITARIAN ACTION

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L'ASSISTENZA DELLE ORGANIZZAZIONI PONTIFICIE NEL NORD AFRICA (1942-1945) IL CASO DEL PROTETTORATO SPAGNOLO

Juan M. de Lara Vázquez[1]

Abstract: Il contributo analizza il ruolo della Spagna franchista e del suo protettorato in Marocco nelle attività di assistenza umanitaria promosse dalla Santa Sede durante la seconda guerra mondiale, con particolare attenzione al periodo 1942-1945. Attraverso la documentazione archivistica, ricostruisce le reti di collaborazione tra organismi pontifici, diplomazia, autorità locali e organizzazioni cattoliche internazionali nella gestione di prigionieri e rifugiati. L'obiettivo è evidenziare come il Maghreb spagnolo costituisse uno spazio strategico di transito, mediazione e assistenza, contribuendo alla trasformazione dell'intervento umanitario cattolico in una pratica di dimensione transnazionale.

Parole chiave: *Santa Sede, IIGM, assistenza umanitaria, protettorato spagnolo, rifugiati e prigionieri di guerra.*

Abstract: This paper examines the role of Francoist Spain and its Moroccan Protectorate in the humanitarian activities promoted by the Holy See during the Second World War, focusing particularly on the period 1942-1945. Drawing on archival sources, it reconstructs the networks of cooperation between pontifical agencies, diplomatic representatives, local authorities, and international Catholic organizations in assisting prisoners of war and refugees. It highlights how the Spanish Maghreb constituted a strategic space for transit, mediation, and humanitarian assistance, contributing to

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the transformation of Catholic relief efforts into a transnational form of intervention.

Keywords: *Holy See, WWII, humanitarian assistance, Spanish protectorate, refugees and prisoners of war.*

1. Introduzione

Allo scoppio della seconda guerra mondiale, la Spagna governata da Francisco Franco, nonostante la vicinanza e le simpatie nei confronti della Germania di Adolf Hitler e dell'Italia di Benito Mussolini, si proclamò non belligerante. Durante i sei anni che durò il conflitto, contrariamente a quanto comunemente può sembrare ai più, la Spagna non partecipò certamente alla stregua della Germania, dell'Inghilterra o della Francia, ma contribuì in modo diverso, poiché il suo territorio servì da base operativa per i diversi schieramenti. I suoi territori nel Nord Africa furono indirettamente interessati dalla guerra per via dei soggetti che attraversarono il suo territorio in fuga dalla guerra. In questo processo, la Santa Sede esercitò un ruolo fondamentale attraverso le sue organizzazioni che lavorarono per coordinare l'assistenza a prigionieri, profughi e rifugiati che a essa si rivolsero.

Una delle prime conseguenze dello scoppio della guerra per la Santa Sede, a partire dal mese di settembre del 1939, fu l'arrivo di centinaia di richieste di aiuto che dimostrarono alla Segreteria di Stato di Pio xii la necessità di dotarsi di una struttura all'altezza delle circostanze, in grado di far fronte al volume di lavoro che cominciava a profilarsi e che non avrebbe fatto altro che aumentare. L'allora monsignor Giovanni Battista Montini, futuro Paolo vi, ricevette

l'incarico di organizzare e dirigere due uffici all'interno della Segreteria di Stato vaticana che si sarebbero occupati esclusivamente delle richieste di aiuto pervenute al papa e alla Santa Sede: *l'Ufficio Informazioni Vaticano per i prigionieri di guerra* e la *Commissione Soccorsi*. Questi due enti dovettero gestire le richieste che giungevano dalle popolazioni colpite dal conflitto. Mentre il primo ebbe come compito primario quello di veicolare le richieste di informazione sui dispersi che arrivavano, il secondo, nato subito dopo lo scoppio del secondo conflitto mondiale si caratterizzò per un più ampio raggio d'azione, anche grazie alla sua maggiore capacità di mettere in contatto interlocutori capaci di prestare aiuto[2]. Dal 1941 coordinarono i nunzi, i delegati apostolici e i vescovi affinché intervenissero in favore dei prigionieri reclusi nei campi di concentramento e delle popolazioni civili colpite dalla guerra[3]. Tra le carte dell'Archivio Apostolico, si possono trovare molti casi di rifugiati che usufruirono della carità della Santa Sede,

(2) *Introduzione*, in *L'Archivio della Commissione Soccorsi (1939-1958)*, a cura di Francesca Di Giovanni – Giuseppina Rosselli, Archivio Segreto Vaticano, Città del Vaticano, 2019, p. XII. Si veda anche F. Di Giovanni, *Le carte di due uffici organizzati allo scoppio della seconda guerra mondiale: l'Ufficio Informazione Vaticano e la Commissione Soccorsi*, in *Religiosa Archivorum Custodia. IV centenario della fondazione dell'Archivio Segreto Vaticano (1612-2012). Atti del Convegno di Studi Città del Vaticano 17-18 aprile 2012*, Città del Vaticano, Archivio Segreto Vaticano, 2015, pp. 351-369.

(3) S. Pagano, *Introduzione*, in *Archivio Beneficenza Pontificia*, Città del Vaticano 2021, pp. 1-2: «Nel dopoguerra si occuperà del rimpatrio e dell'assistenza ai reduci e ai profughi e di rispondere ai nuovi problemi emergenti con la ricostruzione. Cessate le urgenze strettamente legate al conflitto, l'ufficio continuerà ad occuparsi dell'assistenza caritativa chiamandosi semplicemente "Beneficenza Pontificia" come reparto interno della Segreteria di Stato; ebbe anch'esso alcuni ufficiali incaricati di seguire le pratiche e con gli anni sviluppò un notevole archivio fino al pontificato di Paolo VI, quindi, nel 1968, anche questa attività benefica passò alle competenze del nuovo ente denominato "Servizio Assistenza del Santo Padre", e oggi Elemosineria Apostolica».

che a sua volta diede loro la disponibilità di molte diocesi e si interessò anche di aiutarli a risolvere eventuali problemi sopravvenuti[4].

Negli anni successivi, questi uffici si affiancarono e lavorarono, spesso in maniera coordinata, con altri organi istituiti dalla Segreteria di Stato. Un esempio emblematico fu la *Pontificia Commissione di Assistenza*[5], presieduta da monsignor Ferdinando Baldelli[6], istituita ufficialmente nel mese di aprile 1944, ma operante già sin dall'inizio dell'anno. Baldelli mise a disposizione la sua lunga esperienza in ambito assistenziale e riunì in un unico ente la Pontificia Commissione profughi e la Pontificia Commissione reduci per dar vita alla Pontificia Commissione di Assistenza (PCA), che a sua volta nel 1953 fu rinominata Pontificia Opera di Assistenza (POA)[7]. Dopo la seconda guerra

(4) M. Levant, N. Valbousquet, *Introduction. Histoire croisée entre religion et humanitaire*, in "Mélanges de l'École française de Rome – Italie et Méditerranée modernes et contemporaines", 134/2 (2022): *Religion et humanitaire: renouveau historiographique et chantier des archives Pie XII*, pp. 187-207.

(5) *L'attività della Santa Sede dal 15 dicembre 1944 al 15 dicembre 1945*, Città del Vaticano 1946, pp. 124-125.

(6) In assenza di una biografia di Baldelli, si rimanda al saggio di M. Sanfilippo, *Roma: Rifugiati e migranti nel secondo dopoguerra. Fonti archivistiche e storiografiche in relazione anche all'intervento della Chiesa cattolica statunitense*, in R. Regoli, M. Sanfilippo (a cura di), *La Santa Sede, gli Stati Uniti e le relazioni internazionali durante il pontificato di Pio* xii, Edizioni Studium, Roma 2022, pp. 164-198.

(7) «Mons. Baldelli, anima di queste due istituzioni assistenziali cattoliche, fu uno dei protagonisti della ricostruzione post-bellica in Italia. Grazie agli aiuti delle organizzazioni cattoliche americane (USA), in particolare la National Catholic Welfare Conference, e a quelli provenienti direttamente dal governo degli Stati Uniti con il famoso piano Marshall, si poterono finanziare le innumerevoli attività assistenziali della Pontificia Commissione di Assistenza, poi Pontificia Opera di Assistenza POA, nome conosciutissimo dagli italiani nel secondo dopoguerra» (Pagano, *op. cit.*, p. 1). Si veda anche: A.M. Dieguez, M. Sanfilippo, *Gli organismi della Santa Sede per l'Emigrazione*, «Archivio Storico dell'Emigrazione Italiana», 18 (2022), pp. 55-65: p. 60.

mondiale, la Commissione Soccorsi modificò la natura del proprio mandato originario e divenne uno strumento volto a organizzare e coordinare le opere di beneficenza pontificie in Italia e nel mondo[8]. Avvalendosi della solida ed estesa struttura organizzativa della Santa Sede, le agenzie vaticane si concentrarono principalmente sull'assistenza agli esuli in fuga dalle zone di conflitto, e molte di esse si trovarono al fianco delle truppe italiane e tedesche nelle aree di raccolta sparse in tutto il Maghreb. In quegli anni, questa regione presentava una complessità di situazioni molto diverse, all'interno delle quali la Santa Sede si trovò a operare in modo diverso a seconda che si trattasse dei territori italiani della Libia, delle zone francesi dell'Algeria e della Tunisia, o del protettorato spagnolo del Marocco.

2. La Spagna e il suo protettorato

La Spagna, dapprima non belligerante e poi dichiaratasi neutrale, fu sollecitata inizialmente dalla Santa Sede affinché il Governo accogliesse quei cittadini europei definiti nella documentazione come "cattolici non ariani" o più semplicemente "non ariani", perché potessero imbarcarsi

(8) «Non è un caso che il materiale documentario della Commissione Soccorsi fu versato nell'Archivio Vaticano già dal 1959 intendendosi quindi concluso il fine primario per cui era stata istituita, mentre l'ufficio ha continuato a funzionare fino al 1967 come organo interno alla Segreteria di Stato per studiare, proporre e mandare ad effetto le iniziative di carità in ogni campo in favore delle nazioni, delle classi sociali e degli individui più bisognosi. In quell'anno infatti la Commissione Soccorsi compare per l'ultima volta con dicitura propria; dal 1968, a seguito del rinnovato assetto degli uffici della Curia Romana, rientrerà nelle prerogative del nuovo ente denominato Servizio Assistenziale del Santo Padre». *Introduzione*, in *L'Archivio della Commissione Soccorsi (1939-1958)*, cit., p. XXVI.

verso il continente americano o ottenere un permesso di soggiorno in territorio spagnolo. Le diverse nunziature e delegazioni apostoliche, mediante la Segreteria di Stato pontificia, fecero giungere al nunzio Gaetano Cicognani le domande e le richieste da porre al Governo franchista.

Per la nostra ricerca, il quadriennio 1942-1945 è stato un momento periodizzante per la regione del Maghreb perché le organizzazioni pontificie di assistenza si ritrovarono a godere di una maggiore agibilità rispetto agli anni precedenti e con una predisposizione maggiore delle parti in causa ad ascoltare le richieste che da esse provenivano. Nel novembre 1942, con l'operazione Torch gli Alleati erano sbarcati nel Marocco francese e in Algeria, mentre nel territorio libico erano già presenti sin dalla seconda metà del 1940 perché impegnati nella campagna del Nord Africa. Verso la fine del 1942, dopo la seconda battaglia di El Alamein, gli Alleati avanzarono verso ovest e nel gennaio 1943 occuparono Tripoli. La zona tunisina, stretta da queste due offensive, fu l'ultima zona del Maghreb a essere occupata dagli Alleati. Essi la completarono soltanto nel mese di maggio 1943. Sin dal primo momento la Santa Sede fu sollecitata affinché si attivasse e aiutasse a rintracciare i prigionieri e a soccorrere in qualsiasi modo i richiedenti ausilio. La diplomazia pontificia si attivò al fine di ottenere da parte dei governi alleati il maggior numero di facilitazioni possibili, al fine di poter espletare questo compito che sin da subito si delineò complicato.

> «Continuano a giungere in modo crescente in proporzione geometrica le richieste per il fronte tunisino. L'ufficio si trova in serio imbarazzo oltre che per il grandissimo numero delle pratiche, perché non è in grado di poter

utilmente indirizzare le richieste non conoscendo la attuale destinazione dei prigionieri.
È pertanto urgente sollecitare ancora S.E. Mons. Spellman al fine di poter superare le difficoltà per un contatto diretto con Algeri. Ugualmente si potrebbe riprendere la pratica col Delegato Apostolico a Washington, il quale in data 10 Aprile con telegramma N 1072, comunicava che secondo notizia non ancora completa quel Governo avrebbe dato presto una decisione favorevole circa il servizio Vaticano nel Nord Africa.
Alla data del 7 giugno tale risposta non è ancora pervenuta, e considerati i precedenti vi è da temere che la risposta tarderà ancora molto.
La sofferenza dell'Ufficio suggerisce di fare qualche passo energico in proposito»[9].

L'assistenzialismo cattolico in queste aree ha ricevuto maggiore attenzione[10] rispetto a quello nella zona spagnola del Maghreb. Invece, se diversi studi sono stati dedicati all'assistenza della Santa Sede verso i rifugiati e profughi e il loro passaggio attraverso la penisola iberica, meno è stata analizzata questa vicenda attraverso la zona dell'attuale Marocco amministrata dalla Spagna. Nei primi mesi del 1944 la Commissione Soccorsi, dalla Città del Vaticano, stava triangolando, attraverso la delegazione apostolica di Washington e la nunziatura di Madrid, gli aiuti economici che i cattolici oltreoceano avevano spedito in Europa. I due

(9) Archivio Apostolico Vaticano (d'ora in poi AAV), Comm. Socc., b. 310, Varia 91, f. 28r.

(10) B. Taithe, *The politics of Catholic humanitarian aid: missionaries and American relief in Algeria (1942-1947)*, in «French History», 2023, 37, pp. 160-176.

fratelli Cicognani, rispettivamente Amleto Giovanni[11], dagli Stati Uniti, e Gaetano, da Madrid, si coordinavano attraverso la Segreteria di Stato per far arrivare le donazioni economiche da parte di un'altra organizzazione cattolica che svolse un ruolo fondamentale nell'assistenza dei rifugiati. Questa fu la *National Catholic Welfare Conference* (NCWC), un gruppo coordinato dai vescovi statunitensi che in questi anni destinò numerosi aiuti in diverse forme a favore delle popolazioni colpite dalla guerra[12]. Sin

(11) Amleto Giovanni Cicognani (Brisighella 1883 – Città del Vaticano 1973). Ordinato sacerdote nel 1905, un anno dopo suo fratello Gaetano Cicognani. Insieme i due fratelli si trasferirono a Roma dove, presso l'Università di Sant'Apollinare, perfezionarono i loro studi nelle discipline tradizionali per ecclesiastici destinati ad incarichi di responsabilità. Il 17 marzo 1933 fu prescelto da Pio XI per l'incarico di Delegato apostolico a Washington, ruolo che svolse dal 23 aprile 1933 fino al 15 dicembre 1958, data in cui fu creato cardinale. Fu sostituito come delegato apostolico negli Stati Uniti da monsignor Egidio Vagnozzi. A.G. Filipazzi, *Rappresentanze e rappresentanti pontifici dalla seconda metà del* XX *secolo*, Libreria Editrice Vaticana, Città del Vaticano, 2006, p. 296. La Delegazione Apostolica negli Stati Uniti divenne Nunziatura Apostolica solo dall'11 gennaio 1984. «Di grande rilievo l'opera da lui svolta durante la seconda guerra mondiale a favore dei prigionieri di guerra e degli internati civili di nazionalità tedesca, italiana e giapponese negli Stati Uniti: fu costituito un ufficio collegato con quello centrale, esistente presso la Segreteria di Stato, per l'analogo obiettivo presso tutti gli altri paesi coinvolti nel conflitto […] È negli anni della legazione del Cicognani in quel paese che si può datare l'inizio di una accentuata presenza della Chiesa statunitense all'interno della curia romana, sia per il ruolo economico e finanziario che finì per assumere sia per i posti di responsabilità che coprì ai più alti livelli». (L. Osbat, Cicognani, Amleto, in Dizionario biografico degli italiani, vol. 25, Istituto della Enciclopedia Italiana, Roma 1981, pp. 39-44). Si rimanda anche alla lettura di: Aa.Vv., *Testimonianze al card. Amleto Giovanni Cicognani nel primo anniversario della morte*, Stab. Grafico F.lli Lega, Faenza 1975.

(12) Nata e rinominata nel 1919 grazie all'approvazione papale, ma già attiva dal 1917 sotto il nome di *National Catholic War Council*, la *National Catholic Welfare Conference*, è stata una agenzia posta sotto l'autorità dei vescovi statunitensi il cui principale obiettivo fu quello di promuovere il benessere dei cattolici del Paese. Annualmente dovettero riferire alla Santa Sede le attività svolte, il cui scopo principale era quello di coordinare e organizzare il

dai primi mesi del 1943, attraverso il suo programma di assistenza, aveva iniziato a operare con la creazione del *War Relief Services* (Wrs)[13], il cui principale obiettivo consisteva nella creazione o nel rafforzamento delle organizzazioni cattoliche nei diversi Stati che si occupavano di carità e nel fungere da collegamento tra le autorità cattoliche e gli enti governativi o internazionali che si occupavano di soccorrere le popolazioni colpite dalla guerra. La *National Catholic Welfare Conference* inviò a Madrid verso la fine del 1943 un rappresentante per iniziare a dare forma a un comitato che si muovesse in favore dei rifugiati. Sia da parte vaticana che da parte statunitense si raccomandò di procedere con prudenza per evitare qualsiasi tipo di «suscettibilità e sospetto».

popolo degli Stati Uniti in opere educative, di assistenza sociale e di aiuto verso gli immigrati. Cfr. M. Williams, *American Catholics in the War. National Catholic War Council, 1917-1921*, The Macmillan Company, New York, 1921; J. Gartlan, *At the United Nations: the story of the NCWC*, Gateway Press, Baltimore 1998; J. Hennessey, *I cattolici degli Stati Uniti. Dalla scoperta dell'America ai giorni nostri*, Jaca Book, Milano 1984. (Prima ed. 1981). Riguardo l'origine e l'evoluzione della National Catholic Welfare Conference si rimanda ai più recenti contributi: M. Patulli Trythall, *Pius XI and American pragmatism*, in C.R. Gallagher, D.I. Kertzer, A. Melloni (eds.), *Pius XI and America: proceedings of the Brown University Conference (Providence, October 2010)*, LIT Verlag, Berlin – Münster – Zürich 2012, pp. 25-85; M. De Leonardis, *Fede e diplomazia. Le relazioni internazionali della Santa Sede nell'età contemporanea*, EDUCatt, Milano 2014; C. Rossi, *Uno sguardo oltre l'Atlantico. Il cardinale Pietro Gasparri e gli Stati Uniti d'America*, in L. Pettinaroli, M. Valente (a cura di), *Il Cardinale Pietro Gasparri, segretario di Stato (1914-1930)*, Heidelberg University Publishing, Heidelberg 2020, pp. 220-224.

(13) «Finanziati dal National War Fund (Nwf), organismo governativo costituito negli Stati Uniti durante la guerra, oltre che dallo stesso Administrative Board, i Wrs avevano speso nei 14 mesi precedenti il 30 settembre 1944 2.667.051,83 dollari nell'assistenza di guerra in 33 paesi, operando in collaborazione con le altre organizzazioni americane attive nel campo umanitario e con la stessa Unrra». R.P. Violi, *Chiesa cattolica e assistenza nel Sud nel 1945*, in «Italia contemporanea» n. 218, 2000, pp. 66-67.

Come abbiamo visto poc'anzi, la nunziatura spagnola servì anche come base per smistare e trasmettere telegrammi e rapporti tra interlocutori che, per via della guerra e dell'interruzione delle comunicazioni, non riuscivano a interloquire facilmente. Mons. Walter Carroll, designato dalla Segreteria di Stato per coordinare l'attività delle organizzazioni pontificie da Algeri, usufruì della nunziatura di Madrid per ricevere da Roma e per trasmettere oltreoceano ogni genere di dispaccio(14). Carroll aveva costituito in Algeri, presso i Padri Bianchi, la sede dell'Ufficio Informazioni dove venivano indirizzati, come in altri luoghi, i plichi con le migliaia di messaggi destinati in Africa del Nord, ma anche ai civili dell'Italia insulare e meridionale che erano rimasti senza poter comunicare con i propri cari sin dall'arrivo delle truppe tedesche e alleate. Carroll, dunque, grazie alla possibilità di trasmettere attraverso la Spagna, poté aggirare le reticenze statunitensi, inglesi e francesi, che consideravano rischioso lasciare che le organizzazioni pontificie ed ecclesiastiche in generale avessero un canale libero per trasmettere ogni genere di informazione.

Le attività di Carroll in questi anni cruciali della guerra consisterono altresì nel visitare i campi di prigionia e far controllare che i prigionieri ricevessero il miglior trattamento possibile(15). Essi necessitavano di cure che andavano da quella spirituale a quelle più urgenti di tipo materiale. In molti altri casi dovette mediare con le autorità militari alleate affinché permettessero che i prigionieri

(14) AAV, Comm. Socc., b. 13, Italiani Civili Italia 260, f. 40r.

(15) AAV, Comm. Socc., b. 20, Italiani militari Africa del Nord, ff. 9r-22r, «Rapport sur le fonctionnement du service d'information du Vatican Section Afrique du nord».

italiani fossero rimpatriati dai diversi campi[16]. Carroll, così come i diversi rappresentanti pontifici, dovettero muoversi tenendo conto delle diverse sensibilità e approcci delle autorità alleate, che non sempre erano ben predisposte verso i prigionieri e che, a seconda che si trovassero in territorio amministrato dalla Francia o dagli angloamericani, potevano divergere sensibilmente.

Queste differenze andavano a sommarsi ad altre precedenti che sussistevano tra le nazioni che già amministravano il Maghreb. La Santa Sede aveva già esperienza in questo ambito e poteva vantare ottime abilità nel mediare fra i Paesi interessati[17]. L'assistenza religiosa della zona era già organizzata da diversi decenni e la sfida in questi anni consistette nell'adeguarla al contesto della guerra. Fu, dunque, più semplice per la diplomazia pontificia far interloquire soggetti diversi tra di loro al fine di coordinare tutto il lavoro umanitario che dovettero affrontare. Il Servizio Informazioni Vaticano, dalla sede algerina, poté inviare a Roma, attraverso il territorio spagnolo, ogni genere di richiesta:

> «Excellence,
> Chargés par son Excellence Monseigneur l'Archevêque d'Alger d'assurer le Service d'information du Saint-Siège pour l'Afrique du Nord et conformément aux indications de Mgr Carroll, de la Secrétairerie d'Etat de Sa Sainteté, nous nous permettons de vous transmettre le courrier concernant ledit Service.

(16) AAV, Comm. Socc., b. 70, Italiani Militari Africa del Nord 1161, f. 6r.

(17) AAV, Arc. Nunz. Parigi, b. 366, fasc. 5, ff. 60-65, «Questione circa antagonismo della Francia e della Spagna nelle missioni cattoliche del Marocco francese».

> Veuillez y trouver
> 1/ des fiches et des listes qui pourront sans doute être adressées directement aux intéressés par le Service d'Information de Votre Excellence en Espagne;
> 2/ des fiches et des listes, ainsi que des messages qui devront sans doute être préalablement acheminés sur le Vatican.
> C'est avec reconnaissance que nous recevrions de Votre Excellence des indications sur la manière de disposer notre courrier afin d'éviter au Service d'information de Votre Excellence des travaux inutiles»[(18)].

La Spagna di Franco, che dal 1943 si era gradualmente e quasi definitivamente allontanata dalle potenze dell'Asse, si ritrovò a dover gestire la propria sopravvivenza dopo l'eventuale vittoria del blocco Alleato. In questi anni, oltre a garantire e facilitare che il proprio territorio fungesse da spazio di trasmissione di messaggi e spostamenti di individui favoriti e coordinati dalla Santa Sede, permise che i rifugiati francesi che passavano attraverso i Pirenei potessero arrivare fino in Africa del Nord per mettersi al riparo o per arruolarsi nelle truppe francesi. Monsignor Boyer-Más, nonostante avesse lavorato per il Governo di Vichy, svolse un'efficace opera di miglioramento delle relazioni tra il Governo di Franco e quello della Repubblica Francese. Il nunzio a Madrid, Gaetano Cicognani, ne descrisse l'operato in questi termini:

> «Fra i suoi meriti speciali va segnalato il lavoro svolto in occasione del viaggio del Cardinale Gerlier in Spagna,

(18) Lettera dell'8 settembre 1943 del Padre Rummelhardt, dei Padri Bianchi e in quanto Direttore del Servizio Informazioni Vaticano in Africa del Nord, alla nunziatura apostolica di Madrid per trasmettere delle richieste. AAV, Arch. Nunz. Madrid, b. 1043, fasc. 1, f. 2r.

viaggio che riuscì di generale soddisfazione malgrado la suscettibilità anzi addirittura la opposizione, più o meno celata, di alcuni settori politici.
Mons. Boyer-Más quindi fu un servitore apprezzato e leale del Governo di Vichy, però la profonda crisi che divide il popolo francese circa l'orientamento politico da dare alla propria Patria, ha avuto riflessi anche nell'Ambasciata di Francia a Madrid, e due mesi or sono la maggior parte del personale compreso Mons. Boyer-Más, passò agli ordini e al servizio del Generale Giraud, Capo del Comando francese nell'Africa del Nord.
Mons. Boyer-Más fu nominato Delegato Ufficiale della Croce Rossa, ampiamente sostenuta con denaro americano, e fu incaricato dei rifugiati francesi, i quali, a traverso le montagne di Navarra e di Port-Bon affluiscono in numero assai rilevante. I rifugiati vengono presi dalla polizia spagnuola ed internati in campi di concentramento o nelle prigioni, però grazie all'intervento di diverse rappresentanze diplomatiche, e grazie in modo speciale all'interesse dimostrato dal Santo Padre, si è potuto riuscire, sia pure a traverso di continue difficoltà e di un modo ancora non del tutto definitivo, a far partire gran numero dei rifugiati per il Portogallo o per l'Africa del Nord»[19].

Queste relazioni e i frutti delle stesse non furono sempre giudicati in maniera positiva da altri esponenti del clero cattolico. Infatti, monsignor Vielle, Vicario apostolico

(19) Rapporto n. 759/6779 del 21 maggio 1943 di Gaetano Cicognani alla Segreteria di Stato Santa Sede circa: «viaggio di Mons. Boyer-Más nell'Africa del Nord». Archivio Storico della Segreteria di Stato – Sezione per i Rapporti con gli Stati e le Organizzazioni Internazionali (successivamente ASRS), Fondo Affari Ecclesiastici Straordinari (AA.EE.SS), Periodo V, Parte Prima, Francia, posiz. 893 B, f. 54 r.

di Rabat, scrisse in diverse occasioni a Roma per allertare circa il pericolo di espansione del comunismo in Marocco e nel nord della Francia. Accusava anche la passività e l'impotenza del generale De Gaulle che, secondo il prelato, permetteva che ciò avvenisse per via della sua incapacità di frenare questo fenomeno[20]. Infatti, una volta che i francesi che si spostavano lungo il territorio della penisola iberica arrivarono verso sud, poterono usufruire dei traghetti che li trasportarono nel Nord Africa amministrato dalla Spagna, e poi da lì ebbero la possibilità di muoversi liberamente verso la frontiera con i territori francesi, o direttamente nel protettorato francese del Marocco. Ciò non sarebbe potuto avvenire senza la condiscendenza del regime franchista e senza il supporto di reti di contatti civili ed ecclesiastici di diversa natura che orientarono il loro viaggio.

Nella misura in cui la guerra si spostò dallo scenario mediterraneo verso quello centro europeo, dopo le iniziali difficoltà di organizzazione del servizio, le organizzazioni pontificie nel Maghreb poterono lavorare in maniera spedita riuscendo a mettere in contatto sempre più individui fra di loro e diventando sempre più capaci di andare incontro alle richieste che rivolsero loro le differenti vittime del conflitto mondiale. Dalla fine della guerra in poi, per via delle nuove necessità che si vennero a creare, queste organizzazioni mutarono la loro fisionomia e, ricche dell'esperienza di questi anni, dovettero iniziare ad affrontare le richieste che il secondo dopoguerra iniziò a richiedere loro. Ultima nota di interesse, frutto degli scambi in questa zona e che avrebbe condizionato gli eventi futuri, fu lo stato delle relazioni tra

(20) Nota interna della Segreteria di Stato dell'11 gennaio 1944 in cui si riportano i rilievi di mons. Vielle «circa l'opera del Comitato di liberazione del Gen. De Gaulle, il pericolo comunista al Marocco francese, i preti degaullisti, ecc.». ASRS, AA.EE.SS, Periodo V, Parte Prima, Francia, posiz. 941, f. 376.

cristiani e arabi dopo la seconda guerra mondiale. Grazie ai rapporti e alle informazioni raccolte dalla diplomazia pontificia in questi anni[21], abbiamo modo di rilevare che gli scambi fra tutti gli attori descritti fino a qui, alimentarono quel seme che avrebbe fatto crescere esponenzialmente negli anni a venire le rivendicazioni di autonomia e di indipendenza dei futuri stati arabi nella metà del XX secolo.

3. Conclusioni

Questi nuovi fondi, se consultati insieme a quelli già disponibili, come quelli della Nunziatura di Madrid, di Parigi, della Commissione Soccorsi o dell'Ufficio Informazioni, permettono di ampliare considerevolmente la conoscenza dell'attività assistenziale della Santa Sede durante gli ultimi anni della seconda guerra mondiale. La documentazione presa in esame in questa prima fase sembra infatti confermare l'importanza di considerare il quadriennio 1942-1945 come un momento di svolta per l'azione degli organismi pontifici nel Mediterraneo. La progressiva trasformazione degli equilibri militari e politici della regione non modificò soltanto i territori sottoposti al controllo delle diverse potenze, ma intervenne anche sulle reti attraverso le quali gli organismi cattolici potevano reperire risorse, trasmettere informazioni e organizzare forme concrete di assistenza.

La storiografia più recente sull'assistenza cattolica nel Nord Africa ha messo in evidenza come gli anni della guerra abbiano contribuito a trasformare profondamente le tradizionali reti attraverso le quali le strutture ecclesiastiche

(21) ASRS, AA.EE.SS, Periodo V, Parte Prima, Francia, posiz. 963, ff. 12r-15v.

operavano nei territori coloniali. Il progressivo indebolimento dei collegamenti con la Spagna favorì, infatti, l'ingresso di nuovi interlocutori internazionali e rese sempre più importanti i rapporti con Roma e con gli ambienti cattolici statunitensi.

Questa crescente internazionalizzazione costituisce un elemento particolarmente importante anche per la nostra ricerca. L'attività dell'Ufficio Informazioni e della Commissione Soccorsi non può infatti essere compresa soltanto osservando i rapporti tra Roma e le autorità locali. Essa deve essere inserita all'interno di una rete più vasta, nella quale confluirono organizzazioni umanitarie, rappresentanti diplomatici, autorità militari, strutture ecclesiastiche locali e interlocutori vicini agli Alleati, all'Asse o a nazioni neutrali come la Spagna.

Da questo punto di vista, l'assistenza ai prigionieri e ai rifugiati costituisce un osservatorio privilegiato per studiare una trasformazione più ampia delle relazioni tra la Santa Sede e il mondo cattolico internazionale. La necessità di intervenire in territori attraversati dalla guerra obbligò infatti gli organismi pontifici a stabilire rapporti con soggetti diversi da quelli con cui avevano tradizionalmente collaborato. Le richieste relative alla ricerca di un prigioniero, alla sua assistenza materiale, alla possibilità di trasferire un rifugiato o alla sistemazione di una popolazione sfollata potevano richiedere l'intervento simultaneo di differenti autorità e organizzazioni. L'assistenza assumeva così una dimensione transnazionale che superava i confini delle singole diocesi e degli stessi territori coloniali.

La storiografia ha inoltre mostrato come l'attività umanitaria cattolica durante la guerra non possa essere considerata esclusivamente come una prosecuzione delle tradizionali pratiche caritative. L'emergere di nuove forme di assistenza,

legate alla gestione dei profughi, dei prigionieri, delle popolazioni sfollate e delle emergenze sanitarie, contribuì infatti alla definizione di modalità operative che avrebbero assunto una crescente autonomia rispetto alle precedenti forme di assistenza ecclesiastica. La dimensione umanitaria divenne progressivamente uno spazio di incontro tra religione, organizzazione sociale e relazioni internazionali. In questo processo, la guerra rappresentò un momento di sperimentazione nel quale le organizzazioni cattoliche furono costrette a sviluppare nuove capacità amministrative e nuove forme di collaborazione oltre i confini nazionali.

La documentazione relativa al Maghreb spagnolo può quindi contribuire anche a comprendere il processo attraverso il quale l'assistenza cattolica si trasformò progressivamente in una forma più strutturata di intervento internazionale e come vi parteciparono anche nazioni apparentemente neutrali al conflitto. Il Maghreb spagnolo può dunque essere considerato un osservatorio particolarmente significativo per studiare la trasformazione dell'assistenza cattolica durante gli anni della seconda guerra mondiale. La gestione dei prigionieri e dei rifugiati mise in relazione Roma, le organizzazioni cattoliche spagnole, le autorità militari e amministrative e il clero locale, creando uno spazio nel quale pratiche umanitarie, relazioni diplomatiche e reti religiose finirono per sovrapporsi.

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SECURITY IN THE SHADOW OF CIVIL WAR ITALIAN AND INTERNATIONAL RESPONSES TO THE ALGERIAN CRISIS, 1988-2009

Flavia De Lucia Lumeno[1]

Abstract: The Algerian civil war of the 1990s, known in Algeria as the *Décennie noire*, was a crisis in which several kinds of security collided: the survival of a military-backed state, the physical safety of foreign nationals, the continuity of energy supplies to Europe, the stability of the western Mediterranean, the internal security of European societies that hosted Algerian communities, and the lives of Algerian civilians themselves. This chapter examines how Italy, and the international actors with which it interacted, defined, ranked and acted upon these competing security concerns between the political opening of 1988 and the Algerian presidential election of 2009. It argues that Italian policy was shaped by a hierarchy of referent objects at the top of which stood energy and economic security, followed by the protection of nationals and the stability of the Algerian state, while the security of Algerian civilians remained largely outside the field of action that Rome, Paris, Washington and Brussels were willing to occupy. It further shows that Algerian insistence on sovereignty, and its categorical refusal to accept external mediation, set limits that no external actor, whatever its priorities, was able to overcome. The chapter combines the analytical tools of securitization theory, neoclassical realism and the literature on middle-power "niche" diplomacy with archival documents, parliamentary records, the contemporary press and the testimony of Italian ambassadors in Algiers.

Keywords: Algeria, Italy, civil war, security, securitization, energy diplomacy, Sant'Egidio, Euro-Mediterranean Partnership, terrorism, Mediterranean

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1. Introduction: whose security?

In November 1999, a decade after the end of the one-party era, an Italian journalist observed that the "Wall of Algiers" had fallen before the Wall of Berlin[2]. The comparison was apt in one respect. Both events signalled the exhaustion of a political order whose legitimacy had rested on a narrative of liberation and on the discipline of a single party, and both opened a period in which the security of neighbouring states was suddenly called into question. In Algeria, however, the collapse of the old order did not lead to a peaceful transition. Between the riots of October 1988 and the amnesty referendum of 1999, the country slid from a managed liberalisation, through the annulment of an election, into a civil war that, according to estimates which remain contested, claimed between 150,000 and 200,000 lives[3]. Algerian officials themselves offered different figures at different moments: the Algerian minister of energy, Chakib Khelil, spoke in an interview with an Italian newspaper of more than 200,000 deaths, while Italian diplomatic and press sources of the same period often used the figure of 100,000[4]. The uncertainty is itself revealing. The war was

(2) A. Negri, *Algeri abbatte il muro*, "Il Sole 24 Ore", 11 November 1999, p. 1.

(3) B. Stora, *Algeria 1830-2000. A Short History*, trans. by J.M. Todd, Cornell University Press, Ithaca (NY) 2001, pp. 181-210; M. Evans, J. Phillips, *Algeria. Anger of the Dispossessed*, Yale University Press, New Haven (CT) 2007, pp. 1-15.

(4) Associated Press, report from Algiers, 11 April 2007, "The Washington Times", https://www.washingtontimes.com/news/2007/apr/11/20070411-121956-4852r/; Reuters, *Algeria: Bombs kill 30 in Algeria*, 12 April 2007, https://reuters.screenocean.com/record/573945; F. De Lucia Lumeno, "Le relazioni fra Italia e Algeria", in M. Pizzigallo (ed.), *Il Ponte sul Mediterraneo. Le relazioni fra l'Italia e i Paesi arabi rivieraschi (1989-2009)*, Apes, Roma 2011, pp. 339-340.

fought largely out of sight of foreign cameras, in a country whose government restricted the publication of images of massacres and minimised the number of casualties, and the first duty of anyone who studies it is to recognise how little of it was visible to contemporaries.

For Italy the Algerian crisis was neither a distant event nor a domestic one. Algeria was, at the end of the 1980s, the country to which Italian public export-credit insurance was most heavily exposed, the supplier of a growing share of the natural gas that fed Italian industry through the Trans-Mediterranean pipeline, and the partner on which Rome counted in order to build a role for itself in the post-Cold War Mediterranean. At the same time Algeria was a state whose army was fighting an armed Islamist insurgency, whose government regarded any suggestion of dialogue with the insurgents' political wing as a betrayal, and whose militants began, from 1993, to target foreigners as a way of strangling the regime economically and isolating it internationally. Italian companies, diplomats and sailors were therefore exposed to the violence in a very direct way. Seven Italian seamen were murdered aboard the motor vessel *Lucina* on the night of 7 July 1994, and by September 1995 the number of Italian nationals killed in Algeria had risen to eleven(5). Italy's Algerian policy was thus, from the beginning, a security policy in a more literal sense than most of the foreign policies studied in the literature on the end of the Cold War.

(5) *Trucidati sette marinai italiani. Commando integralista assalta la nave nella notte*, "L'Unità", 8 July 1994, p. 3, https://archivio.unita.news/assets/main/1994/07/08/page_003.pdf; F. Simeoni, *Un prezzo troppo alto*, "Il Giornale d'Italia", 9 July 1994, p. 1; Senato della Repubblica, *Comunicazione del governo sull'uccisione dei marittimi italiani in Algeria*, 12th Legislature, 23rd public session, 7 July 1994; F. De Lucia Lumeno, *op. cit.*, p. 308.

The question that organises this chapter is deceptively simple: *whose* security did Italy, and the international community with which it acted, seek to protect during the Algerian crisis? The Copenhagen School of security studies teaches that every security discourse presupposes a "referent object", that is to say an entity that is said to be existentially threatened and that must be defended even by exceptional means, and an "audience" whose consent legitimises the exceptional measures(6). Applied to the Algerian case, this vocabulary helps to reveal something that the language of diplomacy tends to obscure. At least six referent objects were simultaneously at stake. The first was the Algerian state, or more precisely the military-backed regime that identified itself with the state and that was fighting for its survival. The second was the physical security of foreign nationals and enterprises operating in Algeria. The third was the security of energy supply, which for Italy and, at one remove, for Europe was tied to a handful of pipelines and a small number of contracts. The fourth was the regional security of the western Mediterranean, an area that after 1989 was being redefined as the southern flank, and later as the southern front, of the European and Atlantic security community. The fifth was the internal security of European societies, which feared the export of Islamist violence and, in a related if analytically distinct way, the arrival of migrants and refugees. The sixth, and the least visible in the sources, was the security of ordinary Algerians, the victims of what an Italian account of the period calls a "war against civilians"(7).

(6) B. Buzan, O. Wæver, J. De Wilde, *Security. A New Framework for Analysis*, Lynne Rienner, Boulder (CO) 1998, pp. 21-47.

(7) F. De Lucia Lumeno, *op. cit.*, p. 311; on the Algerian conflict as a war largely hidden from view see B. Stora, *La guerre invisible. Algérie, années 90*, Presses de Sciences Po, Paris 2001.

The argument developed in the following pages is that these referent objects were not treated equally. Italian policy, and with variations European and American policy, privileged the continuity of energy and commercial relations and the survival of a stable Algerian state, treating the protection of Italian nationals as a derived priority that was managed through repatriation, private protection and low-profile diplomacy, and leaving the security of Algerian civilians to a rhetoric of dialogue and reconciliation that was never matched by instruments. At the same time, the chapter argues against a simple reading of this hierarchy as the expression of commercial cynicism. Italian decision-makers did seek to promote a political solution, they did facilitate, through channels that fell short of official sponsorship, the most ambitious international mediation of the war, and they were repeatedly told by Algerian interlocutors, and by their American allies, that any external mediation would be rejected. The Algerian refusal to internationalise the conflict was not a detail but a structural feature of the crisis. It constrained all outside actors, including those, such as France, that had much greater material and historical stakes[8].

The chapter draws on the records of the Italian Presidency of the Republic and of the Foreign Ministry, the papers of parliamentarians preserved in private foundation archives, the proceedings of the Italian Senate and Chamber of Deputies, British and American official records, and the contemporary Italian, French and American press.

(8) L. Martinez, *La guerre civile en Algérie 1990-1998*, Karthala, Paris 1998, pp. 178-201; L. Nathan, *When Push Comes to Shove: The Failure of International Mediation in African Civil Wars*, «Track Two», 8, n. 2, 1999, pp. 1-23.

2. Conceptual framework: securitization, niche diplomacy, sovereignty and domestic filters

2.1. *Securitization and its referent objects*

Securitization theory, as formulated by Barry Buzan, Ole Wæver and Jaap de Wilde, treats security not as an objective condition but as the result of a speech act by which an actor presents an issue as an existential threat to a valued referent object and thereby obtains the right to deploy measures that would not be acceptable in the ordinary course of politics[9]. The theory has been criticised and refined, in particular as regards the role of audiences and of institutional routines, but its basic insight remains useful for the study of foreign policy in a crisis[10]. It directs attention to the question of who speaks, on behalf of what, to whom, and with what consequences. It also draws attention to the possibility that different actors securitize the same event in different ways. In the Algerian case, as we shall see, Paris constructed the Islamist electoral victory of December 1991 as an existential challenge that justified preventive support for the military, while Rome constructed the main threat as the interruption of supplies and the collapse of the Algerian economy, and therefore sought, for much of the period, to keep political dialogue open while keeping credit and supply lines intact[11].

(9) B. Buzan, O. Wæver, J. de Wilde, *op. cit.*, pp. 21-47.

(10) T. Balzacq (ed.), *Securitization Theory. How Security Problems Emerge and Dissolve*, Routledge, London 2011, pp. 1-30; M. McDonald, *Securitization and the Construction of Security*, «European Journal of International Relations», 14, n. 4, 2008, pp. 563-587.

(11) *L'Italie entend maintenir une présence économique forte*, "Le Monde", 13 August 1994, p. 4; F. De Lucia Lumeno, *op. cit.*, pp. 296, 310-311.

Securitization theory also helps to explain a paradox that runs through the Italian documents. Italian officials repeatedly described the Algerian situation in the language of emergency, warning that gas deliveries were vital, that a collapse of the Algerian state would be a catastrophe for the western Mediterranean and that exceptional financial instruments were therefore justified. Yet they also sought to present the crisis as manageable and to reassure investors and public opinion that Italian presence in Algeria could continue. In the terms of the theory, they sought to securitize energy supply while *de-securitizing* the political violence that threatened it. The strategy of the armed Islamist groups, as Undersecretary for Foreign Affairs Livio Caputo explained to the Italian parliament in July 1994, was precisely the opposite: to make normalisation impossible by striking at foreigners who contributed to the functioning of Algerian services, so as to bring about the "economic self-strangulation" of the government[12]. The Italian response was therefore constantly pulled between two logics, the logic of emergency that justified exceptional commitments and the logic of normality that was required to keep businesses in place.

2.2. *Energy security as a security sector*

The use of the securitization framework in the energy field requires a clarification. The existential threat in the Italian discourse was not directed at the state as such, but at what officials called, in a different vocabulary, the continuity of an advanced industrial economy. The Italian

(12) Camera dei Deputati, Terza Commissione, *Resoconto stenografico*, 12th Legislature, 12 July 1994.

approach to Algerian gas was institutionalised through a set of organisations whose routines reflected and reproduced this perception: the export-credit insurer SACE, which classified Algeria in risk categories that determined the availability of cover; the Interministerial Committee for Foreign Economic Policy, CIPES, within whose guidelines SACE operated and which allowed political priorities to be weighed against purely commercial risk assessments; and the state energy group ENI with its pipeline subsidiary SNAM[13]. The tension between the cautious technical view of SACE and the political priority of the government is a recurrent theme in the documents and will be seen at work in the credit decisions of 1990-1991 and in the prolonged suspension of insurance cover after 1993.

2.3. *Middle powers and niche diplomacy*

The second conceptual strand concerns the position of Italy in the international system. The literature on middle powers and on "niche diplomacy" argues that states without the capacity to shape the international order through force can nevertheless obtain influence by specialising in functions in which they have a comparative advantage and which larger powers neglect or are unable to perform[14]. Italy's relative absence from the Algerian colonial archive, the density of its energy infrastructure and its capacity for state-sponsored credit provided it with just such a niche

(13) F. De Lucia Lumeno, *op. cit.*, p. 290 (note on SACE and CIPES); M. Bellacci, *Gasdotto bis con l'Algeria: serviranno 8mila miliardi*, "Il Sole 24 Ore", 16 December 1990.

(14) A.F. Cooper (ed.), *Niche Diplomacy. Middle Powers after the Cold War*, Macmillan, London 1997, pp. 1-10; R. Aliboni, *Italy and the Mediterranean in the Nineties*, Istituto Affari Internazionali, Rome 1996.

in Algeria. The notion helps to explain why Rome could be received in Algiers as an interlocutor that Paris could not be, and why Algerian leaders used Italy deliberately as a counterweight to France. It also helps to explain the limits of that position. A niche is by definition narrow, and Italian officials were aware that they could not, by themselves, change the course of the Algerian conflict. As Caputo told the Chamber of Deputies in July 1994, Italy could not influence the situation "alone" and would therefore continue to move in harmony with its allies, mediating when necessary among their positions, which were "not always uniform"(15).

2.4. *Sovereignty as a constraint*

The third strand is the principle of non-interference. In the Algerian narrative the war was an internal campaign against terrorism, and any suggestion that the state should negotiate with those who had taken up arms was an affront to sovereignty and a reminder of the colonial past. This position was not peculiar to the regime, but it was exploited by it with great consistency. The literature on the failure of mediation in African civil wars argues that mediation requires, at a minimum, that both sides accept the legitimacy of the process and of the mediator; where a government defines its opponents as criminals, third parties have little leverage(16). The Italian archives provide ample evidence that Rome understood this. The analytical strands introduced so far, securitization, niche diplomacy

(15) Camera dei Deputati, Terza Commissione, *Resoconto stenografico*, cit., 12 July 1994.

(16) L. Nathan, *When Push Comes to Shove*, cit., pp. 1-23.

and sovereignty, are not alternative explanations. They operate at different levels, and the chapter seeks to show how they interacted.

2.5. *Neoclassical realism and domestic filters*

A further strand explains why Italian responses so often departed from what a unitary-actor reading of Italy's interests would predict. Neoclassical realism holds that systemic pressures and opportunities are translated into foreign policy through domestic variables, among them the institutions that gather information, allocate resources and mediate between competing agencies[17]. Liberal institutionalist arguments about the capacity of institutions to reduce uncertainty and to make cooperation durable complement this view by pointing to the arrangements that sustained energy interdependence[18]. In the Italian case the relevant filters were the fragmentation among the Foreign Ministry, the Treasury, SACE, ENI and the parliament, and the routines through which SACE cover could be subordinated to political priorities. They help to explain why Italian policy was often slower and less coherent than its stated objectives would suggest, as the cases of the Fiat plant at Tiaret and of the suspension of insurance cover after 1993 will show.

(17) N.M. Ripsman, J.W. Taliaferro, S.E. Lobell, *Neoclassical Realist Theory of International Politics*, Oxford University Press, New York 2016, pp. 17-42.

(18) R.O. Keohane, L.L. Martin, *The Promise of Institutionalist Theory*, «International Security», 20, n. 1, 1995, pp. 39-51.

3. From the opening to the abyss, 1988-1991

3.1. *October 1988: the threat from within*

The riots of October 1988, which Algerians called the "couscous revolt" because of the shortage of basic foodstuffs, showed that the principal threat to the Algerian regime did not come from abroad, as the official discourse of the socialist state had always maintained, but from within society[19]. The population was young, with one Algerian in two under the age of twenty and three in four under thirty, and had no memory of the war of independence that had legitimised the ruling Front de libération nationale (FLN). Inflation was high, basic goods were scarce and the state-owned industries, deprived of public support by the liberalising turn of President Chadli Bendjedid, were in difficulty[20]. The army, which had always presented itself as the guardian of the independence struggle, fired on the crowds in the capital. The president's answer was a programme of political opening: a constitutional revision approved by referendum, the separation of the FLN from the state, and in February 1989 a new Constitution that removed the references to socialism and to the party's monopoly. In September 1989, after the law on political associations, the Islamic Salvation Front (FIS) was legalised[21].

(19) S. Gallotta, *Dove va l'Algeria?*, «ISPI Relazioni Internazionali», n. 4, 2000, p. 10.

(20) *Ibid.*; R. Bustos, *Economic Liberalization and Political Change in Algeria: Theory and Practice (1988-92 and 1994-99)*, «Mediterranean Politics», 8, n. 1, 2003, pp. 1-26.

(21) S. Gallotta, *Dove va l'Algeria?*, cit., p. 10; M. Cociancich, F. Pacifici (eds.), *Algeria. Un Paese emergente e un partner affidabile nel Mediterraneo*, ISIAMED, Roma 2008, p. 32; F. De Lucia Lumeno, *op. cit.*, p. 285.

Italian observers read these events largely in terms of regime continuity. The outlook of the Italian press at the time was that the army remained the ultimate guarantee of order and that Bendjedid had done what could be done within an exhausted system. The crisis was seen as the product of the system rather than of the president's actions, and few Italian commentators saw an alternative to the existing power structure[22]. This reading shaped Rome's subsequent choices. If the system had no alternative, the task of Italian policy was to help it reform itself through economic means and to bind it more closely to Europe.

3.2. *Economic engagement as a security strategy*

The economic dimension of the Italian engagement was substantial. At the end of the 1980s SACE had committed itself to cover about 4,500 billion lire of export credits for Algeria, more than for any other country[23]. Italian exports were declining, but investments were growing, and the financing of Fiat's plant at Tiaret for small-engine cars, with a total outlay of 170 billion lire of which 90 billion came from development-cooperation funds channelled through the Foreign Ministry and 80 billion from commercial credit, was emblematic of a model that blended official aid and private interest[24]. In March 1989 Treasury Minister Giuliano Amato visited Algiers and renewed a credit of 320 million dollars for the triennium 1988-1990, intended for

(22) F. De Lucia Lumeno, *op. cit.*, p. 289.

(23) *Ultima chance per l'Algeria*, "Il Sole 24 Ore", 5 November 1988, p. 4; F. De Lucia Lumeno, *op. cit.*, p. 290.

(24) *Impianto Fiat in Algeria. L'accordo è quasi fatto*, "Il Sole 24 Ore", 17 October 1989, p. 12; G. Brendson, *Cossiga inaugura in Algeria la fabbrica di "Uno" magrebine*, "la Repubblica", 15 November 1989, p. 16.

technical assistance and for the creation of Italian-Algerian joint ventures, and in December 1988 Foreign Minister Giulio Andreotti had signed in Algiers an agreement on economic cooperation[25]. The negotiation of that agreement was conducted by the Foreign Ministry alone, to the displeasure of the minister for foreign trade, Renato Ruggiero, an early sign of the institutional fragmentation that would mark Italian policy throughout the crisis[26].

The security rationale of these measures was explicit in the way Italian leaders presented them. Greater stability on the North African shore, it was argued, would contribute to the stability of the entire Mediterranean, and Bettino Craxi and Andreotti had both expressed appreciation for the creation in February 1989 of the Arab Maghreb Union (UMA), which they saw as a possible partner for Europe[27]. When President Francesco Cossiga visited Algiers in November 1989, the first official visit of an Italian head of state to an Arab country, he spoke of the passage from an era of détente to one of cultural and political "integration" between vast areas of Europe and the Mediterranean world, and underlined that Italy could claim a leading position for having constantly drawn the attention of the member states of the European Community to the priority importance of regional organisations in the Mediterranean[28]. The ambassador to Algiers, Antonio Badini, later recalled that the UMA might have restored credibility to the Italian design of a Mediterranean version

(25) F. De Lucia Lumeno, *op. cit.*, p. 290.

(26) *Ibid.*, p. 291.

(27) *Ibid.*

(28) F. Cossiga, *Conferenza stampa*, 13 November 1989, and Id., *Breve dichiarazione*, 12 November 1989, ASPRI, Ufficio Stampa, box 35, folder 7; F. De Lucia Lumeno, *op. cit.*, p. 291.

of the Conference on Security and Cooperation in Europe, that Foreign Minister Gianni De Michelis had struggled to give breath to the Maghreb initiative and that he had been among the supporters of the "5+5" group, bringing together five states of the northern shore with five of the southern. Over time, Badini added, the initial enthusiasm faded and the activities turned into formal routine[29].

It is important to see this multilateral activism as part of a security vision. De Michelis's proposal for a Conference on Security and Cooperation in the Mediterranean (CSCM), modelled on the Helsinki process, and the Western Mediterranean Group that met in Rome in October 1990, were attempts to build a regional security order on the basis of the idea that security could not be imposed "top-down" by the two superpowers but had to emerge "bottom-up" from the efforts of individual states[30]. In a conversation with the British Foreign Secretary, Douglas Hurd, in February 1990, De Michelis identified the spread of fundamentalism as the underlying problem, particularly for Egypt and Algeria, and proposed that such governments be supported through economic aid and a political process analogous to Helsinki. The British record of the conversation notes that France, Spain and Portugal shared similar views. British diplomatic reporting, for its part, regarded Italian Mediterranean initiatives as "ambitious but under-resourced"[31]. The Italian approach thus com-

(29) F. De Lucia Lumeno, *op. cit.*, p. 291.

(30) M. Montali, *Con Algeri rapporti più stretti*, "L'Unità", 17 October 1989, p. 11; R. Aliboni, *Italy and the Mediterranean in the Nineties*, cit., pp. 5-10; F. De Lucia Lumeno, *op. cit.*, p. 292.

(31) Foreign and Commonwealth Office, record of the conversation between Foreign Minister De Michelis and Douglas Hurd, 23 February 1990, The National Archives (UK), Prime Ministerial Private Office files; on British assessments see F.S. Larrabee, J. Green, I.O. Lesser, M. Zanini, *NATO's*

bined a diagnosis in which fundamentalism was a security threat with a prescription in which the remedy was development and institution-building rather than military or police action.

3.3. *The Islamist victory and the Italian reading of the FIS*

The first test of this approach came with the local elections of June 1990, in which, after twenty-eight years of FLN monopoly, a different party emerged with substantial popular support. The success of the FIS can be attributed in part to the exploitation of popular discontent and in part to the abstention of other forces, including the party of former president Ahmed Ben Bella and the Berber socialist leader Hocine Aït Ahmed(32). The reaction was one of alarm, not only among the military who saw power slipping away but also among neighbouring states fearful of radicalism. Italy, however, did not share the most pessimistic readings. Ambassador Badini remembered that he had counselled prudence in Rome about condemning in advance a popular force such as the FIS and about excluding the prospect of a coalition government if it served the country. He recalled a conversation with Prime Minister Mouloud Hamrouche, who believed that the FIS would not be able to create the social cohesion it preached and that repression would only strengthen its popular sympathies and risk a spiral of violence, as then happened. With the authorisation of De Michelis, Italy renewed its confidence in the Hamrouche government, even in the event

Mediterranean Initiative. Policy Issues and Dilemmas, RAND, Washington (DC) 1998, pp. 23-28.

(32) R. Mortimer, *Islam and Multiparty Politics in Algeria*, «Middle East Journal», 45, n. 4, 1991, pp. 575-593; S. Gallotta, *Dove va l'Algeria?*, cit., p. 10.

that a transitional phase proved necessary. The expectation was that the more progressive forces of the FLN would defeat the naive demagogues of the FIS without recourse to repression; the hypothesis was not borne out[33].

The assessment of the European Community was different in emphasis. Its concern was for the financial consequences of the Algerian developments, and the FIS seemed to be regarded with suspicion more for its likely stance on foreign economic relations than for the risk it posed to peace and security. Badini later observed that he did not recall a properly European line, which in his view said a great deal about the limits of the Community's political planning at the time[34]. Italian policy at this point can be characterised as one of calculated risk. Credits to Algeria were increased up to 8,000 billion lire, with natural gas deliveries as collateral, an arrangement that tied Italian financial exposure directly to the energy flows that Italy sought to secure[35]. SACE continued to place Algeria in its second risk category, taking into account the number and value of commercial disputes and the political situation, while the government, acting through CIPES, preferred to finance the Algerian revival and to draw on its energy resources before other European competitors. When he signed the loan agreement at the Foreign Ministry in May 1991, De Michelis acknowledged the uncertainty, saying that Rome and Algiers had decided together to run a risk and that this was the course Europe ought to follow with all the Arab countries, and in particular with those of the Maghreb[36].

(33) F. De Lucia Lumeno, *op. cit.*, pp. 294-295.

(34) *Ibid.*

(35) M. Bellacci, *Gasdotto bis con l'Algeria*, cit.

(36) F. Aiazzi, *L'Algeria paga i debiti con il gas – Firmata l'intesa da 8 mila miliardi*, "Il Sole 24 Ore", 3 May 1991; *Sace, ha perso il governo*, "la Repubblica", 23 January 1991; F. De Lucia Lumeno, *op. cit.*, p. 296.

The external environment was deteriorating. The Gulf War of 1990-1991 revealed the fragility of the regional order, and the stance of the North African states in the war made Europeans uneasy[37]. The financial daily "Il Sole 24 Ore" offered in June 1991 a blunt assessment of the geopolitical context: Algeria, it wrote, suffered from the loss of attention for Third World issues caused by the rapprochement between the United States and the Soviet Union, and the Islamic area stretching from Algeria to Pakistan, with the exception of Egypt, now appeared as the stronghold of a resistance, cultural before it was economic or political, to Western-style democracy[38]. In the same month the Algerian president postponed the first multiparty legislative elections and, in the face of disorders provoked by Islamist protests, handed responsibility for order to the military under a state of emergency. Italy, as the sources put it, stayed on the sidelines, hoping more for the maintenance of security in the partner state than for the stability of the entire Mediterranean basin[39].

The response of Europe to Algeria's financial plight was uneven. The European Parliament had asked in July 1991 that the Community support democratisation and study the renegotiation of the Algerian external debt, but the only extraordinary measure was a loan of ECU 400 million for the balance of payments, below the 500 million proposed by the Commission; the member states furthest from Algeria would have preferred 300 million. A further reason for hesitation was that Japanese banks had become Algeria's principal creditors, overtaking the French

(37) W. Drozdiak, *N. Africans' War Stance Makes Europeans Uneasy*, "The Washington Post", 29 January 1991, p. A10.

(38) *Le tentazioni dell'Islam*, "Il Sole 24 Ore", 6 June 1991.

(39) F. De Lucia Lumeno, *op. cit.*, p. 297.

ones, so that Community aid risked benefiting Tokyo's finance[40]. Italy, by contrast, moved ahead of its partners: ENI, then led by Gabriele Cagliari, signed in Algiers a framework agreement for a joint venture with Sonatrach to produce crude oil from the Hassi Messaoud fields, a reward for years of loyalty valued at some 1,000 billion lire of contracts[41].

Behind these differences lay different perceptions of the Islamist threat. The northern European states were gripped by an alarm regarding the gap between cultures that Italy did not share to the same degree, and Rome feared that, by following the anxieties of the Continent, it would become the new frontier of a wall dividing north and south. The Italian journalist Igor Man reported a conversation with the FIS leader Abassi Madani, who had said that Algeria could not cut the umbilical cord linking it to Europe, from which it imported almost everything, and that an Islamist Algeria would continue to supply gas and oil in exchange for know-how and investment[42]. Whether or not Madani meant it, the statement expressed an assumption that was widespread in Italian circles and that shaped the Italian reading of the crisis: that the interdependence of the two shores was so great that even a radical government would be obliged to respect it. As the next section shows, this assumption was to be put under severe strain by the events of 1992.

(40) *Algeria: Bruxelles ha la coscienza sporca*, "Il Sole 24 Ore", 20 January 1992; F. De Lucia Lumeno, *op. cit.*, p. 298.

(41) F. De Lucia Lumeno, *op. cit.*, p. 297.

(42) I. Man, *L'Algeria non è l'Iran; dopo l'emergenza*, "La Stampa", 11 February 1992; F. De Lucia Lumeno, *op. cit.*, p. 298.

4. January 1992: the interrupted election and the competing readings of the threat

4.1. *"Substantive" against "arithmetic" democracy*

The year 1991 ended with the first multiparty legislative elections in Algerian history. The FIS obtained by far the largest share of the votes, even though its two most radical leaders were in prison and even though fewer than 30 per cent of registered voters had actually voted for the Islamists. The real loser was the FLN, which showed that it had held power for thirty years without genuine popular support, and the general assessment was that the old party would have to survive by force or dissolve(43). The result placed the whole region in a state of alarm. Observers feared that an Islamist success would slow the opening of the pro-Western Arab regimes, to say nothing of the consequences, however indirect, for the Middle East peace process, and it made relations with a European Community that was struggling with the Yugoslav crisis and the dissolution of the Soviet Union appear uncertain.

These anxieties were cut short before the second round. In January 1992 the army deposed President Chadli Bendjedid and took power through a High Security Council, later transformed into a High State Committee. In the Italian reading of the period, "substantive" democracy was set against "arithmetic" democracy: although the ballot-box result was undoubtedly favourable to the FIS, the future freedom of the country was to be safeguarded

(43) F. De Lucia Lumeno, *op. cit.*, p. 299; for the broader chronology see B. Stora, *Algeria 1830-2000*, cit., pp. 181-210.

through a dictatorial procedure[44]. The suspicions were not limited to the president's resignation. At the beginning of December the National People's Assembly had passed a law allowing the government to employ the army routinely to maintain order, and a month later Chadli had secretly signed a decree dissolving the Assembly, which prevented the Assembly's president both from forming the coalition government between the FIS and the FLN that was rumoured and from assuming, *ad interim*, the functions of head of state and organising presidential elections within the forty-five days prescribed by the Constitution[45]. The Italian daily "Corriere della Sera" reported on 13 January that what many observers had described as a "soft anti-Islamist coup d'état" had been received by Algeria's frightened neighbours with complacent silence[46].

The event can be read as a decisive moment of differential securitization. For the Algerian military, the referent object was the republic as they understood it, and the exceptional measure was the suspension of the electoral process. For France, whose domestic concerns about Algerian immigration and Islamist violence were far more acute than those of any other European state, the electoral victory of the FIS was an existential challenge that justified acceptance of the military's intervention and, in the following years, active support for it. Italy's relative insulation from the immediate spillover of the conflict allowed a different construction of the threat, focused on supply disruption and on the collapse of the Algerian economy rather

(44) F. De Lucia Lumeno, *op. cit.*, p. 299.

(45) *Ibid.*, p. 300.

(46) A. Ferrari, *Quel vento che scuote il Nord Africa,* "Corriere della Sera", 13 January 1992, pp. 2-3.

than on ideological contagion[47]. It is an indisputable fact, however, that a considerable number of Western governments felt relief, despite their doubts, when the FIS was prevented from controlling the Algerian Parliament, and Rome was no exception[48].

4.2. *Italy's response: credit as a security instrument*

Inside Algeria the struggle against the FIS continued. Its leaders showed themselves less radical than feared, with possibilities of dialogue with the government and openings towards foreigners. In an interview given to Italian newspapers a few hours before his arrest, the party's official spokesman, Rabah Kebir, claimed that with the FIS everything would be better «in mutual and reciprocal respect, starting with relations with Italy», and he showed no fear of a reduction in foreign investment in a wholly Islamised Algeria[49]. The government, for its part, tried to reassure foreigners through its foreign minister, Lakhdar Brahimi, who affirmed that the country would emerge from the crisis with their help but without interference, and who singled out relations with Italy as "very satisfactory"[50]. The reactions of Italian technicians and politicians were positive, taking the form of additional credits and an acceleration of the doubling of the gas pipeline between the two shores. According to Brahimi, Italy had extended

(47) *L'Italie entend maintenir une présence économique forte*, cit., p. 4; F. De Lucia Lumeno, *op. cit.*, pp. 310-311.

(48) F. De Lucia Lumeno, *op. cit.*, p. 299.

(49) A. Negri, *A colloquio col portavoce del Fis (poi arrestato)*, "Il Sole 24 Ore", 29 January 1992; F. De Lucia Lumeno, *op. cit.*, p. 302.

(50) A. Negri, *Ad Algeri ordine a ogni costo*, "Il Sole 24 Ore", 31 January 1992.

its hand to Algeria «at the opportune moment, that of our greatest problems and of the greatest risk»; an Algerian banker commented that Italians, whether government, banks, industry or private operators, had "swum against the current" when others were withdrawing, and that Rome had understood that the advance of the Islamists in the Maghreb could be stopped by reviving the Algerian economy, "the keystone of the region"(51).

Italian officials made no secret of the logic behind this commitment. Ambassador Badini explained that a weak Maghreb interested no one and that if Italy wanted it to become a strong partner it had to become an exporter of goods, adding that this was a deliberate choice. The same line was shared by many other European and North African states, as emerged from the "Monitor Europa-Africa '92" conference held under the patronage of the Prime Minister's Office and the Foreign Ministry in May 1992, whose participants hoped for a "New Deal of the Mediterranean", a political and economic solution that would coordinate a new "Euro-Arab-Balkan space"(52). What this language reveals is a conception of security that was developmental rather than coercive: the stability of the southern shore was to be obtained by fostering exports, investment and integration, not by supporting one or another faction by force.

The political environment continued to deteriorate. The liberalisation begun by Chadli and continued by the veteran nationalist Mohamed Boudiaf, who was recalled from exile to preside over the High State Committee,

(51) T. Sansa, *Ma i capitali italiani non temono i mullah*, "La Stampa", 9 February 1992.

(52) F. De Lucia Lumeno, *op. cit.*, p. 302.

was disliked by radical Islamists and also by military traditionalists. Italian optimism was visibly dampened on 1 July 1992 by the images of the president of the Senate, Giovanni Spadolini, at the funeral of Boudiaf, killed by a member of the security services during an official speech at Annaba. In the impressions that Spadolini gave to "La Stampa" in August, Boudiaf was like the Italian prosecutor Giovanni Falcone, the symbol of a nation free from corruption and illegality, an irreproachable fighter opposed by many and perhaps by all, eliminated so that he would trouble no one any more(53). Badini remembered that Italy had been seen at that time as the country that more than any other responded to Algeria's need to diversify its international relations, then still too dependent on France, and that Boudiaf, who had retired to Morocco and knew little of Algeria's recent foreign policy, regarded Italy as a pleasant surprise, free of colonial suspicions and without a past to be forgotten(54).

After Boudiaf's death, the High State Committee was headed by Ali Kafi, and the government was entrusted to a friend of Italy, the founder of Sonatrach and former minister of industry and energy, Belaïd Abdesslam, with whom a new investment code favourable to foreign capital was adopted. The code was presented in Genoa in April 1993 and in Rome a few months later by Algerian ministers and central bank officials; it offered the maximum tax relief to foreign entrepreneurs provided that they exported 80 per cent of production. Italy took immediate advantage,

(53) G. Spadolini, *Boudiaf come Falcone*, "La Stampa", 2 August 1992; *Algerians Face Renewed Turmoil*, "The Christian Science Monitor", 1 July 1992, https://www.csmonitor.com/layout/set/amphtml/1992/0701/01022.html.

(54) F. De Lucia Lumeno, *op. cit.*, p. 301.

agreeing with the Algerian government on the avoidance of double taxation, although SACE's cover for investments in Algeria was rationed because of the limited repayment of the insured credits already granted[55].

4.3. *The paradox of Italian credit and the Algerian grievance*

These developments exposed a paradox that would recur throughout the decade. Italian policy treated credit and economic support as an instrument of security, yet the instruments that implemented it were run by institutions with their own, more cautious logic. SACE's climb through the risk categories meant that, from 1993, Algeria no longer saw insured the operations of Italian firms, which held concluded and signed contracts that could not be executed because they were not guaranteed. The Algerian authorities underlined their discomfort. As the minister of the economy, Mourad Benachenhou, put it, Algeria was not opposed to a rebalancing of the trade balance between the two countries, since it exported much more to Italy than it did to France, but Paris had not ceased to extend its export-credit lines. What the minister overlooked was that Italy was the only state to have agreed to a bilateral agreement for the restructuring of 2.7 billion dollars of debt, and that Italian exposure to Algeria remained at 10,000 billion lire[56].

Part of the Algerian resentment was a legacy of the era of Prime Minister Bettino Craxi, when considerable investments had been promised that were then never realised. Ambassador Armellini, who served in Algiers between

(55) F. De Lucia Lumeno, *op. cit.*, p. 303.

(56) A. Negri, *Algeri, una ricchezza divorata dai debiti e dalla corruzione*, "Il Sole 24 Ore", 23 November 1993.

1998 and 2000, observed that the Craxi governments had been a period of strong commitment to Algeria, including financial commitment, which was subsequently arrested, partly because of the civil war and partly because most of the promised financial package was never actually delivered(57). Nor was the Italian predicament eased by commentary in the Italian press. In January 1992 the Moroccan writer Tahar Ben Jelloun noted in "Corriere della Sera" that Italy could not be sure whether the aid granted to Algeria the previous year would be used by the FIS to build mosques rather than motorways(58). The remark, ironic or painful, captured the problem that all credit-based security strategies face: the donor does not control the use of what it gives.

The debt restructuring had a further significance in the European context. Italy was the only state that had agreed to a bilateral restructuring of Algerian debt, which placed it in a different position from the other creditors, France above all, whose export-credit lines to Algeria had not been interrupted(59). This detail shows the extent to which the Algerian crisis was also a competition among creditors in which each European state sought to avoid being the one that bore the cost of keeping Algeria afloat, while also seeking to avoid being left out when the situation stabilised.

4.4. *A security vision for the Mediterranean*

At the same time, Foreign Minister Beniamino Andreatta argued that Italy's mobilisation towards the south was a

(57) F. De Lucia Lumeno, *op. cit.*, p. 305.

(58) T. Ben Jelloun, *A scuola di democrazia*, "Corriere della Sera", 13 January 1992, p. 1.

(59) F. De Lucia Lumeno, *op. cit.*, p. 304.

necessity. The end of the Cold War, he said, had brought about «the termination of automatic alignments and positional privileges», and Italy had to "operate, demonstrate and qualify itself" through its presence and weight in the international context if it were to avoid marginalisation. Since only the European Union could guarantee Italian national interests, Italy had to play a constructive role within it[60]. In the Italian-French talks, moreover, the Mediterranean counterpart of the Conference on Security and Cooperation in Europe was relaunched, in view of the Italian chairmanship of the CSCE[61].

Italian policymakers also cultivated economic projects of great ambition, among them a "NAFTA for the Mediterranean", a free-trade agreement on the model of the one between the United States, Canada and Mexico. The idea was discussed at a closed-door meeting of the Aspen Institute Italia attended by international experts and leading Italian figures, among them Giuliano Amato, Paolo Baratta and Franco Bernabè. The discussion headed towards the proposal of a customs union for the region and of an international authority for the Mediterranean, a kind of supranational bank that would favour the rationalisation of the use of the energy produced in the region, the definition of common rules and contracts, and the creation of joint ventures for the use of raw materials[62]. Disparities within the region in terms of culture, economy, technology and development were very large, but the general attitude towards the project was positive. It was never realised,

(60) Ministero degli Affari Esteri, *Testi e documenti 1992*, Ufficio Studi, Roma 1993, pp. 292-295.

(61) F. De Lucia Lumeno, *op. cit.*, p. 305.

(62) E. Occorsio, *Mediterraneo, il prossimo mercato comune*, "la Repubblica", 21 January 1994, p. 6; F. De Lucia Lumeno, *op. cit.*, p. 306.

but it shows how Italian policymakers conceived the relationship between economics and security: the institutionalisation of economic cooperation was the means of stabilising the Mediterranean and of increasing Rome's weight in the evolving European context.

5. The second war of Algeria: foreigners as targets, 1993-1994

5.1. *The ultimatum and the survival of the Italian community*

While the tenth anniversary of the Trans-Mediterranean pipeline was being celebrated, Italian nationals were being induced to return home: the "second war of Algeria" had begun, the harshest phase of the extremists' campaign against foreigners, alongside a true civil war(63). The Algerian government sought to attract foreign capital, while the Islamist militants killed foreigners; the more the institutions tried to restore order by force, the more the extremists fed chaos. Many Community nationals were evacuated, and Italian companies had urged the families of their employees to leave the country after three foreign technicians (a Peruvian, a Filipino and a Colombian) employed by the Italian company Sadelmi were kidnapped at Tiaret in October 1993 and found dead two days later(64). The Armed Islamic Group (GIA) launched in the autumn of 1993 an ultimatum: foreigners had to leave the country by 1 December or be treated as targets. The crisis unit of

(63) F. De Lucia Lumeno, *op. cit.*, p. 304.

(64) *Trucidati sette marinai italiani*, cit. (sidebar *Una catena di orrori: 44 stranieri uccisi in meno di un anno*); F. De Lucia Lumeno, *op. cit.*, p. 304.

the Italian Foreign Ministry immediately went into action, and by the end of the year all Italian nationals who were not indispensable to the completion of ongoing projects had returned home, while the private security measures protecting Italian companies were strengthened. There was no intention of leaving, because the investments were too high to abandon(65). According to the US State Department, 63 foreigners were killed by the Armed Islamic Group in Algeria in 1994 alone(66).

The position of the Italian embassy in Algiers is an important element of the story. While France and other European states reduced their diplomatic footprint after the GIA's assassinations of foreigners, the Italian embassy retained its full operational capacity, even though other economic operators had widely abandoned the country(67). The persistence was not mere bureaucratic inertia. It reflected a strategic assessment that Italian energy and commercial interests required continuous diplomatic presence in order to be well placed for reconstruction. The community that remained, composed of technicians of enterprises, export-credit consultants and managers, numbered 549 people in 1994, in a country, as the Italian account puts it, where death was a certain option; their presence was to give credibility to the recovery plans of the Algerian

(65) *Taking Cover in Algiers as Militants, Regime Trade Blows*, "The Christian Science Monitor", 5 January 1994, https://www.csmonitor.com/layout/set/amphtml/1994/0105/05032.html; P. Schmidlin, letter to M. Tremaglia, 21 November 1994, AFUS, fund "Mirko Tremaglia", box 130, file 397; F. De Lucia Lumeno, *op. cit.*, p. 304.

(66) U.S. Department of State, *Patterns of Global Terrorism: 1994*, Washington (DC), April 1995, Middle East overview, https://irp.fas.org/threat/terror_94/midleeast.html.

(67) P. Schmidlin, letter to M. Tremaglia, cit.

government[68]. Diplomatic documents and press coverage from the period emphasised the expectation that Italian firms would take the place of other economic operators in the post-war era, in particular French firms whose withdrawal had created a vacuum[69]. For the purposes of this chapter the significance of the Italian community is that it was at once a referent object of security, whose protection justified repatriation and private security, and an instrument of strategy, whose presence demonstrated commitment to the partner state. These two functions were in constant tension.

5.2. *The Lucina massacre and its political consequences*

The tension became unbearable on the night of 7 July 1994, when seven Italian sailors were murdered on board the motor vessel *Lucina*, which transported semolina and was berthed in an Algerian port[70]. The Italian press asked whether trade could be pursued when the price was as infinitely high as human lives. Under the headline "Too high a price", the *Giornale d'Italia* argued two days later that Italians were paying, on the one hand, the price of the hostility and mistrust of peoples to whom "we ex-colonialists" had once given freedom and who did not forgive the way in which they had been left to their fate, and, on the other, the price of being among the objects of hatred the

(68) F. De Lucia Lumeno, *op. cit.*, p. 307.

(69) *L'Italie entend maintenir une présence économique forte*, cit., p. 4; A.F. Cooper (ed.), *Niche Diplomacy*, cit., pp. 5-8.

(70) Senato della Repubblica, *Comunicazione del governo sull'uccisione dei marittimi italiani in Algeria*, cit., 7 July 1994; *Chronologie contemporaine: Algérie. 7-22 juillet 1994*, Encyclopædia Universalis, https://www.universalis.fr/chronologie/algerie/1994/1/.

most submissive and the most uncertain[71]. The spokesman of the Foreign Ministry hastened to say that the event should not «disturb relations between Italy and Algeria», but the authorities immediately suspended the granting of new authorisations for the dispatch of Italian workers to Algeria[72]. Technical risk assessment had overtaken the political imperative of continuity, at least temporarily.

Undersecretary Caputo, summoned by the Senate and the Chamber of Deputies to report on behalf of the government, offered the clearest official statement of the logic of the attacks. «Terrorism tends to destabilise the Algerian state by striking foreigners who contribute to the functioning of its services», he said[73]. The aim of Islamist extremism was to provoke the economic self-strangulation of the governments that opposed it, so as to exploit the deterioration of the economic situation to increase discontent and recruit new terrorists, and to isolate those governments internationally so as to bring them down. A few days earlier, at Alexandria, the informal forum of Mediterranean foreign ministers, in which Antonio Martino had taken part for Italy, had concluded its work by calling for greater economic cooperation and an effective fight against terrorism[74].

The Italian public might have asked why the extremists should strike at a friendly Italy that did so much to promote European solidarity with North Africa and that was its principal commercial partner. The answer lay in the

(71) F. Simeoni, *Un prezzo troppo alto*, cit., p. 1.

(72) Senato della Repubblica, *Comunicazione del governo sull'uccisione dei marittimi italiani in Algeria*, cit., 7 July 1994.

(73) Camera dei Deputati, Terza Commissione, *Resoconto stenografico*, cit., 12 July 1994.

(74) F. De Lucia Lumeno, *op. cit.*, p. 309.

very logic of the attacks: the more Italy's economic presence contributed to Algeria's survival, the more it became a target. The authorship of the massacre was disputed between the regime and the FIS, whose spokesman declared that his party had "nothing against Italy" and indicated the regime itself among the instigators of the execution(75). In the end it was understood that neither the regime nor the Islamist party could do anything. The first to be accused were the fanatics of the GIA, a splinter of the Islamic universe beyond the control of any force(76). The episode left a lasting mark on Italian perceptions. In the tense climate of 1997, when the press reported the alleged confessions of a former Algerian secret agent who attributed the killing of the *Lucina* sailors to manoeuvres within the Algerian government and not to the fundamentalists, Italian ministers reacted so hastily that relations between the two countries reached their lowest point, a story to which we return in section 10(77).

5.3. *Italy, the G7 and the debate about withdrawal*

The *Lucina* massacre coincided with the G7 summit in Naples, and the methods to be applied in Algeria were not shared among the participants. On one side stood France, determined to back the strong-arm methods of the Algerian government; on the other stood Italy, aligned with the position of the United States, which favoured

(75) B. Stefanelli, *Noi del Fis condanniamo. È tutta opera del regime*, "Corriere della Sera", 8 July 1994; S. Citati, *Se ci aiuterete fermeremo i terroristi*, "la Repubblica", 10 July 1994.

(76) F. De Lucia Lumeno, *op. cit.*, p. 310.

(77) F. De Courten, *Diario d'Algeria (1996-1998)*, Rubbettino, Soveria Mannelli 2003.

dialogue with all non-extremist political elements. At least in the official communiqués, the latter line prevailed, and it did not entirely reassure the Algerian government, which feared foreign interference and pressure for the recognition of the FIS[78]. Within Italy there was no unanimity on how wide the opening demanded of Algiers should be: for some, dialogue with the unarmed opposition would suffice; for others the extremists too should be addressed. Algiers, already agitated by the possible withdrawal of all Italians that had been hypothesised by the chairman of the Foreign Affairs Committee of the Chamber of Deputies, Mirko Tremaglia, and subsequently by Minister Martino, felt even weaker in the face of demands for an opening towards the opposition. Delegitimised at home, it counted on foreign support to continue; if that were to fail, it would not have the means to sustain itself[79].

Martino's own position was very clear. In his words, the Algerian government lacked real legitimacy, having stolen the electoral result from the Islamic Salvation Front, and it survived only thanks to aid; this was an embarrassing situation from which one could emerge through a transition whose natural outcome would be new elections[80]. At the end of July the Italian ambassador in Algiers, Patrizio Schmidlin, was summoned by the Algerian authorities to explain a further compromising statement by Martino to "Le Monde", in which he had maintained that the situation would have been much better if the FIS had been

(78) G7 Chairman's Statement, Naples, 10 July 1994; *The President's News Conference in Naples*, in *Public Papers of the Presidents of the United States. William J. Clinton, 1994*, Book I, p. 1228.

(79) F. De Lucia Lumeno, *op. cit.*, p. 309.

(80) Ministero degli Affari Esteri, *Testi e documenti 1994*, Ufficio Studi, Roma 1995, p. 160.

given the opportunity to win the elections[81]. Yet a few days after one of these declarations the Foreign Minister had to announce a plan for the repatriation of Italian nationals from Algeria, because another technician had been killed. Martino later defended his line as having been well received internationally: both at the Naples summit and in the interview with "Le Monde", he said, he had affirmed that popular forces willing to repudiate terrorism and violence could not be kept out of the political dialogue; the line had been incorporated in the final declaration of the summit and had been accepted in Algiers, where the High State Committee had released the two main leaders of the FIS and was moving in the direction of dialogue. The only way to solve the problem of fanaticism, he added, was to relaunch the economy of North Africa, since without trade there is no development and without widespread prosperity it is hard to have true peace[82].

The official Italian position was summarised by Caputo in a statement that has become emblematic of the period. At the present time, he said, it was in the interest of Italy, of the West and of the whole world to continue to support the Algerian government, within the limits of the possible, because the alternative would be much worse; this was not an ideal solution and it was not even certain that it would be a winning one, but it was the only possibility available[83]. Italy's allies, with the exception of France, shared this view. France remained alone in its strenuous defence of the Algerian

(81) M.-C. Decamps, J.-P. Langellier, *Italie. Un entretien avec le ministre italien des affaires étrangères Antonio Martino*, "Le Monde", 20 July 1994, p. 3.

(82) A. Martino, *Non è un'Italia piccola piccola*, "la Repubblica", 9 October 1994.

(83) Camera dei Deputati, Terza Commissione, *Resoconto stenografico*, cit., 12 July 1994; F. De Lucia Lumeno, *op. cit.*, p. 310.

government and was livid at what it believed to be the support that the Americans, the British, the Germans and the Italians were giving the fundamentalists(84). The Italian formula was one of "facilitated neutrality": publicly calling for dialogue to satisfy normative pressures, while doubling down privately on the economic and political support that the regime required to avoid the self-strangulation Caputo had described. It was also, in the language used by Italian officials, an acknowledgement of the nightmare of having the gas tap turned off(85).

6. Divergent security logics: Washington, Paris and the European middle, 1994-1995

6.1. *The American position and the Italian alignment*

The Italian preference for dialogue was not the product of an autonomous Italian doctrine. It was, to a considerable degree, a reflection of American policy, which in 1994 shifted towards the view that the military regime could not win the conflict without a political opening. The "Washington Post" reported in May 1994 that the United States was changing its approach to Algeria as the Islamic movement grew, and "The New York Times" argued in July that dialogue could save the country(86). The shift was driven by a conviction that

(84) F. De Lucia Lumeno, *op. cit.*, p. 310; on the American position see also D. Williams, *U.S. Shifts Approach to Algeria as Islamic Movement Builds*, "The Washington Post", 18 May 1994, pp. A31, A35.

(85) Camera dei Deputati, Terza Commissione, *Resoconto stenografico*, cit., 12 July 1994.

(86) D. Williams, *U.S. Shifts Approach to Algeria*, cit.; *Dialogue Can Save Algeria*, "The New York Times", 16 July 1994, p. 20; H. Darbouche, Y. Zoubir, *The Algerian Crisis in European and US Foreign Policies: A Hindsight Analysis*, «Journal of North African Studies», 14, 2009, pp. 33-55.

the regime's lack of legitimacy was a principal cause of the violence, and it was supported in Washington by academic voices such as those of Andrew Pierre and William Quandt, who urged in January 1995 a "contract" with Algeria in which Western support would be tied to political reforms[87]. The Italian government's decision to align itself with the United States, and not with France, thus gave its policy an external anchor. As the Italian account of the period puts it, Rome had chosen to follow, and slightly to soften, Washington's footsteps towards the Algerian government[88].

American motives were not purely normative. In February 1995 the correspondent of "Corriere della Sera", Guido Santevecchi, noted between the lines that a multi-billion-dollar contract for the construction of a new gas pipeline between Algeria and Europe had just been signed and awarded to the American company Bechtel, which, he wrote, was one of the reasons why Washington was also betting everything on negotiation[89]. The observation is useful because it dispels a simple opposition between interest-driven Europeans and principled Americans. Every external actor combined a security concern, a normative position and an economic stake, and the question is how these were ordered. In the American case the order was one of cautious alignment: welcoming dialogue without committing to enforce it[90].

(87) A.J. Pierre, W.B. Quandt, *The "Contract" with Algeria: One Last Chance for the West to Help Stop the Civil War*, "The Washington Post", 22 January 1995, p. 35.

(88) F. De Lucia Lumeno, *op. cit.*, p. 311.

(89) G. Santevecchi, *E Sant'Egidio vuol convertire i generali*, "Corriere della Sera", 8 February 1995.

(90) U.S. House of Representatives, Committee on International Relations, Subcommittee on Africa, *Terrorism in Algeria: Its Effect on the Country's Political Scenario, on Regional Stability, and Global Security*, hearing,

6.2. *The French paradox*

France offered the most striking contrast, and it is difficult to understand the Italian position without reference to it. Paris's policy during the crisis was marked by what Benjamin Stora has called the "Algerian taboo": the memory of the colonial war and of the large Algerian population in France rendered any open initiative politically toxic, and French governments oscillated between unconditional support for the secular government in Algiers and anxious withdrawal from political mediation(91). France's position was that the army was the only barrier against an Islamist state, and it was therefore irritated by what it perceived as the readiness of other Western governments to engage with the FIS. At the Naples summit, as we have seen, France remained alone in its defence of the Algerian authorities and, according to the Italian account, "livid" about the supposed support that Americans, British, Germans and Italians were providing to the fundamentalists(92). Even Ahmed Ben Bella, the first president of independent Algeria, told "Corriere della Sera" in November 1994 that the Italian policy of mediation was more intelligent than the French one, recalling the example of Enrico Mattei(93).

The consequences of this position were soon felt in France itself. During the interval between the two phases of

104th Congress, 1st session, 11 October 1995, U.S. Government Printing Office, Washington (DC) 1996.

(91) B. Stora, *La guerre invisible*, cit., pp. 234-267; C. Bonora-Waisman, *France and the Algerian Conflict. Issues in Democracy and Political Stability, 1988-1995*, Routledge, London 2003.

(92) F. De Lucia Lumeno, *op. cit.*, p. 310.

(93) G. Santevecchi, *Ben Bella invita al dialogo, ma ad Algeri si continua a morire*, "Corriere della Sera", 20 November 1994; F. De Lucia Lumeno, *op. cit.*, p. 313.

the Sant'Egidio meeting, Europe was frightened by the hijacking of an Airbus, which ended with the death of all the hijackers; the GIA, by now notorious for its ferocity and an absolute advocate of an Islamic state, regarded France as enemy number one precisely because of the unconditional support that it offered to the secular Algerian government(94). That support was above all economic, intended to keep alive the bloodless Algerian government, and in the view of Italian commentators it was probably the shortest road, but one that did not lead to the destination: there was a difference between investments for the growth of the country and widely distributed credits that entered the spiral of corruption and benefited only an oligarchy(95). The Islamologist Bruno Étienne told "Corriere della Sera" in July 1994 that France would have done better to support the project of a Security Council for the Mediterranean promoted by Italy's former foreign minister De Michelis, adding that the "five plus five" idea, which brought together Mediterranean states of both shores, could have been the beginning of a concrete strategy, that the Spanish government had agreed with it, and that the French «wanted nothing to do with it»(96).

The French case contributes a counterfactual to the analysis of Italian choices. The French approach, which consisted of unconditional diplomatic and economic backing for the military regime, did not accelerate the end of the conflict, and it did not spare France the attacks of the

(94) *Chronologie contemporaine: Algérie. 24-27 décembre 1994*, Encyclopædia Universalis, cit.; F. De Lucia Lumeno, *op. cit.*, p. 313.

(95) F. De Lucia Lumeno, *op. cit.*, p. 313.

(96) B. Stefanelli, *Un Consiglio per il Mediterraneo. L'Europa risponda così alle stragi*, "Corriere della Sera", 9 July 1994, p. 5; F. De Lucia Lumeno, *op. cit.*, p. 313.

GIA, which regarded it as enemy number one[97]. Italy, by contrast, maintained economic relationships that the adversarial French stance jeopardised. The contrast should not be overstated, since Italian policy was also unable to alter the course of events, but it suggests that the alternatives to the Italian approach were equally constrained.

6.3. *NATO, the Europeans and the problem of the interlocutor*

The Atlantic Alliance approached the problem from the perspective of the "southern flank", which in the post-bipolar world was discovered to be a "front". In February 1995 NATO decided to start a direct dialogue with Mediterranean countries on terrorism, the first time that the Alliance had openly undertaken a diplomatic initiative to stabilise its southern flank, which was increasingly exposed to threats of a military nature. The trench, as many repeated, ran through Algeria: if it fell to the fundamentalists, there would be a "domino effect" on the other countries of the area. Yet the Alliance's dialogue did not include the Algerian Republic as an interlocutor, perhaps because it was difficult to make decisions without siding with the government or against it[98].

The Europeans were no more united. The British, as the record of the Hurd–De Michelis conversation had already shown, favoured a coordinated European approach and were sceptical of Italian initiatives that might overlap with existing Western instruments. Germany and Spain had their own priorities, and the European Community

(97) B. Stora, *La guerre invisible*, cit., pp. 234-267; F. De Lucia Lumeno, *op. cit.*, pp. 313, 318.

(98) F.S. Larrabee, J. Green, I.O. Lesser, M. Zanini, *op. cit.*, pp. 45-56, 75-102; F. De Lucia Lumeno, *op. cit.*, p. 317.

as a whole had not developed a distinct line on Algeria, a failing that Ambassador Badini attributed to the limits of the Community's political planning[99]. It was against this background that some Italian voices urged a more activist posture. The Italian diplomat Giandomenico Picco, a former assistant to the UN Secretary-General, proposed in "Corriere della Sera" that France, the United States, Italy, Spain and some Arab countries should intervene in favour of dialogue between the two sides willing to negotiate, the FIS and the government, so as to remove them from the manoeuvres of the extremists, the GIA and the army: the choice, he argued, was not between government and opposition but between the forces favourable to negotiation and those favourable to the hard line[100].

6.4. *Algerian democrats and the Italian public*

An important point, often missing in discussion of external policies, is that the advice of foreign governments was not unanimously welcomed even by those Algerians who were most hostile to the regime's methods. Writing in "La Stampa" in April 1995, Barbara Spinelli observed that in the villages affected by the anti-terrorist raids there was bewilderment but no solidarity with the fallen fundamentalists, and in some cases even relief, not because the government of Zeroual had suddenly become popular but because armed fundamentalism weighed on the life of each person in an ever more bloody and suffocating way in the regions that escaped the control of the central state. That

(99) Foreign and Commonwealth Office, record of the conversation between De Michelis and Hurd, cit.

(100) G. Picco, *Sosteniamo i moderati nei due campi*, "Corriere della Sera", 30 May 1995.

was the reason, she added, why Algeria's democrats and secularists were so mistrustful and irritated when Westerners talked about armed fundamentalism as if it were a political opinion and not a crime[101]. Some months later a book by the journalist Giuliana Sgrena accused the Italian left of blindness towards the Islamic world, and a television journalist's inquiry reached similar conclusions[102]. These interventions show that the Italian debate about Algeria was itself part of the securitization process: the question of whether the FIS was a legitimate political actor or a threat to civilisation was contested within the Italian audience as well as between governments.

The Italian public, moreover, learned in this period that the Algerian crisis was not remote. Ordinary Italians continued to read of fanatics and ferocious terrorists in the newspapers and on television, relieved to think that a sea and an almost unbridgeable gap separated the two countries. In the end, they discovered that extremists could be their neighbours, as we shall see in section 8.

7. The Sant'Egidio Platform: mediation, sovereignty and the limits of facilitated neutrality

7.1. *The Colloque sur l'Algérie*

The most ambitious attempt to alter the course of the war from outside took place in Rome. Between 21 and 22

(101) B. Spinelli, *Se l'ovest alza le braccia*, "La Stampa", 4 April 1995; F. De Lucia Lumeno, *op. cit.*, p. 315.

(102) M. Serri, *Una giornalista del Manifesto denuncia: compagni, abbiamo equivocato. Sull'Islam sinistra sei cieca*, "La Stampa", 14 December 1995; F. De Lucia Lumeno, *op. cit.*, p. 316.

November 1994 the Community of Sant'Egidio, a Catholic lay association based in Rome, convened a *Colloque sur l'Algérie*, which was not organised by the Italian government[103]. The Community was not, as it was often said, the long arm of the Vatican; it had a track record in conflict resolution, most notably the 1992 Rome General Peace Accords that ended the civil war in Mozambique, in which it had facilitated negotiations between the government and the rebel movement RENAMO[104]. The Algerian initiative was not intended, in the words of its organisers, «to create a negotiating table, but to offer a space in which Algerian leaders of different sensitivities and of the most important political parties present their ideas on the evolution of the country»[105]. Representatives of all parties, including the FIS, of the trade unions, of the government and of the High Islamic Council were invited.

The conditions in Algeria differed radically from those in Mozambique. There, both belligerents had accepted third-party arbitration; in Algeria, the military regime framed the Islamist opposition as existential terrorism, not as a political adversary, and thereby foreclosed the model that had previously succeeded[106]. After weeks of silence, on the eve of the meeting the Algerian ambassador in Rome complained about interference in the internal affairs of the nation: Algeria, he said, had all the conditions for a

(103) M. Impagliazzo, M. Giro, *Algeria in ostaggio*, Guerini e Associati, Milano 1997, p. 63 ff.

(104) R. Morozzo Della Rocca, *Mozambico. Una pace per l'Africa*, Leonardo International, Milano 2002; P. Anouilh, *Sant'Egidio au Mozambique: de la charité à la fabrique de la paix*, «Revue internationale et stratégique», 59, n. 3, 2005, pp. 9-20.

(105) M. Impagliazzo, M. Giro, *op. cit.*, p. 63.

(106) *Ibid.*, pp. 287-303; L. Nathan, *When Push Comes to Shove*, cit., pp. 1-23.

confrontation within its own borders, and the initiative of Sant'Egidio was considered inappropriate. Expressing the hope of not altering relations with Italy and the Holy See, which he considered promoters of the event, the diplomat could not ignore the support that Minister Martino had expressed[107].

7.2. *Facilitated neutrality*

The Italian position can be described as "facilitated neutrality". On the sidelines of the plenary assembly of the General Council of Italians Abroad, Martino told the press: «Initiatives of this kind are welcome. We hope that they will produce concrete results». The Italian government had also facilitated the entry into Italy of several participants, not least Anwar Haddam, head of the FIS parliamentary delegation abroad, who arrived from Washington and was subject to an international arrest warrant issued by the Algerian authorities[108]. At the same time Italy extended neither formal diplomatic protection nor institutional endorsement to the FIS platform. The presidential message for the Algerian national holiday of 1 November 1994, sent through the Foreign Ministry by telegram, went beyond the customary formulas of friendship between the two nations to express «the hope of a future of national harmony and economic and social progress», implicitly linking political normalisation to the economic continuity already operationalised in the energy sector[109].

(107) M. Impagliazzo, M. Giro, *op. cit.*, pp. 69-70.

(108) *Ibid.*, p. 68.

(109) Ministero degli Affari Esteri, outgoing telegram n. 456 to the Embassy in Algiers, 27 October 1994, ASPRI, Affari Diplomatici, box 783, file "Algeria".

During the *Colloque* the Italian institutional presence was deliberately minor. The mayor of Rome, Francesco Rutelli, opened proceedings with a brief greeting, and the chairman of the Senate Foreign Affairs Committee, Giangiacomo Migone, participated and relaunched the meeting despite his admission of pressures against the event. Meanwhile the Italian ambassador, Patrizio Schmidlin, and the Apostolic Nuncio in Algiers, Mgr Edmond Farhat, were urgently summoned by the Algerian foreign minister to receive a formal protest against interference in a national problem, even though neither Italy nor the Holy See was involved in the events(110). The choreography, in which logistical facilitation was combined with the dispersion of institutional responsibility among municipal, parliamentary, religious and diplomatic actors, was an attempt to create political room for manoeuvre while protecting the economic relationship.

7.3. *The Platform of 13 January 1995*

The party representatives accepted the proposal gladly despite the disapproval of their leaders. The first sessions struggled to be constructive because of continued accusations against the military and the leadership, but the FIS realised that there was not a single interlocutor in Algeria and that civil society was much more complex and had to be heard, which was an opportunity to strengthen its political wing as against its armed one. The meeting was appreciated by the United States, which had always proposed this line, and probably for that reason the Italian

(110) M. Impagliazzo, M. Giro, *op. cit.*, pp. 70-71; F. De Lucia Lumeno, *op. cit.*, p. 312.

authorities too encouraged it[111]. After a pause in which the hijacking of the Airbus shook Europe, the parties met again in Rome in mid-January 1995 and produced the *Platform for a Political and Peaceful Solution to the Algerian Crisis*, dated 13 January 1995. It was signed by representatives of the FIS, the Front des forces socialistes (FFS) and the FLN, among others, who together had received about 80 per cent of the votes in the cancelled elections of December 1991, and it centred on four principles: democracy, alternation in power, respect for human rights and the rejection of violence[112]. It renewed the call for a "global, political and equitable solution" based on a genuine negotiation with the government and took up Zeroual's idea of a national conference, but with real powers, to manage the transition to new elections.

The international response was favourable in its words and cautious in its commitments. The United States, through Principal Deputy Assistant Secretary of State David Welch, acknowledged that the Platform could serve as a basis for discussion of a process by which the crisis could be brought to a peaceful conclusion, while avoiding advocacy of any specific solution[113]. The European Parliament adopted on 19 January 1995 a resolution that welcomed the Rome negotiations and asked the Council to propose joint action to help Algeria out of the conflict[114]. Days later, the Union

(111) F. De Lucia Lumeno, *op. cit.*, p. 312.

(112) *Plate-forme pour une solution politique et pacifique de la crise algérienne*, 13 January 1995, https://archive.santegidio.org/archivio/pace/algeria_19950113_FR.htm (accessed 14 September 2025); M. Impagliazzo, M. Giro, *op. cit.*, p. 63.

(113) D.C. Welch, testimony, in *Terrorism in Algeria*, cit., 11 October 1995.

(114) European Parliament, *Resolution on the situation in Algeria*, B4-0032/95, 19 January 1995.

issued a declaration that the new Italian foreign minister, Susanna Agnelli, admitted was "of Italian origin", adding that it showed «a more articulate attention to the crisis in the European and Western field». Receiving her Algerian counterpart, Mohamed Salah Dembri, Agnelli stressed the hope for a peaceful solution through dialogue among all components of civil society that rejected terrorism and violence(115). The formula, which welcomed dialogue and at the same time excluded "terrorist" components, tried to bridge the irreconcilable Algerian position that any negotiation with the representatives of the FIS was a negotiation with terrorists. The French government declared its support for the "peace of Rome", although in practice its unconditional backing of the regime continued(116).

7.4. *Algerian sovereignty as structural barrier*

The Algerian institutions received the Platform with contempt. The term "Sant'Egidio" came to denote a current of political thought, one of the components of the Algerian picture, disliked by the government, and the proposals that came out of the meeting were seen as an imposition from outside, an anti-nationalist construction that wanted to internationalise an internal question. Ambassador Armellini recalled that the Algerians were «firmly convinced that the Italian government was providing support», which they saw not so much in terms of an ethical-ideological involvement as in terms of an attempt «to insert itself into the internal political discourse

(115) Camera dei Deputati, Terza Commissione, *Resoconto stenografico*, 23 February 1995; Ministero degli Affari Esteri, *Testi e documenti 1995*, Ufficio Studi, Roma 1996, pp. 131-132, 300; F. De Lucia Lumeno, *op. cit.*, p. 315.

(116) *Parigi appoggia la pace di Roma*, "Corriere della Sera", 2 February 1995, p. 6.

in order to gain merits and to arrive at a situation in which the system of power would be replaced by another, in some way more favourable to an Islamic presence but also much more tied to Italy»[117]. Whether accurate or paranoid, this perception reveals the sovereignty trap that confronted middle-power mediators: even non-governmental initiatives on the territory of a third state were assimilated to governmental strategy, and "facilitated neutrality" became indistinguishable from interference in the target state's political imagination.

The government's counter-proposal was to hold presidential elections in the presence of international observers. The parties assembled in Rome refused. They feared fraud, they held that the general situation had to be settled first, and they were convinced that the new head of state should be the expression of the winning party and not the other way round[118]. The Platform thus failed on the question that had defined the conflict since 1992, the relationship between the ballot box and the barracks. The merit of Sant'Egidio, as the Italian account sums it up, was to have taught the FIS pluralism, to have softened in part the paradox that the party with the greatest electoral strength was excluded from government and banned, and to have indicated clearly that the road to peace passed through a democratic restructuring of power[119].

7.5. *Parliamentary diplomacy and the Tremaglia papers*

The Italian domestic reception of the Platform illuminates how security-related initiatives were distributed across institutions. Migone publicly called on the international

(117) M. Impagliazzo, M. Giro, *op. cit.*, p. 149.
(118) F. De Lucia Lumeno, *op. cit.*, p. 315.
(119) *Ibid.*

community to support dialogue among Algerians, and the Democratic Party of the Left deputy Piero Fassino submitted a parliamentary question asking Martino that Italy take a European initiative on the Algerian crisis[120]. These pressures, operating through the parliament and not through the executive, allowed the government to modulate its stance without assuming binding commitments. The papers of Mirko Tremaglia, chairman of the Chamber of Deputies' Foreign Affairs Committee, preserved in the archive of the Fondazione Ugo Spirito e Renzo De Felice, document the mechanisms by which parliamentarians sought to convert a non-governmental mediation into quasi-official diplomatic capital. On 23 November 1994 Tremaglia, accompanied by representatives of Sant'Egidio, received delegates of the FIS, the FFS and the FLN, among them the secretary-general of the FLN, Abdelhamid Mehri, who explicitly advised against any Italian government mission to Algeria because «the time was not yet ripe». Tremaglia's notes show that he recognised that the Italian government could not formally take a stance, and that he therefore proposed that the Foreign Affairs Committee of the Chamber work out a resolution on the international response to the Platform, concluding: «It requires courage in terms of parliamentary diplomacy, but I will take responsibility for it»[121].

7.6. *Why the Platform failed*

The failure of the Platform was overdetermined. First, the Algerian regime's characterisation of the FIS as terrorist

(120) M. Impagliazzo, M. Giro, *op. cit.*, p. 149.

(121) M. Tremaglia, letter to C. Goracci, 12 November 1994; M. Zuppi, note to M. Tremaglia, 22 November 1994; AFUS, fund "Mirko Tremaglia", box 130, file 398.

rather than political opposition removed the mutual legitimation that successful mediation requires; in Mozambique the belligerents had accepted the ecclesiastical neutrality of Sant'Egidio, whereas the Algerian military rejected any external arbitration as neo-colonial interference[122]. Secondly, the Algerian political imagination assimilated non-governmental initiatives on Italian soil to Italian governmental strategy. Thirdly, the international context, American caution, French paralysis and the inability of NATO to bring Algeria into Mediterranean security dialogues, offered no framework of coercion or incentives that could overcome Algerian sovereign refusal[123].

The American evidence is especially telling. While Welch's State Department had cautiously welcomed the Platform, Secretary of State Warren Christopher told members of Congress that neither the leaders of the regime nor the opposition groups would welcome an attempt by the United States or European governments to mediate between them and that it might be unwise to try to insert oneself into that situation[124]. If even the global superpower acknowledged that Algerian parties would not welcome external governmental mediation, Italy's decision not to go beyond facilitated neutrality appears not as a commercial subterfuge but as a recognition of the limits of what could be done. This does not mean that nothing could have been done differently: stronger conditionality on credit, a clearer Italian statement about the protection of civilians, or a

(122) P. Anouilh, *Sant'Egidio au Mozambique*, cit., pp. 9-20; L. Nathan, *When Push Comes to Shove*, cit., pp. 1-23.

(123) F.S. Larrabee, J. Green, I.O. Lesser, M. Zanini, *op. cit.*, pp. 45-56, 75-102.

(124) U.S. Congress, *Congressional Record*, 104th Congress, 1st session, vol. 141, 2 May 1995, pp. E899–E900.

more coordinated European policy would have been conceivable. But the sources consulted contain no evidence that any of them would have overcome the Algerian refusal, and there is evidence that they would have jeopardised the relationships on which the safety of the Italian community and the continuity of supply depended[125].

8. The conflict comes home: Algerian networks and the internal security of Italy

8.1. *From «a sea and an unbridgeable gap» to the neighbour next door*

Until the mid-1990s the Algerian war seemed to many Italians a distant phenomenon. The first signs that this perception was mistaken came from the police. On 3 May 1994 the Digos of the Perugia police headquarters arrested fifteen members of a logistic cell of the FIS that was being set up; on 11 November of the same year Carabinieri in Milan captured an Algerian wanted under an international arrest warrant for murder, criminal association and robbery, who was responsible for a large part of the arms trafficking from Europe to Algeria[126]. The arrests did not attract the attention of the press to the same degree as those that followed. In June 1995, twelve Algerians were arrested in Rome and an international terrorist network was dismantled that had its bases in Italy and ramifications in Belgium, France and Germany; in December it emerged that suspected terrorists were passing, by way of northern Europe,

(125) M. Impagliazzo, M. Giro, *op. cit.*, pp. 287-303; U.S. Congress, *Congressional Record*, cit., 2 May 1995.

(126) F. De Lucia Lumeno, *op. cit.*, p. 319.

from Milan to France, at the time the theatre of bloody attacks[127]. The significance that the press gave to these episodes was considerably greater than that of the previous ones, and for the first time Italian public opinion perceived that extremists could be their own neighbours.

Italy did not seem to be the direct target of the fundamentalists, but its military authorities continued to participate in joint counter-terrorism training operations, with the dispatch in 1994 of 1,300 men and numerous aircraft to Spain and the Mediterranean, after earlier simulations in France and Italy in 1992 and 1993[128]. This detail is a reminder that for Italian planners the internal security of the country and the regional security of the Mediterranean were conceived as part of the same problem, one that the Atlantic and European institutions had begun to treat under the heading of the "southern flank".

8.2. *The November 1996 arrests*

The most significant episode occurred in November 1996, when twenty-two Algerians were arrested in Italy, members not of a cell of fighters but of a true network of support for international fundamentalism that was involved in the attacks in Paris. They were mostly regular immigrants, with residence permits and real jobs, not cover occupations. The GIA militants in Italy had the task of purchasing weapons and transporting them to Algeria, providing lodging and false documents to their comrades, and raising funds to finance operations. It was suspected that the GIA had chosen certain Italian ports, Naples and Mazara del Vallo,

(127) *Ibid.*, p. 318.
(128) *Ibid.*, p. 319.

for shipping war material, since the traditional port of Marseille had become too tightly controlled by the French police[129]. The press took up the news under the heading that the "axis of terrorism" had been broken[130]. In response to these events, in addition to strengthening security operations in Italy, there was a natural call for the urgent ratification of the European Schengen agreement, in order to have better control of borders and immigration[131].

The episode shattered the appearance of normality that both the Algerian and the Italian governments had sought to project. The Italian sources show how quickly it entered the bilateral agenda. The Algerian government, for its part, made clear in 1997 that if Italy wished to help in stopping terrorism it could lift the arms embargo and supply sophisticated equipment for the struggle against the fundamentalists[132]. Internal security, arms policy and diplomacy were thus linked, and they were linked on Algerian terms.

8.3. *Italy as a rear base*

The Italian experience contrasts with the French one in an instructive way. France was the target of the GIA, which regarded it as the principal supporter of the Algerian regime; Italy was, with some qualification, a rear base. The distinction may help to explain why the French government securitized the Algerian conflict as a direct danger to

(129) *Ibid.*, p. 323.

(130) *Italia – Algeria, rotto l'asse del terrorismo*, "Il Sole 24 Ore", 8 November 1996, p. 7.

(131) F. De Lucia Lumeno, *op. cit.*, p. 323.

(132) Segretariato Generale della Presidenza della Repubblica, Ufficio per gli Affari Diplomatici, *Ambasciatore della Repubblica Democratica e Popolare, S.E. Hocine Meghar*, ASPRI, box 770, file "Credenziali. 30 ottobre 1997".

its own territory and its own population, while the Italian government could continue to emphasise the energy and economic dimensions and treat terrorism as a problem to be managed through policing and cooperation. The distinction was one of degree and not of kind, however: the arrests of 1996 showed that Italian territory, and Italian ports, were being used by the networks that supplied the war in Algeria and the attacks in France. Whether this experience contributed to the Italian turn towards the Algerian state in 1998, described in section 10, cannot be established from the sources available, which do not link the two explicitly.

9. Pre-Barcelona bilateralism and the Euro-Mediterranean security space

9.1. *The Brussels channel and the Sifi mission*

Scholars of Euro-Mediterranean relations generally treat the Barcelona Conference of November 1995 as the foundational moment of the European Union's engagement with the southern shore, and they treat the bilateral relations that preceded it as preparatory. The Italian case suggests a different reading. The transition from doctrinal commitment to operational diplomacy had already taken place in February 1994, when Foreign Minister Andreatta met his Algerian counterpart, Mohamed Salah Dembri, on the margins of the fourth session of the EU–Algeria Cooperation Council. Dembri assured Andreatta of measures «to relaunch internal dialogue» while expressing aspirations for «stronger ties with the Western world» and

for liberal economic programmes "in accordance with IMF recommendations". Andreatta's response, which linked support for liberalisation to an implicit conditionality on human rights, established what might be called an approach of "conditional economic continuity"[133].

This diplomatic encounter was followed by a visit that consolidated institutional mechanisms of economic support. The new Algerian Prime Minister, Mokdad Sifi, made a lightning visit to Rome in June 1994 to reassure Italy on the political situation of his country and to solicit new economic relations that would facilitate the presence of Italian firms. His programme included meetings with President Oscar Luigi Scalfaro, Prime Minister Silvio Berlusconi, the economic ministers and the president of Confindustria, Luigi Abete. Its substance consisted of three requests: public guarantees enabling operations in high-risk Algeria, preferential contracts in the energy sector and Italian support for Algeria's international financial rehabilitation[134]. Sifi acknowledged the leading role of Italy in the region, a recognition consistent with the Algerian wish, which Ambassador Armellini noted for the later period, to use Italy as a counterweight in its relations with France[135]. Berlusconi's response, a commitment to «ex-

(133) Ministero degli Affari Esteri, *Testi e documenti 1994*, cit., pp. 24-25; on the historiography of Barcelona see A. Jünemann (ed.), *Euro-Mediterranean Relations after September 11. International, Regional and Domestic Dynamics*, Frank Cass, London 2003, pp. 15-32; H. Roberts, *The Battlefield Algeria 1988-2002. Studies in a Broken Polity*, Verso, London 2003.

(134) F. Aiazzi, *Il nuovo Governo italiano piace ad Algeri che chiede più collaborazione economica*, "Il Sole 24 Ore", 29 June 1994, p. 2; F. De Lucia Lumeno, *op. cit.*, p. 307.

(135) F. Aiazzi, *Il nuovo Governo italiano piace ad Algeri*, cit.; B. Stora, *La guerre invisible*, cit., pp. 245-256; A.F. Cooper (ed.), *Niche Diplomacy*, cit., pp. 5-8.

pand cooperation with North African countries and create a Mediterranean economic "hub"», set out an imaginary in which Italy was an infrastructural intermediary and not a colonial successor[136].

9.2. *The Milan contract and the logic of infrastructural security*

At the time of the visit, in the same month, the technical and commercial dimension materialised at the World Gas Congress in Milan, where SNAM and Sonatrach signed a twenty-year gas supply contract effective from 1996, which made Italy Algeria's first customer[137]. The contract was concluded at the moment of maximum civil-war violence, and it demonstrates the institutionalised character of energy relations. Commercial contracts proceeded independently of security conditions because energy supply had been framed as a strategic priority that transcended immediate risk assessments. Where French and British firms suspended operations because of the terrorist risk, Italian persistence generated a first-mover advantage in post-conflict positioning.

Economists describe such arrangements in terms of "asset specificity": when each party has invested in infrastructure that has no alternative use, mutual dependence creates a kind of hostage-taking that survives political turbulence[138]. In 1995 SNAM approached a group of banks, one of them Italian, one American and one Dutch, to obtain the guarantee needed to secure from the European Investment Bank a financing of 200 billion lire over twelve

(136) F. Aiazzi, *Il nuovo Governo italiano piace ad Algeri*, cit.

(137) F. De Lucia Lumeno, *op. cit.*, p. 308.

(138) E. Delbufalo, *Asset Specificity and Relationship Performance: A Meta-Analysis over Three Decades*, «Journal of Business Research», 134, 2021, pp. 105-121.

years for the doubling of the Algerian pipeline; the Italian government, a few weeks after the signing of the Rome Platform, signed an agreement with Algeria on the restructuring of Algerian debts to Italian firms and banks worth one billion dollars, thus cancelling the commercial dispute[139]. Undersecretary Caputo, returning from a mission to Algeria in which he travelled with Senator Migone and other members of the Senate Foreign Affairs Committee after the presidential elections of November 1995, expressed the resulting interdependence with unusual frankness: the Italian delegation had collected a great many requests for intervention, for help and for an Italian presence, the 12 per cent of Italian energy needs that already came from Algeria was destined to increase, and investing in that country was a risk and a great gamble but also an enormous opportunity for a future market in the Mediterranean. Democracy, in the Italian formulation of the period, could wait; business could not[140].

The vice-president of ENI for international projects, Giacomo Luciani, put the issue in terms that are worth quoting. There was, he said, a de facto dependence between Italy and Algeria: 30 per cent of Italian gas imports came from there, and the capacity of the pipeline had recently been doubled; if it were to fail, Italy would be without gas one day in three. Conversely, 35 per cent of what Algiers earned from exports was signed by SNAM. «That said, the idea that other forces might come to government does not

(139) F. De Lucia Lumeno, *op. cit.*, p. 318.

(140) Segretariato Generale della Presidenza della Repubblica, Ufficio per gli Affari Diplomatici, *Presentazione delle lettere credenziali dell'ambasciatore della Repubblica Algerina Democratica e Popolare S.E. Mohamed Ghoualmi*, ASPRI, Affari Diplomatici, box 768, file "Lettere credenziali. 27 maggio 1996"; F. De Lucia Lumeno, *op. cit.*, p. 320.

frighten us. What worries us is chronic instability»[141]. The statement encapsulates the Italian hierarchy of referent objects. The regime was not the object of the exercise; the object was continuity of supply, and it could be defended whoever governed Algeria, provided that they governed stably.

The relationship also had a more specifically security-related dimension. By 1996 SACE, though it had suspended cover in 1993, had begun to reopen insurance cautiously and progressively, with the intention of increasing it only if the country gave guarantees of recovery by the deadline of the second agreement on the consolidation of Algerian debt (31 May 1998). It was a significant step: Italian contracts in Algeria, many of them held by small firms, exceeded 2,000 billion lire in value and had been signed but were blocked awaiting SACE's guarantee. ENI made further investments in the oil sector, 33 billion lire, obtaining another area of 600 square kilometres of high oil potential. The Algerian press welcomed the news with approval, and the Algerian Prime Minister, Ahmed Ouyahia, said in Rome that his government was satisfied with the resumption of SACE guarantees and attached great importance to relaunching commercial relations with Italy[142].

9.3. *Barcelona and the redefinition of European security*

Meanwhile the European Union was attempting a large relaunch towards the south, not only from the economic but also from the political point of view. The leap was

(141) B. Stefanelli, *Elezioni e investimenti: "L'Italia scommetta sull'Algeria alla svolta"*, "Corriere della Sera", 22 September 1995, p. 11; F. De Lucia Lumeno, *op. cit.*, p. 320.

(142) *Algeria-Italia: il rilancio*, "El Watan", 31 October 1996; F. Aiazzi, *Algeri cerca partner italiani*, "Il Sole 24 Ore", 21 November 1996.

to be attempted at the Barcelona Conference of 27-28 November 1995, which was to concentrate on three areas of cooperation: security, political and cultural agreements, and economic and financial relations. The final Declaration, adopted by the ministers of the European Union and of twelve Mediterranean partners (Algeria was represented by its foreign minister, Mohamed Salah Dembri), inaugurated a programme of cooperation for the Euro-Mediterranean partnership, based on a multilateral approach that was not exclusively economic. Its aim was to define a common space of peace and stability by strengthening political and security dialogue, to create an area of shared prosperity through economic and financial partnership, and progressively to establish a free-trade area and bring peoples closer through a social, cultural and human partnership[143]. Its ultimate objective was the creation of a free-trade zone by 2010.

The Barcelona process embodied a particular theory of security. The Declaration itself described the peace, stability and security of the Mediterranean region as a "common asset" that the participants pledged to promote and strengthen by all means at their disposal[144]. With the end of the Cold War it was believed that European security could be threatened by socio-economic underdevelopment and by the absence of democratic and liberal political conditions, rather

(143) *Barcelona Declaration adopted at the Euro-Mediterranean Conference (27-28 November 1995)*, «Bulletin of the European Union», 11, 1995, Office for Official Publications of the European Communities, Luxembourg, https://www.cvce.eu/en/obj/barcelona_declaration_27_and_28_november_1995-en-0beb3332-0bba-4d00-bd07-46d8f758d897.html; F. De Lucia Lumeno, *op. cit.*, p. 321; J. Brach, *The Euro-Mediterranean Partnership: The Role and Impact of the Economic and Financial Dimension*, «European Foreign Affairs Review», 12, n. 4, 2007, pp. 555-579.

(144) *Barcelona Declaration*, cit.

than by military factors. The initiative was strengthened by the fact that the southern fringe of Europe found itself hosting 4.6 million immigrants, with the trail of terrorism that had reached France, and became aware of the economic potential of the southern shore and of the interest in a common initiative[145]. The literature on the Barcelona Process has debated whether it was a genuine departure or a continuation of earlier bilateral policies under a new label, and whether its security chapter was ever implemented in a form that mattered to Algeria[146]. The Italian experience suggests two cautions. The first is that the Process legitimised a template that had been established bilaterally: the "economic first" sequence that Italy had pursued since 1988, in which political dialogue followed, and was subordinate to, financial and commercial arrangements. The second is that it did little to address the security of Algerian civilians. In the formulations of the Declaration, security was a regional and inter-state matter, a question of preventing conflict between states and of managing the risks of terrorism, drugs and migration; the question of what to do in a state at war with part of its own population fell outside the categories.

An Italian observation from the period grasps the underlying difficulty. The political and economic perspectives were not simply two aspects of the same approach or two moments in the same phase; they were two close visions with potentially divergent consequences. In the

(145) F. De Lucia Lumeno, *op. cit.*, p. 321.

(146) G. Edwards, E. Philippart, *The EU Mediterranean Policy: Virtue Unrewarded or…?*, «Cambridge Review of International Affairs», 11, n. 1, 1997, pp. 185-207; H. Amirah Fernández, R. Youngs (eds.), *The Euro-Mediterranean Partnership. Assessing the First Decade*, Real Instituto Elcano–Fride, Madrid 2005; F. Attinà, *The Barcelona Process, the Role of the European Union and the Lesson of the Western Mediterranean*, «Journal of North African Studies», 9, n. 2, 2004, pp. 140-152.

framework of good politics, there are differences and divisions to be composed or defeated, but not denied; in an economic perspective, by contrast, there are only the categories of partner or competitor, which risk minimising differences. If Algeria were considered only a good commercial partner, there was a risk of understating the ideological scope of many choices(147). France and Spain took immediate advantage of Barcelona, competing for political and economic leadership in the area through both national and local policies, whereas Italy showed itself late, both in infrastructural investment and in its responses to the migration phenomenon(148).

10. Divisions and the reset, 1995-1998

10.1. *Waiting for Zeroual*

The presidential elections of November 1995, in which the favourite candidate was Liamine Zeroual himself, resulted in his victory. He had not been elected as a person, according to the Italian reading, but as the representative of a voice alternative to the violence of the GIA: the "yes" votes for Zeroual were "no" votes to terrorism. The president, however, took the result as a personal triumph and a legitimation of his government. In reality it was a demonstration of strength, with almost three-quarters of those eligible going to the polls, directed at those who had threatened to kill anyone who showed up at the ballot box. Europe, and Italy with it, took no position and merely watched

(147) F. De Lucia Lumeno, *op. cit.*, p. 321.
(148) *Ibid.*

and waited. Caputo admitted this clearly after the mission to Algeria on which he had travelled with Migone: what counted was to see what Zeroual would do next, whether he would relaunch dialogue with greater vigour or use the legitimacy conquered at the polls to continue as before. Italy, «like Europe, which has no specific position», was waiting to see which steps would be taken in the phase that should lead to the legislative elections(149).

The posture of observation was reinforced by an institutional factor. SACE's suspension of insurance cover, which dated from 1993 because of Algeria's worrying political and financial situation, continued to limit investments considerably. Other European states went on operating in Algeria with the support of their own insurance agencies, placing Italian companies at a disadvantage and making Italy, by contrast, appear less interested in trade. The Foreign and Treasury ministries both noted economic improvements that could justify the reopening of credit, but they considered that the decision had to be taken at the political level, and they understood that it would not come in the immediate future(150). The Algerian perception of a progressive Italian disengagement was thus well founded. The office of Diplomatic Affairs of the Presidency of the Republic acknowledged that the state of public order discouraged the presence of Italian firms and the very travel of businessmen, and that the Italian ambassador had

(149) Segretariato Generale della Presidenza della Repubblica, Ufficio per gli Affari Diplomatici, *Presentazione delle lettere credenziali*, cit., 27 May 1996; F. De Lucia Lumeno, *op. cit.*, p. 320.

(150) Ministero degli Affari Esteri, Direzione Generale Affari Economici, *Algeria. Scenario economico*, 1996, ASPRI, Affari Diplomatici, box 768; *Algeria. Nota informativa*, ASPRI, Affari Diplomatici, box 770, file "Credenziali. 30 ottobre 1997".

repeatedly reported with concern the complaints of his local interlocutors about an alleged Italian "inattention" to their country[151].

10.2. *The Algerian strategy of "normality"*

In order to maintain an aura of normality, the Algerian government devised two strategies. The first was a constitutional referendum in November 1996 to approve amendments that accentuated presidential powers, emptied the National Assembly of prerogatives and recognised Islam as one of the pillars of "national identity", along with the Arab and Berber components, in order to remove the political use of the religious and cultural factor from the hands of Islamic fundamentalists and Berber nationalists. Legislative and local elections followed a few months later[152]. The second strategy was to minimise the extent of the massacres committed daily by the fundamentalists. It was announced from many quarters that terrorism had been eradicated and remained only as a "residual" phenomenon, a claim that no one believed. It was true that the capital was better controlled and that many parts of the country were recovering, but this assessment was synonymous with a political, economic and cultural division of a state that thereby demonstrated that it was not united: there was a gap "between Algiers and Algeria" that the authorities did not intend to close, and it was in this space that the FIS had drawn support and militants and that the GIA insinuated itself to destroy the country, "sold to the infidels" in

(151) Segretariato Generale della Presidenza della Repubblica, Ufficio per gli Affari Diplomatici, *Presentazione delle lettere credenziali*, cit., 27 May 1996.

(152) F. De Lucia Lumeno, *op. cit.*, p. 323.

the capital and in the foreign factories well protected by the military(153).

For Italy the strategy had a double effect. It offered a reason to hope that the security situation would improve, which the elections of 5 June 1997 appeared to confirm. The ruling party, the National Democratic Rally, together with the FLN, obtained almost two-thirds of the seats in a parliament that was feared to be a replica of the old models of the 1960s. Almost at once, however, it became clear that there was a wind of novelty: the head of the FIS was released, in a strategy of isolating the extremists, and after a few months the armed formation of the Islamic Front announced a "unilateral ceasefire"(154). At the same time, the strategy of normality made it more difficult for foreign governments to raise questions about the conduct of the war. Any suggestion that the government should negotiate with the insurgents could be answered by pointing to the fact that all political formations, including moderate Islamic ones, were already represented in parliament.

10.3. *Ambassador De Courten and the divided executive*

In November 1996 Francesco De Courten arrived in Algiers as ambassador, sent, as he understood, to strengthen relations between the two countries, and found himself forced into absolute immobility. He met Algerian personalities to reassure them that he had received instructions to reinforce relations between the two republics and he told the Foreign Ministry that for Algiers three countries mattered at the moment, France, Italy and Spain, the Americans and

(153) *Ibid.*, p. 324.
(154) *Ibid.*, p. 326.

the British appearing to be engaged almost exclusively in the energy sector[155]. His diary records growing exasperation with what he saw as the absence of a policy: «Rome is silent about everything, does nothing, says nothing. It does not exist»[156].

The cause was a division within the Italian government that mirrored, and was fed by, the division on how to interpret the security situation. According to De Courten, Undersecretary Rino Serri and Boris Biancheri, then Secretary-General of the Foreign Ministry, favoured the government's original policy of dynamism towards Algiers, in support of the regime's struggle against terrorism, whereas Undersecretary Piero Fassino and the Director-General for Political Affairs, Amedeo De Franchis, held the "dialogist" positions of Sant'Egidio, which the Algerian leadership regarded as improper and unacceptable; Foreign Minister Lamberto Dini remained undecided[157]. Pulled in two opposite directions, Italian policy stood still. The organisers of the Rome colloquia, Impagliazzo and Giro, saw the matter from a completely different perspective and regarded the line of Dini, Fassino, Prodi and Deputy Prime Minister Veltroni as constructive; for them Sant'Egidio's initiative was fully "Italian"[158]. It was an incident in January 1997 that showed how fragile the position was. In an interview with "L'Unità" on 26 January, Fassino, speaking as a leader of his party and not as an undersecretary, reiterated the need

(155) F. De Courten, *op. cit.*, p. 34; F. De Lucia Lumeno, *op. cit.*, p. 322.

(156) F. De Courten, *op. cit.*, pp. 113, 292.

(157) F. De Courten, *op. cit.*, pp. 107, 157, 169, 201-202; B. Biancheri, *Perché è difficile intervenire; il caso Algeria*, "La Stampa", 18 October 1997, p. 1.

(158) M. Giro, M. Impagliazzo, *Pace in Algeria. Una speranza nata a Roma*, «Limes», n. 1, 1998, pp. 178-179.

for a negotiation among the Algerian political parties and for European intervention. The statement was seen as interference that could lead to a crisis between the two countries, and Prodi and Dini had to hurry to deny any official Italian initiative: «Algeria is an independent country and therefore we do not want to interfere in its internal problems», the Prime Minister declared from London(159).

Algerian irritation had other causes. The authorities were annoyed by the postponement of Dini's visit, by SACE's hesitations, by the suspension of Alitalia flights after the attack on the French Airbus and by the failure to complete the Fiat production at Tiaret. Ambassador Badini remembered the failure of the automobile operation with regret, as a missed opportunity to be the pioneer of the Algerian automobile industry; Armellini, De Courten's successor, explained that the suspension of the project was certainly due to the civil war but also to changed industrial priorities of the Turin group and to a different governmental orientation, and that the Algerians saw the withdrawn commitment of Fiat as a demonstration of the half-hearted commitment that Italy had towards their country(160). From the perspective of this chapter the Fiat episode is significant because it shows how the security discourse was inseparable from the symbolism of economic commitments. A factory that Algerians understood as an instrument of national pride and as a guarantee of Italian seriousness became, once abandoned, evidence of unreliability, and it weakened the credibility of Italian claims to be a partner in the stabilisation of the country.

(159) *Prodi smentisce una mediazione italiana*, "Il Sole 24 Ore", 1 February 1997; A. Negri, *Europa e America, solo voi potrete salvare l'Algeria*, "Il Sole 24 Ore", 25 February 1997; F. De Lucia Lumeno, *op. cit.*, p. 324.

(160) F. De Courten, *op. cit.*, pp. 139-141; F. De Lucia Lumeno, *op. cit.*, p. 325.

10.4. *Dini, Chambéry and the Algerian "closure"*

In July 1997 Dini wrote in "La Stampa" that after the East Italy should think of its neighbours to the south, and in September, perhaps feeling encouraged by earlier statements of the UN Secretary-General and the German foreign minister, he stated that although the premises for a mediation between the parties did not exist, the international community should apply all possible pressure in order to resolve the conflict in Algeria(161). A few days later, at the Italian-French summit in Chambéry, Dini, with Chirac's consent, pronounced himself in favour of dialogue between the parties to the conflict, possibly through the mediation of an Arab country. The Algerian reaction, described on the Italian side as a "firm closure", was one of open rebellion against attempts at interference in internal matters. The Algerian authorities reiterated to the Italian ambassador that any reference to dialogue implied a recognition of the importance of the terrorists and of their capacity to influence the fate of the country; they underlined that all political formations, even moderate Islamic ones, were already represented in parliament and that this was the place to discuss. Italy could not contribute to solving Algerian problems because they were the affairs of another state; if it wanted to stop terrorism it could lift the arms embargo and supply sophisticated equipment to the Algerian government(162).

(161) L. Dini, *Dopo l'est pensiamo ai nostri vicini del sud*, "La Stampa", 11 July 1997; F. Pantanelli, *L'Onu scopre l'Algeria*, "La Stampa", 26 September 1997.

(162) Segretariato Generale della Presidenza della Repubblica, Ufficio per gli Affari Diplomatici, *Ambasciatore della Repubblica Democratica e Popolare, S.E. Hocine Meghar*, cit.; F. De Lucia Lumeno, *op. cit.*, p. 328.

Boris Biancheri tried a few days later to shed light on the matter in "La Stampa". The Algerian government, he wrote, had opposed the idea of an internationalisation of the crisis with a brusque refusal, and he was not surprised by it; he compared the Algerian position with that which an Italian government would have taken at the end of the 1970s if anywhere in the world there had been proposals for international mediation in the struggle against domestic terrorism(163). The Italian government then preferred to associate itself with France and Spain in order to relaunch the policy of the European Union in the Mediterranean and in the Maghreb as a whole. A document on Algeria was prepared in Brussels by the political directors, but the foreign ministers, meeting at Mondorf-les-Bains, pronounced themselves only for a vague condemnation of terrorism and for openness to further economic aid to the Algerian government. Was this caution, calculation or disinterest? There were many voices in support of each of the three hypotheses. On Algeria the positions within the EU differed, which manifested a weakness that Dini had sought to avert in an appeal to the member states. In a conference on the partnership two years after the Barcelona conference he had said that the Mediterranean was perhaps the most important test of Europe's capacity to act beyond the limits of its own continent, and that the Union would be called upon in the Mediterranean to show that it was not a reluctant power or, even worse, one unaware of its own strength(164).

(163) B. Biancheri, *Perché è difficile intervenire*, cit., p. 1.

(164) Ministero degli Affari Esteri, *Testi e documenti 1997*, Ufficio Studi, Roma 1998, pp. 589, 591; F. De Lucia Lumeno, *op. cit.*, p. 329.

10.5. *The massacres of 1997-1998 and the question of the troika*

Europe still had before its eyes the images of the Yugoslav massacres (those of Algeria were difficult to obtain because the government did not allow their publication), and at the end of 1997, in the face of one more North African slaughter, it decided to take a position. The intention was not to remain impassive before the crisis, but doubts remained about what road to take. The Algerian military were accused of massacres and torture in their campaign to eradicate fundamentalism. One could not remain silent in the face of hundreds of deaths, at times 400 in a single night: the Algerian government managed to do so, exposing itself only to declaring very low numbers, but the European representatives could not[165]. Thus at the beginning of 1998 Prodi supported the request of the German foreign minister for an immediate meeting of the EU at undersecretary level to discuss Algeria, specifying that it was not interference in Algerian internal affairs but a legitimate concern. The initiative was shot down by the European Commission, which was convinced that nothing could be done for Algeria given the intransigence of its government, and it was turned into the proposal of sending a Community troika. To replace the Algerian government in evaluating the measures to be taken to find a solution to the violence was equivalent to declaring it incapable or illegitimate, which was impossible given that international observers had recognised the elections of the major constitutional bodies as regular.

Could Zeroual be convinced? According to Dini, yes, through Arab mediation, in particular Iranian. The Algerian reaction was extremely alarmed: Tehran had long

(165) F. De Lucia Lumeno, *op. cit.*, p. 331.

been accused of supporting the extremists, and to turn to it, all the more to attempt reconciliation, was impossible. De Courten was once again summoned by the foreign minister, Ahmed Attaf, to listen to his indignant protests(166). Mario Pirani pointed out in "la Repubblica" on 12 January 1998 that if the aim was to avoid sabotage of the gas pipeline that carried supplies to Italy (another act had been carried out in those days, after the one of November 1997), and if the opening to Iran was only an expedient, then the maxim that the end justifies the means did not apply(167). This remark encapsulates the double bind of the Italian executive: the energy infrastructure was a referent object whose protection motivated the search for a political solution, but the search for a political solution risked provoking the Algerian government to react against the very state, Italy, that sought it.

The Algerian government finally accepted the European troika, repeating that it should present itself only to address the problem of terrorism and refusing any international commission of inquiry. The visit was too brief to yield effective results and not very significant as regards the personalities involved, since they were officials and not ministers, but it was important as the only foreign proposal that the Algerian government accepted. After a few weeks European parliamentary representatives went to Algiers, but the Italians did not join the group(168).

(166) F. De Courten, *op. cit.*, pp. 398-399; F. De Lucia Lumeno, *op. cit.*, p. 331.

(167) M. Pirani, *Algeria, passi falsi da tutte le parti*, "la Repubblica", 12 January 1998, p. 8.

(168) F. De Lucia Lumeno, *op. cit.*, p. 332.

10.6. *The low point and the reset of July 1998*

In this delicate context, the statements by ministers Dini and Andreatta in the face of the alleged confessions of a former Algerian secret agent, who attributed the killing of the *Lucina* sailors to manoeuvres of the government and not to the fundamentalists, proved too hasty. The Foreign Minister threatened reprisals if the fact were verified, only to have to back down the next day in the face of the furious Algerian authorities and a communiqué of the intelligence service that charged the revelations of the press with fraud. It was the apex of the stiffening of relations, which seemed truly on the point of ceasing. De Courten wrote that relations with the Algerians continued to be frozen, that fundamentally the responsibility was Italy's, but that they too did everything not to make themselves understood(169).

In mid-1998 two contrasting Italian initiatives emerged. First came the recall of Ambassador De Courten, strongly polemical towards the policy of the government, which in his view did not support Zeroual in the fight against terrorism, so much so that Dini had postponed visits in spite of numerous Algerian solicitations. Then came the decisive alignment of the Foreign Minister in favour of the regime, with the long-awaited arrival in Algiers(170). Dini put an end to an attitude of equidistance between the state and the Islamist formations, which was a cause of Algerian discontent, and recognised the young and uncertain democracy as Italy's interlocutor. Before the trip De Courten sent

(169) *Ibid.*, p. 329.

(170) G. Lerner, *La svolta di Roma; Fiducia alla fragile democrazia di Zeroual*, "La Stampa", 5 June 1998; A. Cianfanelli, *Algeria, Dini ricuce lo strappo*, "Corriere della Sera", 14 July 1998, p. 11; F. De Lucia Lumeno, *op. cit.*, pp. 331-332.

to Rome his suggestions: the Algerians would be very sensitive to any interference in their internal affairs, and it would be opportune not to refer to dialogue with the former FIS and to international interventions, including those of Sant'Egidio; Italy should show all its support for the fight against terrorism, because the security of Algeria was essential for the balance of the Maghreb and the Mediterranean; and besides unblocking investments and aid it would be useful to encourage cultural and trade-union initiatives(171).

The visit was prepared by two diplomatic gestures that the veteran diplomat Boris Biancheri compared to the prudent perseverance of a banker diversifying his portfolio: the publication of an Italian-Libyan joint declaration and the announcement of Dini's visit to Algiers(172). Arriving in Algeria, Dini acknowledged that Italy had not done much for Algeria but declared that it intended to do more, in economic cooperation and in protection against terrorism. Statements on the state of Algerian democracy were very cautious, while those about distancing himself from the Sant'Egidio initiatives were explicit: «There is no connection between the Italian government and Sant'Egidio, there has never been any consultation. They acted animated by the best intentions but I believe that in the future they will no longer deal with Algeria». There were no grounds, he added, for "parallel diplomacy" today, and the problem of Sant'Egidio would not be repeated(173). The price paid on

(171) F. De Courten, *op. cit.*, pp. 398-399.

(172) B. Biancheri, *La frontiera mediterranea dell'Italia; due mosse con Tripoli e Algeri*, "La Stampa", 10 July 1998.

(173) M. Molinari, *Dini volta pagina in Algeria; "Sono qui per superare le incomprensioni con l'Ue sui diritti umani"*, "La Stampa", 13 July 1998; A. Negri, *Algeri. Dini ricuce gli strappi*, "Il Sole 24 Ore", 14 July 1998, p. 11; A. Cianfanelli, *Algeria, Dini ricuce lo strappo*, cit., p. 11.

the Algerian side was an agreement on readmission, whereby irregular migrants could be sent back to their country of origin(174). De Courten, now retired from service, wrote that according to a journalist of "Il Messaggero" and to sources close to the Algerian opposition and Italian oil companies, Attaf had clearly let the Italian minister understand during the visit that if Italy still wished to obtain Algerian gas it had to publicly disown the initiatives of the Community of Sant'Egidio concerning Algeria(175).

Ambassador Armellini, who arrived in Algiers in 1998, offered a retrospective judgment that has become a reference for historians: the reason for the cooling of relations had only one name, Sant'Egidio, and it was the real reason for the difficulty of that phase of Italian-Algerian relations(176). The reset reveals the hierarchy of referent objects in its starkest form. To restore the relationship on which energy supply and the safety of the Italian community depended, the Italian government sacrificed the one initiative that had offered a plan, however modest, for the security of Algerian civilians. It did so with the knowledge that the initiative had not been accepted in Algiers and had little prospect of being so. But it is also true that in 1998 there was no alternative initiative that Italy could have sponsored. Dini's own diplomatic energies in the Euro-Mediterranean field, culminating in the proposal of a "Charter for Peace and Stability" to be negotiated between the fifteen member states of the Union and the twelve Mediterranean partners after the Palermo summit of June 1998, were directed towards the regional level. At Palermo economic aid of 9,000

(174) Ministero degli Affari Esteri, *Testi e documenti 1998*, Ufficio Studi, Roma 1999, pp. 12-15; A. Negri, *Algeri. Dini ricuce gli strappi*, cit., p. 11.

(175) F. De Courten, *op. cit.*, p. 406.

(176) F. De Lucia Lumeno, *op. cit.*, p. 332.

billion lire to the south of the Mediterranean was agreed for projects to be completed by 1999, but security, so important for Europe, had not yet reached the desired goal. As an Italian commentator noted, the two shores of the Mediterranean struggled to understand each other: one, the European, stressed security, stability, political dialogue and the curbing of emigration and Islamic terrorism; the other, the southern, spoke of aid for economic development, of investment and of "shared prosperity"(177).

11. From civil concord to the war on terror, 1999-2009

11.1. *Bouteflika and the "first Western destination"*

The presidential election of April 1999 opened a new phase, though not under promising conditions. Abdelaziz Bouteflika, a former foreign minister with an unimpeachable diplomatic record, which included a presidency of the UN General Assembly, was supported by the military and ran as the sole candidate after the other six candidates withdrew a few hours before the vote, alleging fraud in the first electoral consultations. "la Repubblica" observed on election day that in this new crisis there were only losers: the Islamic-nationalist-military regime, the political forces that had excluded themselves from the only arena of legal activity, and above all Algeria, which risked falling into a very serious internal war(178). Italy nevertheless gave credit to Bouteflika's intentions and was rewarded at once. In

(177) M. Vignolo, *Il sud del Mediterraneo sfida l'Europa. "Sviluppo o instabilità"*, "Corriere della Sera", 3 June 1998.

(178) *Algeria, anno zero*, "la Repubblica", 15 April 1999, p. 12.

a statement to the correspondent of "Corriere della Sera" on the sidelines of his inauguration, he described relations between Italy and Algeria as globally positive despite some obstacles, complained that limits on the movement of persons were a strong obstacle to the development of bilateral cooperation and hoped that Italy would use its influence in the European Union so that the negotiations on the association agreement would take account of the specificities of Algeria(179).

After a few weeks the new president was considerably reassessed, in Italy and in Algeria alike: he was a man who kept his promises and, above all, was able to stand up to the military forces that had regulated the life of the Republic since the beginning. By securing the approval of nearly all Algerians for the amnesty plan for Islamist fighters who had not committed crimes of blood or rape, he obtained the legitimacy that the presidential election had not given him. Good news from Algeria was finally arriving in Europe, and a small positive signal passed through Italy: the national airline was the first Western carrier to resume regular flights to and from Algiers after years in which all connections had been interrupted for lack of security(180). In November 1999 Bouteflika made Italy his first official Western destination, meeting President Ciampi, Prime Minister D'Alema, Foreign Minister Dini and Pope John Paul II. Italian opinion regarded the visit as a tribute to a country that had supported Algeria for fifty years. Ambassador Armellini, who was present, offered a sharper reading: the real reason was to send a signal to the

(179) M. Del Corona, *Algeria: Bouteflika s'insedia. "L'Italia ci aiuti in Europa"*, "Corriere della Sera", 28 April 1999, p. 14.

(180) F. De Lucia Lumeno, *op. cit.*, p. 337.

French, and Italians were «part of a game, not the pivot of the game»; if Algeria wished to mark its autonomy from France, it looked to Italy, and Italy was always an important moment in any triangulation[181].

The president's agenda was explicitly one of security in a broad sense. He wished to reassure Italians about the economic and political stability of his country and to encourage them to invest. He said that he counted on Italy to emerge from the diplomatic isolation in which seven years of civil war had closed Algeria and spoke of cooperation with NATO for Euro-Mediterranean security; he recalled that Italy had been the only Western country to open bilateral negotiations on the restructuring of the Algerian debt; and he asked for a stronger financial presence and better conditions for the circulation of persons, since in the most dangerous moments for Italian nationals the transfer of workers had been blocked[182]. In the same days the director of SACE announced an increase in the ceiling of cover for Algeria, explaining that Algeria had paid its debts regularly and that one had to continue to trust the country[183]. Italian caution had given way to confidence at the moment when the Algerian government seemed to be winning.

(181) C.A. Ciampi, *Brindisi*, 15 November 1999, ASPRI, Ufficio Stampa; Ministero degli Affari Esteri, *Testi e documenti 1999*, Ufficio Studi, Roma 2000, pp. 274-276; F. De Lucia Lumeno, *op. cit.*, p. 338.

(182) A. Bouteflika, *Conférence de presse – déclaration liminaire*, and Id., *Toast*, 16 November 1999.

(183) F. Aiazzi, *Ma per la Sace non è un Paese a rischio*, "Il Sole 24 Ore", 17 April 1999.

11.2. *The institutionalisation of security cooperation*

Over the following two years the elements of a structured partnership were put in place. The Italian-Algerian Mixed Commission was convened after more than ten years; an agreement on regular, strengthened political consultations was signed, as well as an agreement on readmission, intended to curb the phenomenon of irregular immigration into Italy, which was not a minor problem in view of the number and power of Algerian subversive groups present on Italian territory(184). The refugee problem was not simply a question of reception and border control: it jeopardised security objectives, and it was also a demonstration of the impotence of Europe, which was unable to help the North African countries to trigger effective economic reforms or to build a lasting peace. The results of the process that followed the Barcelona Conference were meagre, both because of the strong tendencies towards European control, since the Euro-Mediterranean Committee, which had tasks of execution, preparation and negotiation of the guidelines of the partnership, was a direct emanation of the Union, and because the mechanisms were rather cumbersome. In the area of migration the Europeans sought to limit flows, while the North African states hoped for more essential solutions in the home country; human rights, a hobby-horse of the Union that became a ground for political conditionality of its aid, were regarded by many southern-shore countries as undue interference(185). The energy relationship moved in the same direction: in an agreement reported by "Il Sole 24 Ore" on 13 March 2001,

(184) F. De Lucia Lumeno, *op. cit.*, p. 341.
(185) *Ibid.*

the relationship between Enel and Sonatrach passed, in the words of the Algerian minister of energy, Chakib Khelil, from the traditional formula of supplier and buyer to the stage of partnership(186).

In 2001 the Italian Prime Minister gave directions to the Directorate-General for the Mediterranean and Middle East Countries, headed by Antonio Badini, stressing that Italy should become the most important European partner of the Maghreb, and specifying that the Directorate-General should «support the process of economic liberalisation and industrial restructuring of Algeria, in order to favour the plan of economic stabilisation and the commitment to national pacification of President Bouteflika»(187). The European ministerial meeting at Stuttgart in April 1999 had confirmed the intention to extend the partnership to all fields while postponing the projects in the field of security *tout court*, but Italy was convinced of the need to strengthen the latter. Important points were Algerian adherence to the Mediterranean dialogue of NATO and the control of illegal immigration(188). An Italian scholar, Roberto Aliboni, summarised the structural problem: Italy's Mediterranean policy needed greater coherence between multilateral and bilateral relations and, above all, «a clearer relationship (and the related policies) between internal and external security»(189).

(186) *Enel sigla intesa in Algeria con Sonatrach e Sonelgaz*, "Il Sole 24 Ore", 13 March 2001.

(187) F. De Lucia Lumeno, *op. cit.*, pp. 343-344.

(188) F. Bruni, N. Ronzitti (eds.), *L'Italia e la politica internazionale. Edizione 2001*, il Mulino, Bologna 2002, pp. 137-138.

(189) R. Aliboni, *Il rapporto tra Europa e Mediterraneo: il quadro istituzionale e politico*, in G. Gomel, M. Roccas (eds.), *Le economie del Mediterraneo*, Banca d'Italia, Roma 2000, pp. 72-73.

11.3. *September 2001 and the end of the "quarantine"*

The security question exploded with 11 September 2001. In the Mediterranean context the perception of the southern partners that the European states sought to control them and that the United States interfered grew, while divisions among the countries of the southern shore sharpened. When, in April 2002, the Italian Minister of Productive Activities, Antonio Marzano, went to Algeria to discuss economic matters of common interest, Bouteflika directed the conversation exclusively to the Middle East crisis. A few days later Algeria signed the association agreement with the European Union on the margins of the Euro-Mediterranean conference of foreign ministers, and the first nominal thanks of the Algerian president went to Romano Prodi, who with his "understanding and complicity" had encouraged the pursuit of that objective(190).

Ten years after the annulment of the elections won by the FIS, Algeria could claim credit as a country that had prevented fundamentalism from seizing power, a credit that was widely revalued after 11 September. Bouteflika explained it himself: Italy had been the first country in Europe to show Algeria sympathy and support at a time when, because of the situation created by the spread of terrorism, Algeria had been paradoxically put in a sort of "quarantine" by the international community, when it should have benefited from the understanding and solidarity of all; at that time terrorism had not yet dared to spread aggressively in the Western world, and the global attitude had changed completely after the attacks on New York and

(190) A. Bouteflika, *Allocution*, 22 April 2002, cited in F. De Lucia Lumeno, *op. cit.*, p. 343.

Washington[191]. The statement succinctly describes a shift in the international hierarchy of referent objects. Between 1992 and 2001 the Algerian government's claim that it was fighting terrorism had been viewed in Europe with a mixture of scepticism and unease; after 2001 the same claim became a credential.

The Algerian security position was nonetheless unstable, because it could be maintained only at the cost of hundreds of thousands of deaths and with a military deployment that cost about two billion dollars a year. The second war of Algeria, against radical Islam (the first having been against the French), was declared won because it was necessary to pass immediately to a third: that of opening to the outside. This implied convincing international contacts together with a cultural revolution that, after decades of socialist rule, would remove the economy from the hands of the state and entrust it to private operators. In the 2002 legislative elections the FLN won a victory mutilated by abstentions of about 50 per cent, as if to demonstrate that the past was a security while the future could hold only bad omens[192].

11.4. *The Treaty of 2003 and the economic conception of security*

The state visit of President Ciampi to Algiers in January 2003, on the eve of the Italian presidency of the European Union, marked the beginning of a new challenge. Ciampi repeatedly stressed the need to strengthen the Arab Maghreb Union and the role that Algeria, supported by Italy, could

(191) F. De Lucia Lumeno, *op. cit.*, p. 344.
(192) *Ibid.*

play to that end, saying that an integrated North African area founded on good neighbourliness represented for Europe an indispensable interlocutor(193). A Treaty of Friendship, Good Neighbourliness and Cooperation was signed, but in substance the real sphere of interest was economic. Before the Algerian National Assembly the Italian president spoke of a "sincere" Italian commitment *in* Algeria and not *for* Algeria, a commitment demonstrated by the volume and nature of trade, and stated that increasingly close relations between Italian and Algerian entrepreneurs were the essential motor of cooperation between the two countries(194).

This was the moment at which the economic conception of security that had been developing since 1988 acquired its fullest articulation. In the Italian reading of the period the economy had become an instrument of defence of the Western world: first, in the period of the Cold War, economic attraction had accompanied ideological attraction; then, with the collapse of communism, investments had served to promote the establishment of democracies; finally, after 11 September, finance had to solve the problem of poverty on which uncontrolled emigration and terrorism fed(195). The perspective was not uncontested. In May 2003 Alberto Negri wrote in "Il Sole 24 Ore" that Europe looked at the southern shore of the Mediterranean with "rapacious scepticism", determined to seize economic opportunities but ready to withdraw its hand when it came to committing itself fully; it was no accident that the United States had made their way among the main investors in Morocco and Algeria, filling

(193) C.A. Ciampi, *Brindisi*, 27 January 2003, and Id., *Discorso*, 28 January 2003, ASPRI, Ufficio Stampa.

(194) C.A. Ciampi, *Intervento in occasione dell'incontro con gli imprenditori italiani ed algerini*, Algiers, 28 January 2003, ASPRI, Ufficio Stampa.

(195) F. De Lucia Lumeno, *op. cit.*, p. 347.

gaps left by a Europe that, apart from trade agreements, offered these countries no strategic development[196]. The Euro-Mediterranean conference held in Naples at the end of the Italian presidency established a Euro-Mediterranean parliamentary assembly and a foundation for intercultural dialogue and strengthened the European Investment Bank's facility for private-sector development; but much remained to be done for the Union to present itself as a single international actor[197].

In the following years the Algerian government's view of Europe was marked by a sense of exclusion that had direct security implications. In October 2004 the Algerian minister of culture, Khalida Messaoudi, told "La Stampa" that for Algerians Europe was little more than the Schengen area, «a Berlin Wall moved to the southern shore of the Mediterranean», and that if Europe closed its door to Turkey it would be for cultural-religious reasons, if not racial ones[198]. The ambassador, Giovan Battista Verderame, nonetheless confirmed that the attitude of Algeria towards Europe, though at times critical, was extremely correct[199]. The Algerian president was ready to recognise the Roman and Christian roots of his country, while Ciampi called for the collaboration of Islam with the West[200]. When

(196) A. Negri, *I resti di un (ex) grande Paese*, "Il Sole 24 Ore", 25 May 2003.

(197) F. De Lucia Lumeno, *op. cit.*, p. 351.

(198) K. Messaoudi, interviewed by B. Spinelli, *Il mio Islam libero dal terrore*, "La Stampa", 2 October 2004, p. 9.

(199) G. Trupiano, *La politica europea di vicinato e i paesi del sud del Mediterraneo. Aspetti economici e finanziari*, «Rivista economica del Mezzogiorno», nn. 3-4, 2008, p. 830.

(200) L. Dubini, *L'Algeria riscopre le radici cristiane*, "Corriere della Sera", 23 December 2003; C.A. Ciampi, *Dichiarazione alla stampa*, 24 June 2004; F. De Lucia Lumeno, *op. cit.*, p. 348.

Bouteflika returned to Rome in May 2005, Ciampi recalled the high expectations of the international community towards a "strong and authoritative" Europe[201]. The Algerian authorities were also considered by some Italian observers to be indifferent to the mechanisms of the European Neighbourhood Policy.

11.5. *From the GSPC to Al-Qaeda in the Islamic Maghreb, 2005-2009*

In September 2005 Algerians were called to vote on the Charter for Peace and National Reconciliation, which promised forgiveness for the massacres of the civil-war years but erased the responsibilities of the state and was silent on the disappearances of civilians attributed to the armed forces. Former enemies such as the men of the FIS and the army were thus united in a political operation that guaranteed forgiveness, but not truth[202]. It was an arrangement that reflected the logic of the security hierarchy this chapter has analysed: the stability of the state was secured at the price of the right of victims to know. Italian governments did not criticise it. They were focused on the energy partnership: a new hydrocarbons law had been passed with greater acceptance of foreign investment, and the Trans-Mediterranean pipeline's capacity and the construction of the Galsi line (Algeria–Sardinia–Italy) were moving ahead[203].

The security situation was nonetheless not as calm as had been hoped. A network of Algerian terrorists linked to

(201) C.A. Ciampi, *Dichiarazione alla stampa*, 23 May 2005, ASPRI, Ufficio Stampa.

(202) F. De Lucia Lumeno, *op. cit.*, p. 351.

(203) *Ibid.*

Al-Qaeda, with branches in Italy as well, was discovered. Immigration became an important theme between the two states, since Algeria was beginning to be a country of direct departure, especially from the area of Constantine, and not only, as always, an area of transit from Central Africa. Particularly worrying was the Salafist Group for Preaching and Combat (GSPC), an offshoot of the GIA active since 1998, which had reignited terrorism in Algeria and had recently announced its link with Bin Laden's organisation, renaming itself "Al-Qaeda in the Maghreb"(204). Particularly indicative in this regard was an article by Foreign Minister Gianfranco Fini on the role of Italy in the fight against armed fundamentalism, which recalled that Algeria was, with Morocco, the first country with which the EU established lines of collaboration in this field, and that Italy had encouraged the United States and Europe to support, including financially, the anti-terrorism centre of the African Union based in Algiers(205).

Dismay became apparent in the first months of 2007, when terrorist attacks resumed. On 11 April two suicide car bombs struck the offices of the prime minister in Algiers and a police station at Bab Ezzouar, killing more than twenty people; they were the first major bombings in the capital since the 1990s and were claimed by Al-Qaeda in the Islamic Maghreb(206). The attackers had modernised, with car bombs, sabotage of communication systems and above all a maniacal attention to publicity. In Italy there

(204) *Ibid.*, p. 352.

(205) G. Fini, *Italy's Role in Mediterranean Security and the Fight against Terrorism*, «Mediterranean Quarterly», 17, n. 1, 2006, pp. 1-20.

(206) Associated Press, report from Algiers, cit.; Reuters, *Algeria: Bombs kill 30 in Algeria*, cit.; United Nations Security Council, 5659th meeting, S/PV.5659, 12 April 2007.

was no polemic against Bouteflika's policy of reconciliation, but it was pointed out that the Algerian economic boom had not in fact lifted the country out of misery, since the revenues from gas and oil had enriched castes that were already protected. Unlike Iraq or Afghanistan, Algeria had not been the theatre of foreign missions, and the government, the economic institutions and the armed forces were local, so the new terrorism was an anti-Western phenomenon in a broad sense but not only that(207). The suicide bombers did not succeed in boycotting the legislative elections of May 2007, but they marked a negative record of turnout, a little above 30 per cent, for fear of attacks and above all for distrust of the parties. An attempt on the president's person was foiled, but the death of the bomber and of 14 innocent victims could not be avoided. Attacks resumed against foreigners, and an Italian technician was involved in one of them, though he was only wounded.

It was feared that terrorist attacks in Algeria could influence the political destiny of European countries, as had happened with the Spanish elections. Italian senators, in the presence of Deputy Foreign Minister Ugo Intini, summoned for an urgent briefing on the events in Algeria, expressed the need for a truly European security policy in the promotion of peace and the limitation of illegal immigration, in the awareness that only coordinated actions could be effective; Italy alone, despite its friendship with Algeria, could do nothing(208). Massimo D'Alema, on his first visit to Algeria as foreign minister a few days after the attacks of 11 April 2007, said that Italy was «ready to strengthen

(207) *Quanto è lontana Roma da Algeri?*, "Il Tempo", 12 April 2007.

(208) Senato della Repubblica, Assemblea, *Resoconto stenografico*, 12 April 2007; F. De Lucia Lumeno, *op. cit.*, p. 353.

cooperation with Algeria both in the field of defence and in the fight against terrorism, in cooperation between security forces and between intelligence services»[209]. This was a notable development: for the first time in the period studied here, security cooperation had become an explicit and public component of the bilateral relationship, no longer a by-product of the energy partnership.

11.6. *Alghero, the Mediterranean Union and the third term*

Italy was also committed to the reconstruction of Algeria, taking part in projects for motorways, railways, subways and aqueducts. Italian officials followed with concern the agreement between the Russian companies Gazprom and Lukoil and Sonatrach, which might create a tight gas oligopoly; Deputy Foreign Minister Ugo Intini addressed the matter in an interview in August 2006[210]. The Algerians had decided to reserve for Italy 1.2 billion euros of contracts in transport and infrastructure. Between October and November 2006 there were five exchanges of visits, from Minister for Economic Development Pier Luigi Bersani to Prime Minister Romano Prodi's trade mission to Algiers, where Prodi sought to push for the enhancement of the Trans-Mediterranean pipeline and the realisation of the Galsi, giving the neighbourhood policy between the two shores an energy content; D'Alema considered that the Barcelona Process had been

(209) *Italia e Algeria, patto contro il terrorismo*, "Il Sole 24 Ore", 17 April 2007; L. Palmerini, *D'Alema in Algeria, accelera l'intesa sul gas*, "Il Sole 24 Ore", 18 April 2007, p. 4; F. De Lucia Lumeno, *op. cit.*, p. 354.

(210) A. Barbera, *Più dialogo con Mosca e Algeri*, interview with Deputy Foreign Minister U. Intini, "La Stampa", 1 August 2006.

important but lacked any concrete content[211]. The idea of an Italian-Algerian summit, the first intergovernmental summit with a non-European state, took shape in order to finalise the Galsi project. At Alghero in 2007 the definitive agreement was signed for the development of the pipeline, in the presence of Prodi and Bouteflika; it was to be completed by 2012, over 900 kilometres, of which 600 offshore at a depth of up to 2,800 metres, and an agreement in principle was reached on extending the Algerian gas supply contracts from 2014 to 2019[212]. Minister Emma Bonino remembered with pride that at Alghero Bouteflika was persuaded to support the Italian request at the UN for a moratorium on the death penalty, moving Algeria from the group of abstainers to that of co-sponsors[213].

France, however, took a position of primary importance away from Italy: at the end of 2007 it signed contracts worth 5 billion euros, as well as concluding an agreement on the use of nuclear energy for peaceful purposes. The old French interest in playing a leading role in Europe, starting from the area of greatest tradition, the Mediterranean, resurfaced. President Sarkozy's proposal for a Mediterranean Union received the approval of Spain and Italy at a meeting in Rome on 20 December 2007, and it was reconfigured within the framework of the European Union as the Union for the Mediterranean, which Bouteflika decided to attend at its launch on 13 July 2008, despite the

(211) F. De Lucia Lumeno, *op. cit.*, p. 354.

(212) L. Palmerini, *D'Alema in Algeria*, cit., p. 4; F. De Lucia Lumeno, *op. cit.*, p. 356.

(213) F. Caferri, *L'Italia sarà ricordata per questo*, "la Repubblica", 16 November 2007; F. De Lucia Lumeno, *op. cit.*, p. 360.

perplexities that had accompanied the negotiations(214). Among the four priority areas of the new body were maritime safety, civil protection and the fight against terrorism. A few days later, massacres exploded again in Algeria. At that point the policy of national reconciliation was no longer credible, even though, thanks to an amendment of the Constitution, Bouteflika was elected for a third term in April 2009. According to Sergio Romano, the victory was due to the credit acquired as the man who had put an end to the civil war and to the hope for reforms that the FLN and the opposition did not seem able to guarantee(215).

12. Assessment: whose security, and with what result?

12.1. *The hierarchy of referent objects revisited*

The sources analysed in this chapter allow us to answer the question with which it began. Between 1988 and 2009 Italian policy towards Algeria ranked the referent objects of security in a fairly stable order, even though the rhetoric changed. At the top stood the continuity of energy supply and of the commercial and financial relationship that sustained it. Luciani's statement that Italy was not afraid of other forces coming to government but of chronic instability, and Caputo's remark that democracy could wait while business could not, expressed this priority with a candour that few other sources match. Second came the

(214) L. Iezzi, *Una rete elettrica per tutto il Mediterraneo*, "la Repubblica", 10 December 2007, p. 6; F. De Lucia Lumeno, *op. cit.*, p. 357.

(215) S. Romano, *L'Algeria crede ancora in Bouteflika*, "Corriere della Sera", 15 April 2009; E. Maraone, *Rieletto l'anziano patriarca. Ma sul futuro nebbia fitta*, "Avvenire", 11 April 2009; F. De Lucia Lumeno, *op. cit.*, p. 357.

survival of a stable Algerian state, which Italian officials, from Caputo in 1994, who called it "the only possibility" available, to Dini in 1998, who recognised the young democracy as Italy's interlocutor, defended while seeking, with varying conviction, to persuade it to open its political system. Third came the physical safety of Italian nationals, which was addressed through repatriation, private security and, after the *Lucina* massacre, the suspension of new work authorisations, but never through a policy that would have put the community at the centre of Italian diplomacy. Fourth came the regional security of the Mediterranean and the internal security of Italy, which were addressed through multilateral initiatives such as the CSCM, the 5+5 group and the Barcelona Process and through police cooperation, and whose significance grew as the war came closer to Europe. Last came the security of Algerian civilians, who appear in Italian sources chiefly as victims of a "war against civilians", as the object of rhetorical appeals to dialogue, and as the constituency whom Sant'Egidio sought, and failed, to represent. Amnesty International had documented in 1994 that civilians were being killed both by government forces and by armed Islamist groups(216).

An Italian scholar concluded in a study of the whole period that in the relations with Algeria Italy appears «more as a user than a producer of security». It had interests in the Mediterranean, but it is legitimate to ask whether having interests in the Mediterranean corresponds to having a

(216) Amnesty International, *Algeria: Amnesty International Concerned by Growing Number of Killings*, 23 March 1994, AI Index MDE 28/WU 02/1994, https://www.amnesty.org/en/wp-content/uploads/2021/06/nws110571994en.pdf; Id., *Algeria: Civilians Targeted by Government Forces and Armed Islamist Groups*, news service item, 17 October 1994 (embargoed until 25 October 1994), https://www.amnesty.org/en/wp-content/uploads/2021/06/nws112391994en.pdf.

Mediterranean policy; and the same people who rejoiced that Algeria had supported the Italian moratorium on the death penalty at the United Nations did not intervene to save it from a war won at the price of hundreds of thousands of victims(217). The judgment is severe, but it captures something that the diplomatic documents tend to conceal. The sources show no sign that Italy possessed the instruments, military, intelligence or political, to be a producer of security in Algeria, or that it sought to acquire them. What it did possess, and used, was a capacity to supply credit and to build infrastructure, and it was natural that it should apply the instrument it had to the problem it faced.

12.2. *The structural constraints*

The analysis also shows that these choices were constrained at every level. At the international level, the Algerian refusal of external mediation, which Italian, French and American officials all acknowledged, meant that no power could have imposed a political settlement without the consent of the Algerian military. At the European level, the weakness of the Community's political planning and the divergences among member states made collective action at best symbolic. At the domestic level, institutional fragmentation, between the Foreign Ministry, the Treasury, SACE, ENI and the parliament, produced a policy in which the credit decisions of one body undermined the political messages of another, as in the case of Fiat's Tiaret plant and the suspension of insurance cover. And at the level of the Italian public debate, the division between those who saw the FIS

(217) F. De Lucia Lumeno, *op. cit.*, p. 360; R. Aliboni, *Il rapporto tra Europa e Mediterraneo*, cit., pp. 72-73.

as a legitimate political actor and those who saw it as a threat to civilisation prevented the emergence of a consensus on what the objective of policy should be.

Comparison with France is instructive but not flattering to either side. The French policy, based on unconditional support for the military, did not end the war and did not protect France from the GIA's attacks. The Italian policy of "gas diplomacy", based on credit and presence, did not end the war either, but it preserved a set of relationships and capabilities that proved valuable in subsequent decades. It would be wrong, however, to treat the Italian approach as a success simply because it avoided the costs that France incurred. The alternatives were each constrained, but they were not equally costly to Algerians. A policy in which the stability of the state is the principal object of security leaves the victims of the state's own methods without an advocate, and in Italian policy the advocacy that existed was left to Sant'Egidio, to parliamentarians such as Migone and Fassino and to a handful of journalists.

12.3. *The recursive logic of energy security*

The longer-term consequences of the choices of the 1990s are visible in the present. The Trans-Mediterranean pipeline, the contracts signed at Milan in 1994, the credit arrangements and the institutional routines of SACE, CIPES and ENI established a path-dependent relationship in which each crisis deepened the interdependence. In 2022, when the invasion of Ukraine forced Italy rapidly to expand Algerian gas imports, the arrangements through which this was achieved had been established decades earlier; the agreement signed in Algiers on 11 April 2022 by ENI's chief executive, Claudio

Descalzi, and the president of Sonatrach allowed ENI to increase the quantities carried through the TransMed pipeline under the existing long-term supply contract, with volumes rising gradually from 2022 to as much as nine billion cubic metres a year in 2023-24[218]. It built on a contract and on pipeline capacity whose origins this chapter has traced. The security logic that connected energy continuity with the stability of a partner state was thus recursive: it was reproduced in each new crisis. Whether it is also adequate is another matter. The Algerian experience suggests that it is a good way of keeping a relationship alive but a poor way of understanding what happens inside the partner state, and that an energy-based conception of security tends to hear only what is said by those who control the pipeline.

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RE-MAPPING MEDITERRANEAN FRONTIERS SOVEREIGN POWER, HUMAN MOBILITY, AND REGIONAL GOVERNANCE IN ITALY–LIBYA RELATIONS

Flavia De Lucia Lumeno[1]

Abstract: This chapter examines how Italy's pursuit of uninterrupted hydrocarbon supplies and of the containment of irregular maritime migration has interacted with Libya's institutional fragmentation since 2020. Drawing on United Nations and judicial documents, reports by research institutes and international organizations, investigative journalism, and the scholarly literature, it argues that the Italian–Libyan relationship has produced a condition of "controlled instability": short-term, transactional gains for Rome that reward armed and political actors in both Tripoli and Benghazi for keeping state institutions weak and for retaining control of oil, borders, and migrants as instruments of leverage. After a historical overview, the chapter analyzes energy interdependence and the contested use of human mobility as a bargaining instrument; it then maps the illicit economies that sustain armed actors; finally, it considers Russia's military projection in Cyrenaica, the capture of Libyan state institutions by militias, and the legal implications of externalised border control. It concludes with policy implications for Italy and the European Union.

Keywords: Italy–Libya relations, border externalization, Central Mediterranean, energy security, Mattei Plan, Haftar, illicit economies

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1. Introduction

Since 2011 Libya has been at once one of Italy's most important energy partners and the main departure point for irregular crossings of the Central Mediterranean. These two interests have shaped Rome's policy towards a state that has been divided between rival governments and armed coalitions. This chapter argues that the way in which Italy and the European Union have pursued their objectives, namely secure hydrocarbon supplies and the externalized containment of maritime migration, has produced what can be called "controlled instability". Rome obtains short-term results, such as lower arrivals or major gas agreements, by dealing with whoever controls the relevant assets, but in doing so it rewards actors in both Tripoli and Benghazi for retaining control of oil, borders, and migrants as instruments of leverage. The argument builds on an earlier study of Italian policy between 2020 and 2024, which described a shift from multilateral stabilization to a pragmatic model of risk mitigation[2].

The relationship has deep historical roots in which energy, colonial memory, and migration control have been intertwined. Libya was an Italian colony from the occupation of 1911-12 until the Second World War. After independence, the treaty of 2 October 1956 settled the outstanding questions between the two states and provided for economic collaboration[3]. Eni's relationship with Libya began under Enrico Mattei: AGIP Mineraria

(2) F. De Lucia Lumeno, *From Stabilization to Risk Mitigation. Italy's Foreign Policy Adaptation to a Fragmented Libya (2020-2024)*, «Journal of Political Science and Public Opinion», 4, n. 1, 2026, pp. 1-7.

(3) M. Cricco, *L'*Eni *in Libia. Dal trattato italo-libico del 1956 ai negoziati degli anni Settanta*, «Nuova Rivista Storica», XCVIII, 2, 2014, p. 556.

submitted a first concession request on 5 May 1957[4], offering the Libyan state a participation of up to 25 percent, a reduced application of the so-called "Mattei formula"[5], which was originally associated with the 75-25 profit split of Eni's 1957 agreement with Iran[6]. The request was rejected in December 1957 because AGIP was a state company, and Eni obtained its first concession, number 82, on 19 November 1959 through a formally private company, CORI[7]. Under Gaddafi, the 1969 agreement with the Libyan state oil company, which introduced the principle of participation, protected Eni's position: after Libya nationalized 51 percent of the major oil companies in 1973, Eni kept half of its assets[8]. Even the expulsion of some 18,000 Italians in July 1970 did not prevent a rapprochement, which began with Aldo Moro's visit to Tripoli in May 1971 and culminated in the Jallud–Rumor protocol of 24 February 1974[9].

Migration entered the bilateral agenda later. The Joint Communiqué of 4 July 1998 was the first Italian–Libyan text to mention colonial history, economic cooperation, and migration control together, and in August 1999 Eni announced an agreement with the National Oil Corporation (NOC) to build the Greenstream pipeline[10].

(4) *Ibid.*, p. 555.

(5) *Ibid.*, p. 556.

(6) U.S. Department of State, "Memorandum of a conversation: Middle East oil concessions and profit sharing formula", in *Foreign Relations of the United States, 1955-1957*, vol. XII, doc. 283, 17 December 1957.

(7) M. CRICCO, *op. cit.*, p. 558.

(8) *Ibid.*, pp. 561-562.

(9) *Ibid.*, pp. 562-563.

(10) M.H. TJØNN, M.G. JUMBERT, "Migration across the Mediterranean: Shaping Italy–Libya relations over time", in R. ZAPATA-BARRERO, I. AWAD (eds.), *Migrations in the Mediterranean*, Springer, Cham 2024, pp. 57, 61.

The Treaty on Friendship, Partnership and Cooperation signed in Benghazi on 30 August 2008 by Silvio Berlusconi and Muammar Gaddafi tied an apology for the colonial period and the promise of compensation to oil and gas cooperation and to joint coast guard patrols; registered irregular arrivals in Italy fell from some 37,000 in 2008 to 405 in 2010[11]. After the 2011 collapse of the Jamahiriya and the 2012 judgment in *Hirsi Jamaa and Others v. Italy*[12], Rome sought to revive the migration clauses of the Treaty, which remained the reference point for the 2017 Memorandum[13].

The formal framework of contemporary cooperation is the Memorandum of Understanding of 2 February 2017 on cooperation in the fields of development, the fight against illegal immigration, human trafficking and smuggling, and the reinforcement of border security, signed by Prime Minister Paolo Gentiloni and by Fayez al-Serraj, head of the Government of National Accord. It renews itself tacitly every three years; as the Italian government did not denounce it by 2 November 2025, it was renewed on 2 February 2026 for a further three years[14]. It is complemented by the Mattei Plan for Africa (*Piano Mattei*) of the Meloni government. Under this framework Italy provides funding, patrol vessels, equipment, training, and diplomatic legitimacy to the Libyan Coast Guard (LCG) and to the Department for Combating Illegal Migration

(11) *Ibid.*, p. 58.

(12) European Court of Human Rights, *Hirsi Jamaa and Others v. Italy*, n. 27765/09, judgment of the Grand Chamber, 23 February 2012.

(13) M.H. Tjønn, M.G. Jumbert, *op. cit.*, p. 59.

(14) Tavolo Asilo e Immigrazione, *Stop al Memorandum Italia-Libia: Il Governo ha tempo fino al 2 novembre per fermare un accordo che produce sofferenze e violazioni dei diritti umani*, comunicato stampa, Roma, 15 October 2025.

(DCIM), in exchange for the interception and return of migrants departing from the Libyan coast; in October 2022, for instance, it delivered 14 fast patrol boats within an EU-funded project[15]. This bargain operates in a state that remains divided between the UN-recognized Government of National Unity (GNU) in Tripoli, led by Abdul Hamid Dbeibah, and an eastern administration, the Government of National Stability, backed by the Libyan National Army (LNA) of Field Marshal Khalifa Haftar and his sons Saddam and Khaled. The duality forces Italian decision-makers into a "two-track diplomacy" (*diplomazia a doppio binario*): they engage Tripoli to protect offshore energy assets and Benghazi to manage eastern migration routes and to limit Russian influence.

The chapter treats three dimensions that are usually examined separately, namely energy interdependence, illicit economies, and the instrumentalization of human mobility, as parts of a single political economy of the Central Mediterranean. Studies of border externalization tend to focus on its operational and legal aspects, while studies of hydrocarbons concentrate on supply; here the two are read together, together with the ways in which Libyan armed and political actors derive rents and leverage from both. The analysis rests on a critical reading of UN documents (Security Council resolutions and the report of the Independent Fact-Finding Mission on Libya), of a decision of the European Court of Human Rights, of reports by research institutes and international organizations, of investigative journalism, and of the academic literature on border externalization and coercive engineered migration. It does not draw on original fieldwork or archival research;

(15) F. De Lucia Lumeno, *op. cit.,* p. 4.

where a claim rests on press reports, this is indicated. The chapter covers the period 2020-2026 and places recent developments within the longer history sketched above.

The analysis follows the multi-scale approach proposed for Mediterranean migration studies by Zapata-Barrero[16], who, drawing on Foucault's notion of a "polyhedron of intelligibility", calls for combining micro, meso, and macro levels of analysis and for placing events within longer historical layers. At the micro level, the chapter examines the operational mechanics of border enforcement, and in particular how cooperation between Italian authorities and Libyan maritime units is linked to arbitrary detention and extortion. At the meso level, it analyzes the institutional dynamics of state capture, showing how armed groups and political elites use the NOC, the Central Bank of Libya (CBL), and ministerial budgets to sustain smuggling and trafficking networks. At the macro level, it assesses the implications for Mediterranean stability, focusing on how the vulnerabilities created by Italian–Libyan transactionalism are exploited by external actors, above all Russia. Conceptually, it draws on the theory of coercive engineered migration[17] and on the notion of "extortion state" proposed by Lacher and Tubiana[18] for the Libyan case.

(16) R. Zapata-Barrero, "Concluding remarks: Applying Med-thinking proviso to set a research agenda on Mediterranean migrations", in R. Zapata-Barrero, I. Awad (eds.), *Migrations in the Mediterranean*, Springer, Cham 2024, p. 421.

(17) K.M. Greenhill, *Weapons of Mass Migration. Forced Displacement, Coercion, and Foreign Policy*, Cornell University Press, Ithaca 2010.

(18) W. Lacher, J. Tubiana, *The extortion state. How the* EU *helps Libya to turn migrants into cash*, «Le Monde diplomatique (English edition)», September 2025.

2. Energy Interdependence and the Instrumentalization of Human Mobility

2.1. *Energy: an interdependence that is also a lever*

Libya holds the largest proven oil reserves in Africa, and hydrocarbons account for about 97 percent of state revenues[19]. For Italy, which has limited domestic deposits, North African supplies have long been a pillar of energy security. In the first seven months of 2024 Libya was Italy's leading crude supplier, with 7.39 million tonnes, equal to 22.3 percent of Italian crude imports, an increase of 28.6 percent on the first half of 2023 according to data of the Italian oil industry association Unem[20]; in 2025 its share was 24.2 percent[21]. For gas the picture is different. Libyan gas reaches Sicily through the Greenstream pipeline, built in 2003-2004[22] with a capacity of 11 billion cubic meters a year, but actual flows have been well below capacity, and Italian imports from Libya fell from 2.5 billion cubic meters in 2023 to 1.4 billion in 2024, out of 59.4 billion imported in total[23]. Domestically, more than 73 percent of Libyan electricity is generated from natural gas[24].

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(19) L. Ponte, *Libia: il settore energetico come strumento di pressione politica e le conseguenze per l'Italia*, osmed, Istituto di studi politici "S. Pio V", Roma, 7 January 2025, citing the U.S. Energy Information Administration data.

(20) F. De Lucia Lumeno, *op. cit.*, p. 3.

(21) *Guerra in Iran e crisi del petrolio, ecco da dove arriva il greggio che importa l'Italia*, "Sky TG24", 5 March 2026.

(22) M. Cricco, *op. cit.*, p. 565.

(23) arera, *Relazione annuale. Stato dei servizi 2024, vol. 1*, Milano 2025, p. 246.

(24) L. Ponte, *op. cit.*, citing the U.S. Energy Information Administration data.

Eni produces about 80 percent of Libya's gas[25]. Its flagship project is the development of the offshore Structures A&E gas fields, an investment of about $8 billion agreed with the NOC on 28 January 2023, with start-up planned for 2026 and a plateau production of 750 million standard cubic feet per day[26]. In 2026 Eni also announced two gas discoveries, Bahr Essalam South 2 and 3, estimated at more than 28 billion cubic meters in place, and was awarded the offshore exploration block O1[27]. In August 2023 it lifted the *force majeure* declared in 2014 on three exploration assets and, together with BP, resumed drilling in the Ghadames Basin[28].

The dependence runs both ways, which makes the energy sector a political instrument. Eastern forces blocked oil exports in 2020 to extract concessions from Tripoli and again in 2022, after the House of Representatives installed a parallel government; the latter episode ended with a deal between Dbeibah and Haftar that changed the leadership of the NOC[29]. The most serious episode followed in August 2024, when the Benghazi-based administration, backed by the LNA, ordered the closure of oil fields and ports in response to the attempt by the Presidential Council in Tripoli to replace the CBL governor, Sadiq al-Kabir[30]. Production collapsed by half and exports fell to about 458,000 barrels per day in September[31]. The blockade ended on 3 October

(25) Eni, *Eni avvia un importante progetto di sviluppo del gas in Libia*, comunicato stampa, 28 January 2023.

(26) Eni, *Libya*, country page, Eni S.p.A., updated June 2026.

(27) *Ibid.*

(28) L. Ponte, *op. cit.*

(29) *Ibid.*

(30) S&P Global, *Libya's eastern faction ends month-long oil shutdown*, S&P Global Commodity Insights, 3 October 2024.

(31) F. De Lucia Lumeno, *op. cit.*, p. 3.

2024, after UN-facilitated mediation led by the acting head of the UN Support Mission in Libya produced agreement on a new governor, Naji Issa[32], and in early December the NOC reported production above 1.4 million barrels per day, the highest level since 2013[33].

Italy has sought to insulate this interdependence through the Mattei Plan, established by Decree-Law No. 161 of 15 November 2023 and converted into Law No. 2 of 11 January 2024[34]. Libya was not among the countries of the Plan's inaugural phase, but the government has sought to integrate it because of its role in energy security and migration management[35]. In May 2024 the Minister of Enterprises and Made in Italy, Adolfo Urso, signed a joint declaration with Libya in Tripoli, and the 30th Italian–Libyan business forum, held in Tripoli on 29 October 2024, produced new agreements in energy, infrastructure, health, and agriculture[36]. In practice, the Plan serves as the diplomatic umbrella under which Rome bundles its two core priorities in Libya: securing long-term gas supply for Eni and keeping Libyan authorities engaged in maritime border control. While formal agreements are concluded with the GNU in Tripoli, the GNU's effective authority is largely confined to the capital and parts of western Libya, where it depends on a shifting balance among armed groups. Cyrenaica and much of the south are under the control of Haftar's LNA, in which Saddam Haftar

(32) L. PONTE, *op. cit.*; S&P Global, *op. cit.*

(33) L. PONTE, *op. cit.*

(34) Legge 11 gennaio 2024, n. 2, *Conversione in legge, con modificazioni, del decreto-legge 15 novembre 2023, n. 161, recante disposizioni urgenti per il "Piano Mattei" per lo sviluppo in Stati del Continente africano*, "Gazzetta Ufficiale", n. 10, 13 gennaio 2024.

(35) L. PONTE, *op. cit.*

(36) *Ibid.*

was appointed Deputy General Commander in August 2025[37]. Fezzan remains a patchwork of local communities and armed groups with shifting alignments. Italy has also reached into the south: before the 2017 Memorandum, Interior Minister Marco Minniti is reported to have negotiated payments to the Awlad Suleiman, Tebu, and Tuareg communities that organize migrant routes across southern Libya, in order to stop them from directing migrants northwards, and to have offered financial assistance to Tripoli and to local armed groups in Misrata and Sabratha[38].

2.2. *Migration containment and coercive engineered migration*

The second pillar of the Italian–Libyan security nexus is the containment of irregular maritime migration. By October 2025, Libyan maritime forces supported by Italy and the EU had intercepted and returned to Libya more than 158,000 people since the signing of the Memorandum[39]. Arrivals in Italy from Libya, which peaked at 162,895 in 2016, fell to 108,409 in 2017 and to 12,977 in 2018[40], but the route proved resilient: they rebounded to 49,740 in 2023[41], and, according to UNHCR data, Libya's share of arrivals in Italy rose from 33 percent

(37) Libya Security Monitor, *Haftar appoints Saddam as Deputy Commander of the* LNA, 10 August 2025.

(38) M.H. Tjønn, M.G. Jumbert, *op. cit.*, p. 59, citing R.R. Larémont, M.O. Attir, M. Mahamadou, *European Union and Italian migration policy and the probable destabilization of Southern Libya and Northern Niger*, «The Journal of the Middle East and Africa», 11, n. 4, 2020, pp. 359-380.

(39) Tavolo Asilo e Immigrazione, *op. cit.*

(40) T. Eaton, L. Yousef, *How migrant smuggling has fuelled conflict in Libya. A systems analysis of key transit hubs*, Chatham House, London, February 2025, p. 7.

(41) *Ibid.*, p. 8.

in 2023 to 62 percent in 2024, while that of Tunisia fell from 62 to 29 percent[42].

In political science, the deliberate creation or manipulation of cross-border population movements in order to extract concessions from a target state is conceptualized as coercive engineered migration (CEM)[43]. Greenhill distinguishes three types of challenger: generators, who create or threaten to create flows; agents provocateurs, who incite or allow outflows; and opportunists, who exploit flows created by others[44]. Most of this literature is state-centered. Rönnegård[45], in a Master's thesis at the Swedish Defence University, applies the framework to armed non-state actors in Libya and finds evidence of attempted CEM against the EU in two periods, 2014-2017 and 2020-2023, with the actors seeking mainly legitimacy and resources. He classifies them mostly as agents provocateurs and, in some cases, as generators, and argues that their non-diplomatic status gives them more leverage than states because they can strike covert deals that they may expose or break at no formal cost. The study is exploratory, rests on documentary and press sources, and acknowledges that evidence of intent is difficult to obtain, so its conclusions are best read as probabilistic.

The best-documented episodes concern western Libya in 2017. The Associated Press reported in August 2017 a verbal agreement between Italy and the two most powerful

(42) R. Horsley, *Libya. Hybrid migration systems underpin resilience of human smuggling in 2024*, Global Initiative Against Transnational Organized Crime, Geneva, October 2025, p. 3.

(43) K.M. Greenhill, *op. cit.*, p. 13.

(44) *Ibid.*, pp. 23-31.

(45) R. Rönnegård, *A camouflaged weapon. Coercive engineered migration against Europe by armed non-state actors in Libya*, Master's thesis, Swedish Defence University, Stockholm 2023, pp. 44-45.

armed groups in Sabratha, *Brigade 48* and al-Ammu, considered the heads of local trafficking[46], and The Guardian later revealed that on 11 May 2017 Italian officials had met in Rome Abd al-Rahman Milad, known as "Bija", commander of the Zawiya refinery coast guard, whom it described as a notorious human trafficker[47]. Italy denied negotiating with traffickers. Bija was on the UN Security Council sanctions list for trafficking and smuggling[48], and he was assassinated in Zawiya in September 2024, an event that created a power vacuum in the city[49]. In 2017 rumors of covert Italian funding for armed actors in Sabratha, although never substantiated, preceded a 19-day conflict among local armed groups, which gave rise to a lasting dynamic in which groups complicit in smuggling position themselves as the actors responsible for preventing it[50]. Departures fell sharply: arrivals in Italy were about 85 percent lower in August 2017 than in the two previous years[51], and Zambiasi and Albarosa[52] estimate that average monthly arrivals fell by about 44 percent after February 2017. Rönnegård[53] reads these deals as attempts by armed non-state actors to obtain legitimacy and resources by threatening continued flows.

(46) M. Michael, *Backed by Italy, Libya enlists militias to stop migrants*, "Associated Press", 29 August 2017.

(47) L. Tondo, *Human trafficker was at meeting in Italy to discuss Libya migration*, "The Guardian", 4 October 2019.

(48) UN Independent Fact-Finding Mission on Libya, *Report of the Independent Fact-Finding Mission on Libya*, UN Human Rights Council, A/HRC/52/83, Geneva, 3 March 2023, para. 45.

(49) R. Horsley, *op. cit.*, p. 3.

(50) T. Eaton, L. Yousef, *op. cit.*, p. 7.

(51) M.H. Tjønn, M.G. Jumbert, *op. cit.*, p. 59.

(52) D. Zambiasi, E. Albarosa, *Externalizing rescue operations at sea. The migration deal between Italy and Libya*, «Journal of Economic Geography», 25, n. 1, 2025, p. 53.

(53) R. Rönnegård, *op. cit.*, pp. 38-40.

In eastern Libya the pattern changed from 2020. The Global Initiative Against Transnational Organized Crime (GI-TOC) describes a "hybrid" smuggling system in which packages including legal entry, limited inland travel, and the final sea crossing are sold to migrants, mainly Bangladeshis, Syrians, and Egyptians, and in which Benina airport in Benghazi became increasingly central; by 2023 the Libyan Arab Armed Forces, the force referred to in this chapter as the LNA, issued a simplified security clearance for USD 500[54]. A Frontex intelligence report of April 2023 described smuggling groups chartering flights from Damascus to Benghazi; on the basis of these data, Rönnegård[55] counts 363 flights of the Syrian airline Cham Wings between Syria and Benghazi from January 2020 to June 2023, which at an average of 150 passengers would correspond to about 54,450 people[56]. Cham Wings had been sanctioned by the EU in 2021 for its role in the Belarus–Poland crossings, and the sanctions were lifted in July 2022[57]. From October 2022 arrivals in Italy surged, with a majority of boats originating in Cyrenaica, a route that had previously been marginal[58], and in the first four months of 2023 more than 10,000 arrivals in Italy were recorded as departing from the east, over 150 percent more than a year earlier[59]. Estimates of the eastern share of departures in 2023 vary: UNHCR estimated that most of

(54) R. Horsley, *op. cit.*, p. 19.

(55) R. Rönnegård, *op. cit.*, p. 31.

(56) C. Engerer, *Cham Wings chartered flights to smuggle Bangladeshi nationals into Europe via Libya*, parliamentary question, European Parliament, 2023.

(57) *Ibid.*

(58) A. Kaval, *A reactivated migration route from eastern Libya opens the Mediterranean back up*, "Le Monde", 25 November 2022.

(59) T. Eaton, L. Yousef, *op. cit.*, p. 61.

those who reached Italy from Libya in the first half of the year had embarked from Cyrenaica[60], while ISPI analysts attributed to Haftar's networks over 60 percent of illicit trafficking from Libya to Italy[61].

The evidence that these flows were used as leverage is largely circumstantial but consistent. In August 2017 Haftar threatened to confront Italian naval ships when Italy began a naval mission in Libyan waters, and Italy reduced the number of ships involved, officially citing protests in Tripoli[62]; Rönnegård[63] reads this as a possible case of successful coercion. In March 2023 the Italian government blamed Russia and the Wagner Group for the surge in arrivals[64]. On 4 May 2023 Prime Minister Giorgia Meloni, meeting Haftar, offered to invest in eastern Libya in return for action on migrant smuggling[65], and Haftar was received in Rome by the Prime Minister and the Foreign, Defense, and Interior ministers[66]. About three weeks later some 4,000 migrants were forced to walk across the border into Egypt[67], an episode Rönnegård[68] interprets as a demonstration of Haftar's commitment to curbing

(60) M. Villa, A. Pavia, *Irregular migration from North Africa. Shifting local and regional dynamics*, Atlantic Council, Washington DC 2023.

(61) F. Saini Fasanotti, A. El Gomati, *Charting risky waters. Italy and Khalifa Haftar's role in Libya*, ISPI Analysis, ISPI, Milano, 5 July 2023.

(62) C. Balmer, *Italy begins naval mission to help Libya curb migrant flows*, "Reuters", 3 August 2017; C. Murphy, *Italy unfazed by Libyan strongman's threats to bomb navy*, "Politico Europe", 3 August 2017.

(63) R. Rönnegård, *op. cit.*, pp. 35-36.

(64) A. Amante, A. MacSwan, *Italy blames surge in migration on Russia's Wagner group*, "Reuters", 13 March 2023.

(65) T. Eaton, L. Yousef, *op. cit.*, p. 61.

(66) F. Saini Fasanotti, A. El Gomati, *op. cit.*; R. Rönnegård, *op. cit.*, p. 36.

(67) A. McDowall, *Eastern Libya forces stage mass deportation of Egyptian migrants*, "Reuters", 4 June 2023.

(68) R. Rönnegård, *op. cit.*, p. 36.

departures; a Maltese delegation met him in June[69], and on 8 July 2023 Sea-Watch reported a pullback of a fishing boat carrying 250 migrants near Malta, returned to Benghazi[70]. Rönnegård[71] found no record of financial or military concessions to Haftar, but concludes that the meetings conferred legitimacy.

The subsequent trajectory of departures from Tobruk is the clearest indication that the flows responded to political incentives. After a major crackdown in 2023, departures from the Tobruk area fell from 17,500 in 2022 to 6,900 in 2024; in 2023 almost all vessels leaving Tobruk sought to reach Italy, whereas in 2024 they went almost exclusively to Crete[72]. GI-TOC concludes that the crackdown was a politically motivated effort by the LNA to demonstrate control and to enhance its diplomatic relations, particularly with Italy, and that the resurgence of small-boat departures to Crete from late 2023 suggests that some within the LNA saw this covert approach as a way of tolerating limited smuggling without antagonizing the Italian authorities; as numbers surged in 2025, the practice became increasingly provocative to Greece and signaled a shift back towards open toleration[73]. In 2025 Crete recorded some 19,900 irregular arrivals, 285 percent more than in 2024, with most boats departing from Libya's eastern coast[74]. Eaton and

(69) M. ALNAJJAR et al., *Smuggler, warlord,* EU *ally*, Lighthouse Reports, 2023.

(70) E. VASQUES, *Libyan militia illegally returned 250 migrants near Malta*, "Euractiv", 12 July 2023.

(71) R. RÖNNEGÅRD, *op. cit.*, p. 37.

(72) R. HORSLEY, *op. cit.*, p. 32.

(73) *Ibid.*, p. 34.

(74) Mixed Migration Centre, *Quarterly mixed migration update. North Africa, Q4 2025*, 2026.

Yousef[75] draw the general conclusion that a new route emerged in the east because those in control of the area knew that they could extract concessions from European leaders by facilitating a spike in arrivals, an approach with a precedent in Gaddafi's warnings to Europe in 2010.

These readings remain interpretive. Rönnegård[76] notes that Villa and Pavia[77] point to post-pandemic economic crises and the war in Ukraine as drivers of the 2022-2023 increase, explanations that he finds less convincing for Libya but cannot exclude without evidence of the challenger's intent, and GI-TOC stresses the resilience of smuggling markets and local power dynamics[78]. The chapter therefore treats the leverage reading as the best-supported interpretation of observed incentives rather than as proof of deliberate design in every case. The limits of the approach became visible on 8 July 2025, when the authorities of the eastern government declared the EU Commissioner for Internal Affairs and Migration, Magnus Brunner, and the interior ministers of Italy, Greece, and Malta *personae non gratae* on their arrival at Benina airport in Benghazi, shortly after the delegation had held talks in Tripoli[79]. The Commission spoke of a "protocol issue"; press reports linked the incident to Haftar's insistence that the delegation be received alongside ministers of the eastern government, that is, to his search for political recognition. The episode illustrates both the leverage that eastern actors seek to extract from migration diplomacy and the difficulty for

(75) T. Eaton, L. Yousef, *op. cit.*, p. 61.

(76) R. Rönnegård, *op. cit.*, p. 32.

(77) M. Villa, A. Pavia, *op. cit.*

(78) R. Horsley, *op. cit.*, p. 3.

(79) Euronews, *Migration commissioner expelled from Libya as "persona non grata"*, 8 July 2025.

European actors of engaging with Benghazi without conferring recognition on a rival government.

Taken together, the evidence of this section suggests that Italy's two-track diplomacy is effective in the short term and costly in the long term. It yields gas agreements and a temporary reduction of arrivals, but it also teaches Libyan actors that control over migration routes and energy infrastructure is a bargaining resource that European governments are willing to reward.

3. Illicit Political Economies

3.1. *Subsidized fuel and the shadow fleet*

Libya's fuel subsidies are among the largest drivers of illicit revenue. The Sentry[80] implicates senior political and military figures on both sides of Libya's divide in the diversion of subsidized fuel; it argues that more than half of fuel procurements for the domestic market are siphoned off before reaching legitimate consumers, that fuel imports more than doubled in three years to about 41 million liters per day by late 2024, and that by 2024 almost $7 billion in subsidized fuel, about 15 percent of total public spending, was being stolen each year[81]. It also links the phenomenon to wider macroeconomic damage: by depriving the CBL of hard-currency revenue, smuggling exacerbates dollar shortfalls and dinar depreciation, and because the gap between official and parallel exchange rates raises the returns

(80) The Sentry, *Inside job. Libya's fuel smuggling escalation*, 13 November 2025.

(81) *Ibid.*

to arbitrage on subsidized fuel, the two problems reinforce each other. The Sentry reports, finally, that fuel diverted in the east reaches Russian military personnel at several air bases in Libya, who in turn ship it to other Russian missions in sub-Saharan Africa.

In western Libya, fuel smuggling has historically run from the Zawiya refinery to Malta and Sicily. The best-documented case is Operation "Dirty Oil", launched in 2015 by the Guardia di Finanza of Catania, which in 2017 led to the dismantling of a network that included the Libyan smuggler Fahmi Slim Ben Khalifa, identified by the UN Panel of Experts in March 2016 as the head of one of the country's most active fuel smuggling networks, and the Maltese businessmen Darren and Gordon Debono[82]. A report by TRIAL International and Public Eye[83] then traced how the Swiss trader Kolmar Group, which denies knowledge of any illegal activity, bought and stored fuel from this network in Malta in 2014-2015; Swiss authorities opened an investigation into possible complicity. The case shows that Libyan fuel smuggling depends on international buyers and implicates European maritime and commodity hubs.

The international sanctions framework has extended its reach to this trade. On 14 April 2026 the UN Security Council unanimously adopted Resolution 2819, which extended until 1 August 2027 the authorization, first established by Resolution 2146 (2014) and amended by Resolutions 2441 (2018) and 2509 (2020), for Member States to take measures against the illicit export of petroleum

(82) TRIAL International, Public Eye, *Libyan fuel smuggling. A Swiss trader sailing through troubled waters*, March 2020.

(83) *Ibid.*

from Libya, including inspection on the high seas of vessels suspected of such exports, and renewed the mandate of the Panel of Experts until 15 August 2027[84]. The resolution also introduced limited exemptions to the asset freeze and the arms embargo. The mechanism nonetheless faces significant operational limits. Tankers of the "shadow fleet" frequently fly flags of convenience or operate without flag-state consent, which complicates boarding on the high seas, and when they operate inside Libyan territorial waters under the escort of LNA or western armed groups' craft, international naval forces lack jurisdiction to intervene, leaving coastal hubs such as Benghazi and Zawiya largely beyond interdiction.

3.2. *Narcotics and the economy of hybrid smuggling*

Beyond the petroleum sector, Libya has become a transit and, according to the United Nations, increasingly a production site for illicit drugs. The first report of the United Nations Office on Drugs and Crime (UNODC) on drug trafficking dynamics in Libya and across North Africa (January 2026) describes Libya as an emerging node for the onward trafficking of cocaine and for synthetic drugs, including Captagon, and attributes this to political fragmentation and weak border controls[85]. The 2025 World Drug Report had already noted that Captagon trafficking was expanding regionally and that laboratories had been found in Libya[86]. The fall of the Assad government in December

(84) UN Security Council, *Resolution 2819 (2026)*, S/RES/2819(2026), 14 April 2026.

(85) UNODC, *Drug trafficking dynamics in Libya and across North Africa*, Vienna, January 2026.

(86) UNODC, *World drug report 2025*, United Nations, Vienna 2025.

2024, widely associated with the Captagon trade, may have affected these routes, but the sources consulted do not allow firm conclusions about a relocation of the trade to Libya. Seizures point in the same direction, although they do not by themselves establish the scale of the trade: Greek authorities intercepted in December 2018 a ship carrying more than three million Captagon tablets from Latakia bound for an eastern Libyan port, and authorities in Benghazi reported further seizures of Captagon-type tablets in August 2025 and September 2026[87].

Migrant smuggling is itself a major illicit economy. In 2024 a hybrid journey typically cost between €4,500 and €6,350, with some migrants paying considerably more[88], and the sums flow through brokers, intermediaries, and armed groups that control airports, checkpoints, and departure points. This economy depends on the same local power dynamics as fuel smuggling: weak control by the GNU over the west coast allows smugglers to offer relatively reliable sea crossings[89], and in the east complicit elements within the security forces are reported to profit from small-boat departures and from the abuse of detained migrants[90]. How the proceeds of these activities are laundered, including through informal value-transfer systems and trade-based schemes, deserves dedicated study; the open sources reviewed here do not allow these mechanisms to be documented reliably, and they are therefore not analyzed further.

(87) Euronews, *Tripoli busts Gaddafi-shaped pill shipment as al-Assad's captagon appears in Libya's east*, 17 September 2026.

(88) R. Horsley, *op. cit.*, p. 21.

(89) *Ibid.*, p. 3.

(90) *Ibid.*, p. 34.

4. Russian Projection, Militia Capture, and the Legal Dilemmas of Externalization

4.1. *Russia in Cyrenaica*

Russia's military presence in Libya began with the Wagner Group, which entered the country in 2018 to support Haftar and joined his 2019 offensive against Tripoli[91]. After the June 2023 mutiny and the death of Yevgeny Prigozhin in August 2023, Moscow restructured Wagner's African activities under the Ministry of Defense as the *Africa Corps*; according to Manfredi Firmian[92], the Kremlin's underlying strategy has nonetheless remained one of state capture, that is, gaining influence over embattled strongmen willing to serve Russian interests and to take part in corrupt business arrangements, with mixed results for Moscow and negative effects on the political and economic prospects of fragile states.

Estimates of the Russian presence vary: at least 1,800 soldiers and mercenaries were reported at key locations including Tobruk, Al-Khadim, and Brak al-Shati[93], a figure consistent with a July 2024 report on 1,800 fighters deployed in eastern Libya[94]. An open-source study produced by the University of Texas Intelligence Studies Project together with the Tearline initiative of the U.S. National Geospatial-Intelligence Agency identified improvements at

(91) Africa Defense Forum, *Russia sends 1,800 fighters to Libya with eyes on greater influence across Africa*, 2 July 2024.

(92) F. Manfredi Firmian, *Russia's state capture strategy in Africa, from Wagner to the Africa Corps*, «Small Wars & Insurgencies», 36, n. 4, 2025, pp. 783-812.

(93) F. De Lucia Lumeno, *op. cit.*, p. 4.

(94) Africa Defense Forum, *op. cit.*

six Libyan air bases (Al-Jufra, Al-Khadim, Al-Qardabiyah, Brak al-Shati, Maaten al-Sarra, and Tamanhint) since the arrival of the *Africa Corps* in April 2024, and concluded that Russia is planning, funding, and building the expansion and offering personnel, which advances its foothold in North Africa and the Sahel and maintains a military presence along NATO's southern flank(95). Libya is a logistical platform for operations in the Sahel and a potential alternative to Syria's facilities after the fall of the Assad government in December 2024, but the scale and permanence of the arrangement remain contested among analysts. In the west, Turkey maintains a military presence at the Al-Watiya airbase and at naval facilities, and the resulting Turkish–Russian "condominium" has produced a military stalemate that prevents large-scale open warfare and inhibits political unification(96).

For Italy and NATO, the consolidation of a Russian presence in Cyrenaica raises strategic concerns. Saini Fasanotti and El Gomati(97) argue that Haftar's alliance with the Wagner Group allowed Russia to expand its influence in Libya, with implications for Italy in its role as guardian of NATO's southern neighbourhood, and that engaging Haftar offers little tangible reward and significant strategic risks, since the LNA is an informal network of armed groups rather than a regular army. The point for the argument of this chapter is political: by engaging the Haftar family as

(95) ISP Tearline Team, *Libya. Russia develops air base infrastructure likely to secure military foothold in North Africa and Sahel*, Intelligence Studies Project, University of Texas at Austin, with the National Geospatial-Intelligence Agency, Tearline, 2026; BISI, *The expansion of Russia's "Africa Corps" in Libya*, Bloomsbury Intelligence and Security Institute, London, 13 June 2024.

(96) F. De Lucia Lumeno, *op. cit.*, p. 4.

(97) F. Saini Fasanotti, A. El Gomati, *op. cit.*

a *de facto* sovereign authority in the east, European governments have dealt with a partner that also hosts Russian forces and that appears able to use migration and fuel as instruments of leverage.

4.2. *Militia capture of the state in western Libya*

Western Libya illustrates the other side of the "extortion state" described by Lacher and Tubiana[98], in which armed groups are not external to state institutions but occupy them. The UN Independent Fact-Finding Mission on Libya found reasonable grounds to believe that migrants across Libya are victims of crimes against humanity, including murder, enforced disappearance, torture, enslavement, sexual violence, and rape, committed in connection with their arbitrary detention[99]. It identified such acts in detention centers of the Department for Combating Illegal Migration in Tripoli, Zawiya, Gharyan, and elsewhere, and a particularly significant role of the Stability Support Apparatus (SSA), which cooperated with the Libyan Coast Guard in Zawiya and controlled the Abu Salim and Ayn Zarah centers[100]. The head of the DCIM since January 2022, Mohamed al-Khoja, was also the head of an armed group and of the Tariq al-Sikka detention center, and the SSA, an alliance of armed groups established by the Presidential Council in January 2021, was led by the militia leader Abdel Ghani al-Kikli, known as Ghneiwa[101]; al-Kikli was killed in May 2025, an episode that triggered the heaviest

(98) W. LACHER, J. TUBIANA, *op. cit.*
(99) UN Independent Fact-Finding Mission on Libya, *op. cit.*, para. 41.
(100) *Ibid.*, para. 42.
(101) *Ibid.*, para. 43.

fighting in Tripoli in years[102]. The Mission found reasonable grounds to believe that high-ranking staff of the Libyan Coast Guard, the SSA, and the DCIM colluded with traffickers and smugglers in the context of interception and detention, and that guards demanded and received payment for the release of migrants[103].

The Mission also had grounds to believe that the EU and its member states, directly or indirectly, provided monetary and technical support and equipment, such as boats, to the LCG and the DCIM, which was used in the interception and detention of migrants, and noted that Libyan authorities and third states had been on notice for years of the widespread and systematic attacks on migrants[104]. Scholars have described this as a migration industry in which security outsourcing blurs the line between state agencies and armed groups[105]. Eaton and Yousef[106] similarly conclude that border externalization has expanded Libya's conflict economy instead of restraining it, and that European policies have become tools of "migration proxy warfare" in which migration management is delegated to armed groups affiliated to the Libyan state. Lacher[107] adds that the consolidation of the detention system and the empowerment of armed groups have also provoked a backlash among the Libyan public.

(102) Atlantic Council, *The killing of Abdul Ghani al-Kikli may be a turning point for Libya*, "MENASource", May 2025.

(103) UN Independent Fact-Finding Mission on Libya, *op. cit.*, para. 44.

(104) *Ibid.*, para. 46.

(105) A. Pacciardi, J. Berndtsson, EU *border externalisation and security outsourcing. Exploring the migration industry in Libya*, «Journal of Ethnic and Migration Studies», 48, 2022, pp. 4010-4028.

(106) T. Eaton, L. Yousef, *op. cit.*, p. 60.

(107) W. Lacher, *The political fallout of European migration policy in Libya. Consolidating the detention system, empowering warlords and provoking backlash from the Libyan public*, SWP Comment 2025/C 41, Stiftung Wissenschaft und Politik, Berlin, September 2025.

4.3. *Legal and humanitarian dilemmas*

The legal framework within which this cooperation operates is shaped by the principle of non-refoulement and by the law of state responsibility. In *Hirsi Jamaa and Others v. Italy* the Grand Chamber of the European Court of Human Rights held that the return of migrants intercepted at sea to Libya violated the Convention[108]. Since then Italy has shifted from direct pushbacks to support for Libyan interception, so that rescue operations are carried out by a third state[109]. Under the Articles on the Responsibility of States for Internationally Wrongful Acts, a state that aids or assists another state in committing an internationally wrongful act may be responsible if it does so with knowledge of the circumstances and if the act would be wrongful if committed by the assisting state[110].

The jurisdictional route before the European Court has so far not led to a finding against Italy. In *S.S. and Others v. Italy*, concerning events of 5-6 November 2017, seventeen Nigerian and Ghanaian applicants who had left Libya in a rubber dinghy with about 150 other people argued that Italy had jurisdiction over a rescue coordinated by the Rome Maritime Rescue Coordination Centre thirty-three nautical miles north of Tripoli. A Libyan vessel designated by the Tripoli coordination centre took charge of operations, several people died,

(108) European Court of Human Rights, *Hirsi Jamaa*, cit.

(109) G. Ciliberto, *Libya's pull-backs of boat migrants. Can Italy be held accountable for violations of international law?*, «The Italian Law Journal», 4, n. 2, 2018.

(110) International Law Commission, *Articles on Responsibility of States for Internationally Wrongful Acts*, un General Assembly resolution 56/83, annex, 2001, art. 16.

including two children, two of the applicants remained aboard the Libyan ship and were taken back to Libya, and the others were taken to Italy by the Sea-Watch 3[111]. On 20 May 2025 the Court, unanimously, struck out the application in so far as it concerned five applicants and declared the remainder inadmissible; the decision was notified on 12 June 2025[112]. It found that Italy did not exercise effective control over the area, since Italian financial and technical support to Libya did not mean that Libya was under its decisive influence and Italy had not taken over Libyan public-authority powers over immigration[113], and that Italy did not exercise jurisdiction through its agents, since the Libyan crew acted autonomously and the Rome Centre had only fulfilled its obligation to coordinate rescue[114]. The Court nevertheless recognized that this interpretation of jurisdiction may seem unsatisfactory to the applicants, noted that all the reports available to it showed that migrants in Libya were at risk of torture, slavery, and discrimination, and took note of the concerns voiced by the Council of Europe Commissioner for Human Rights, UNHCR, and other interveners about the outsourcing of migration control[115]. It added that, although the conditions for extraterritorial jurisdiction were not met, the situation remains governed by other rules of international law, including those on rescue at sea, the protection of refugees, and state

(111) European Court of Human Rights, *S.S. and Others v. Italy*, n. 21660/18, decision of the First Section, 20 May 2025, paras. 4-16.

(112) *Ibid.*, para. 40.

(113) *Ibid.*, paras. 91-98.

(114) *Ibid.*, paras. 99-108.

(115) *Ibid.*, paras. 109-110.

responsibility, which fall outside its own authority[116]. The decision therefore leaves the question of Italian responsibility to those other rules[117].

Italy's accountability has also been tested before the International Criminal Court. On 19 January 2025 Italian police arrested in Turin Osama Njeem (Almasri), a Libyan official wanted by the Court for war crimes and crimes against humanity allegedly committed in the Mitiga detention facility; he was released and flown back to Tripoli on an Italian government aircraft. In October 2025 the Court's Pre-Trial Chamber found that Italy had failed to comply with its obligations by not properly executing the request for arrest and surrender, and on 26 January 2026 the matter was referred to the Assembly of States Parties; the Italian government maintained that it had acted in good faith and that the warrant presented uncertainties[118]. Whatever its legal outcome, the episode shows how the management of relations with Libyan security actors can collide with Italy's obligations under international criminal law.

Domestic legislation reinforces the externalized model. The Piantedosi Decree (Decree-Law No. 1 of 2 January 2023, converted by Law No. 15 of 2023) authorizes Italian authorities to sanction and detain rescue vessels for, among other reasons, failing to follow instructions from the Libyan Coast Guard; in October 2024 the Tribunal of Brindisi referred the relevant provisions to the Constitutional Court, which heard the case in 2025[119]. Italy's approach has

(116) *Ibid.*, paras. 112-113.

(117) G. Ciliberto, *op. cit.*

(118) ansa, *Italy referred to* icc*'s Assembly of States over Almasri case*, 2 April 2026.

(119) Human Rights Watch, *Italy: Constitutional Court hears challenge to law penalizing sea rescue*, 20 May 2025.

been broadly continuous across governments: Punzo and Scaglione[120] show that securitization and externalization, from the 2017 agreements through the Conte, Draghi, and Meloni governments, have reshaped smuggling dynamics, with Libya again becoming the main departure location from 2021.

Quantitative evidence on the effects of externalized rescue is limited but suggestive. Using a spatial difference-in-differences design on Missing Migrants Project data, Zambiasi and Albarosa[121] find that, after the 2017 Memorandum, the probability of a deadly incident rose in the areas of the Central Mediterranean closest to the Libyan coast, where the Libyan Coast Guard was supposed to conduct search and rescue; within 16 to 126 kilometers of Tripoli it was about 6.3 times the sample mean. The effect is concentrated in May and June 2017, when Italy donated four patrol boats to the Libyan Coast Guard and the Italian Maritime Rescue Coordination Centre began sharing information on boats in distress with the Libyan authorities, and it returns to pre-Memorandum levels from July 2017, coinciding with the Italian code of conduct for NGOs, the start of EU monitoring of the Libyan Coast Guard, and a sharp drop in departures. The authors also report suggestive evidence of diversion: monthly arrivals in Italy fell by about 44 percent after February 2017, while arrivals in Spain of migrants from nationalities previously more likely to reach Italy rose by about 41 percent. They themselves caution that the displacement estimates are descriptive and that the mortality effect appears short-lived.

(120) V. Punzo, A. Scaglione, *Beyond borders. Exploring the impact of Italian migration control policies on Mediterranean smuggling dynamics and migrant journeys*, «Trends in Organized Crime», 2024.

(121) D. Zambiasi, E. Albarosa, *op. cit.*, pp. 49-51.

5. Conclusion and Policy Implications

This chapter has argued that Italian policy towards Libya, shaped by the need to secure hydrocarbons and to contain migration, has produced a condition of controlled instability. Three findings emerge. First, Italy's energy and migration objectives are structurally linked: Eni's investments, including the Structures A&E project, and the Mattei Plan depend on a Libyan political order divided between Tripoli and Benghazi, and Rome's two-track diplomacy sustains both sides in ways that reduce incentives for unification; meanwhile migration departures appear to have become a bargaining resource for armed groups in the west and, in the east, for the Haftar family, as the sequence of 2023 and the crackdown at Tobruk suggest. Second, illicit economies capture a large share of Libya's resources: subsidized-fuel smuggling is estimated by The Sentry at almost $7 billion a year by 2024, networks such as those exposed by the "Dirty Oil" investigation have linked the Libyan coast to European hubs, and, according to UNODC, Libya has emerged as a transit point for cocaine and synthetic drugs. Third, Russian military projection in Cyrenaica, the capture of state institutions by militias in the west, including the apparatus responsible for detention and interception, and the legal consequences of pull-backs by proxy under the principle of non-refoulement and the law of state responsibility suggest that the accommodation of armed actors carries strategic, institutional, and legal costs that its short-term benefits do not offset.

In light of this analysis, four policy priorities emerge for Italy and the European Union. First, European energy investments under the Mattei Plan should be conditioned on

financial transparency in the Libyan oil sector, including independent audits of NOC revenues and of the fuel subsidy system, so as to reduce the resources available to smuggling syndicates and armed groups.

Second, Italy and the EU should develop a unified maritime security framework in the Central Mediterranean, built on the UN sanctions regime established by Resolution 2819, with greater coordination on inspections of vessels suspected of illicit petroleum exports, on information-sharing, and on monitoring of Russian activity. European policy should also reconsider the assumption that Haftar is a reliable counter-terrorism or migration partner, given that his forces host the Russian presence in Cyrenaica.

Third, Italy and the EU should reconsider the model of cooperation with the LCG and the DCIM in light of the findings of the Fact-Finding Mission and of the Court's acknowledgment of the risks faced by migrants in Libya. At a minimum, any support should be made conditional on verifiable guarantees of human rights, with independent monitoring of detention centers and of interceptions. The establishment of safe processing mechanisms under UN management on Libyan territory, which is sometimes proposed, would need to avoid reproducing on Libyan soil the containment logic criticized in this chapter, and should be paired with expanded resettlement and evacuation pathways.

Fourth, the EU and its member states should expand legal pathways for migration and humanitarian admission, so as to reduce the scope for criminal syndicates to profit from irregular movement, and should ensure that the externalization of border control is accompanied by transparency and accountability mechanisms, including parliamentary scrutiny of funding for Libyan agencies.

From a theoretical perspective, the Libyan case suggests that border externalization is not a neutral technical tool. Where it is deployed across a fractured state, it can act as a catalyst of fragmentation, criminalization, and authoritarian consolidation, since the actors entrusted with border enforcement acquire both resources and bargaining power. By treating armed groups and hybrid militias as security partners, European states risk transforming borderlands into spaces of "sovereign extortion" in which the monetization of instability is more profitable than state-building. The chapter therefore invites further research that combines border studies, the political economy of conflict, and international law, and that tests the arguments advanced here, notably the coercive engineered migration reading of Libyan behavior, against field-based and archival evidence as it becomes available.

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