

Municipal Undocumentedness

Paperwork and the Performativity of Population Registers in Italy



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Introduction

All migrants who are legally authorized to stay in Italy have the right to obtain enrolment in the population registers of the municipality in which they live, under the same conditions as Italian citizens. Achieving municipal registration is highly important, as it is the prerequisite for actually exercising the rights to which individuals are entitled according to national laws – particularly, social assistance and public housing, enrolment in the country’s national health service, acquiring citizenship and voting in local elections.

However, the right to obtain the status of local residents – *residency* – is often denied. Local governments and bureaucracies often carry out formal or informal strategies aimed at impeding registration. Basically, since municipalities pay a part of the costs of welfare and the welfare benefits and services are granted only to residents, local governments are strongly incentivized to limit social expenditure by avoiding paying for those who are in need and thus relying on state support. Denying registration, therefore, is tantamount to trying to save the money that would be spent on poor people, who often are migrants (especially refugees and asylum seekers) (Gargiulo 2017).

Furthermore, in recent years, national governments have changed national laws and regulations on registration in order to restrict the right to obtain enrolment in population registers. A ban on taking up residency in occupied dwellings was introduced, and people who are without fixed abode or homeless and want to be registered are required to prove the effective reality of their domicile. As a consequence of these actions, migrants – who often live in precarious dwellings, in illegally occupied buildings or even on the street, and hence are not able to meet the requirements for registration – are particularly subject to exclusion from access to benefits and services.

In regulating registration procedures, paperwork is crucial. In Italy, it is found both at the central and municipal level. At the national level, laws and regulations are clarified, detailed and concretely implemented through guidelines and circulars issued by the Ministry of the Interior and the National Institute of Statistics (ISTAT). At the local level, people are asked to fill in specific forms which are uniformly produced by the central authorities. But paperwork is also crucial to restricting or denying the right to registration. Frequently, the forms employed by municipal authorities are modified in order to serve exclusionary purposes. In this chapter, I will show the ‘double-edged’ nature of paperwork: it can be used to further registration but also – and above all – to restrict the right to registration. In Italy, paperwork is therefore a contested item: as the research presented in this chapter shows, it is necessary for concretely carrying out registration procedures, but at the same time it is a device which can restrictively manage enrolment in population registers when it is altered in order to make formal requirements more restrictive.

The misuse of registration through paperwork has a political meaning and follows a political logic which perverts the function of population registers: instead of *monitoring* the people who live within municipal territories, they are used as devices for *selecting* ‘deserving’ and ‘desirable’ local citizens. When this happens, a process of deliberately asymmetric construction of social reality takes place. Population registers thus unveil their performative nature – that of devices which do not represent but do perform the population. If this is true of population registers in general, it is even truer when they are used in a selective way. The difference is that when registers are used to monitor individuals, their performativity is unintentional: those who use them seek to merely “see” the population and not to alter it. On the contrary, when registers are employed to select, their performativity is intentional: those who (mis)use them explicitly desire to shape the local community.

By stressing how paperwork concerning registration is a field of tensions and conflicts between various actors and how it produces *performative* effects, this chapter aims at focusing on the construction of ‘municipal

undocumentedness'. This is a condition of lacking registration, which *de jure* and *de facto* involves many migrants who are authorized to stay in Italy and thereby have the right to be registered. Municipal undocumentedness affects the lives of those who are excluded from registration as it implies the impossibility of concretely exercising many fundamental rights.

By focusing on how this condition is constructed through paperwork, this chapter refers to concepts borrowed from studies on identification (Horton and Heyman 2020; Noiriell 1998; Torpey 2019) and on documents (Freeman and Maybin 2011; Goody 1986; Scott 1990; Weisser 2014). Moreover, by proposing a typology of paperwork and analysing in depth how the various types ambiguously relate to legal norms which regulate registration and often subvert them, this chapter aims to speak to anthropological research on law (Borrelli and Andreetta 2019; Cabot 2012; Heyman 1995, 2012; Hull 2008, 2012; Handelman and Leyton 1978; Mathur 2016; Pratt 2005; Riles 2006; Tuckett 2018; Vettters 2019) and to foster a more interdisciplinary approach to the study of the performativity of administrative power. More specifically, this chapter adds new, empirical elements to social and anthropological research on law as it shows the concrete functioning of paperwork in a field (municipal registration) that is not widely explored – especially as compared with other fields of bureaucracy and migration studies, where more research is conducted. This chapter also adds theoretical elements to the same literature as it furthers the reflection on paperwork as a documentary item that holds a performative power which has various facets that have not yet been deeply explored in the social and anthropological research on law.

The analysis conducted in this chapter relies on a path of research focused on registration and its uses and misuses. I have pursued this path for more than ten years, employing several methodological strategies: the analysis of political discourses; document analysis of legal norms and various kinds of administrative texts and paperwork; interviews; the collection of data from municipalities; and participant observation in professional courses, conferences and meetings addressed to registry officers and lawyers. Specifically, over the years and on different occasions, I have interviewed lawyers, activists, members of nongovernmental organizations (NGOs), trade unionists, experts, civil servants (belonging to municipal registry offices and prefectures) and occupiers. Moreover, in recent years I have had the occasion to participate, in the twofold guise of scholar and activist, in some paths of research/action aimed at contrasting the exclusionary practices of the authorities of some Italian cities.

These experiences have led to the writing of some chapters of NGO reports (MEDU 2019, Naga 2019). More recently, I began further research/action experience as part of a group of political activists, NGO members,

lawyers and scholars who are committed to a double objective: combatting the discriminatory actions of the Municipality of Rome and trying to push the Italian Constitutional Court to declare Article 5 of the Housing Plan illegitimate. This experience has allowed me to collect more ethnographic, documentary and discursive data. It has also given me the opportunity to analyse migrants' interactions with municipalities and their reactions to registration practices, as well as to appreciate how resisting paperwork is part of a broader and conflictual process of construction of municipal undocumentedness, which can be better explained by resorting to the categories proposed by Albert O. Hirschman: exit and voice.

Access to fields such as occupations, housing struggles and combatting discrimination has not presented significant challenges for me, thanks to my prior relationships with various occupiers, activists and legal professionals. These connections have allowed me to build trust with the individuals with whom I have taken legal and political action. Additionally, I have changed all their names to ensure anonymity. Moreover, my research has supported the subjects under investigation, and on multiple occasions I have shared the research findings with the individuals I interviewed or with those who were involved in the occupations or had been excluded from residency. Access to institutional fields, on the other hand, has proven to be more challenging. Specifically, obtaining data from municipalities has been a hurdle. Out of the ninety-five municipalities I contacted, only forty-five provided the requested data – which included information on the number of rejected registration applications, the origin and citizenship of the applicants, the reasons for rejection and the documentation used for verification. However, I encountered no issues when conducting interviews or participating in professional courses, conferences and meetings geared towards registry officers and lawyers.

Varieties of Paperwork

Paperwork is intimately connected with the production and implementation of legal norms. It plays a role in the activity of legislation, both in the preparation of legal texts and in their subsequent enactment (Eule 2014; Eule et al. 2019; Gjergji 2013; Hing, Chacón and Johnson 2018). Basically, paperwork is itself a kind of *document* which, like other objects (Latour 2000), holds normative power.

According to the *Oxford Dictionary*, a document is 'an official paper, book or electronic file that gives information about something, or that can be used as evidence or proof of something'. More precisely, a document is a material or immaterial artefact (Riles 2006) that over the course of time has begun to connote 'proof' and is connected with collective memory and

its public uses (Le Goff 1978). It is a structural element of social reality as it belongs to the category of ‘institutional facts’, which exist only within human institutions and arise when an empirical fact is assigned a function (Searle 1995). Indeed, a document not only certifies something but also contributes to shaping the social world. It allows interactions and activities, becoming a key aspect of daily life. It is the product of institutional acts, and is therefore the ‘effect of practice’, but at the same time it has ‘effects of practice’, meaning that it is performative (Weisser 2014: 47). Documents are the essential infrastructure of bureaucracies (Vismann 2008). Bureaucrats who produce documents and case files collect, select and densify information according to their relevance criteria as ‘they [the documents] are drafted to create coherence between observations and its bureaucratic processing’ (Bierschenk 2019: 116). Basically, they order the fragments of the state where they are produced and link it to other ‘fragments’ (Andretta 2019), and also control clients as well as bureaucrats themselves (Vetters 2019).

Paperwork comprises documents that have different characteristics and functions. Its power depends on its relationship with law. In fact, paperwork is not law in itself but is rather only the material support on which law is written and through which it works. As an infrastructural object which aims to facilitate the implementation of legal norms, paperwork is not supposed to directly hold power but rather merely to exercise the power that the law confers on it. However, paperwork often works as if it were a law and exerts a power that theoretically it should not hold – in this way producing effects that go beyond its formal tasks and capabilities. Paperwork, moreover, plays a strategic role in the implementation of laws and decrees: forms that must be filled out are widespread and are at the base of the functioning of a bureaucracy, as they are essential to carrying out the bureaucratic procedures connected to the implementation of legal norms.

When paperwork works as a legal norm, it can take two different forms. The first is that of *soft law*. In legal literature, this term denotes instruments with extralegal binding effect – namely, principles, rules, and standards which do not stem from one of the sources of law enumerated in a certain legal framework (Baxter 1980; Terpan 2014). The use of soft law is widespread at the European level, where European Union (EU) institutions try to persuade national governments to act in a certain way in fields in which they do not have any direct power. However, it is also relevant at the state level, where, in order to more ‘informally’ regulate specific phenomena, governments issue plans or ‘coloured’ ‘books’ or papers and technical institutions release guidelines and manuals. In both cases, soft law has an ambiguous status: while formally it stands outside of the perimeter of the law (meant *stricto sensu*), still it has an actual and effective legal normative power that is capable of deeply affecting several social issues. Documents which are often

issued to regulate certain kinds of conduct are presented and depicted as being binding and mandatory. Such a kind of camouflage effect is fostered by the procedure through which they are issued. Even though they are deployed by technical actors, such as experts and specialists, they are made effective by political actors, who legitimize them by attributing a certain role to them.

Paperwork takes up its second form when it works as a legal norm as that of *infra-law*, namely, of disciplines and regulatory commands which act within, or beneath the surface of, the law (Costa-Lascoux 1989; Carbonnier 1978). *Infra-law* devices are more or less compatible with the law: while they theoretically aim to clearly define the content of laws and decrees, in some cases giving ‘flesh and blood’ to too many abstract and generic legal prescriptions, in reality they often change the content of such prescriptions from within, *de facto* ‘creating’ new law. The Italian case is quite exemplary: even though ministerial guidelines and circulars are supposed only to make clearer what a law or decree states, practically they are often used to take advantage of the genericity of the law and replace it with extralegal decisions. Like soft law, and probably more so than soft law, *infra-law* has an ambiguous status: even though it should remain within the perimeters of the law, it actually oversteps them.

Both when used in place of a law or decree and when employed to apparently clarify the meaning of legal norms, paperwork is a device of governmentality (Dean 1991; Foucault 2008), as it works as an instrument which aims to discipline and shape human conduct (Lascoumes and Le Gales 2007). In doing so, it is not explicitly regulatory but rather it works through persuasion or by quietly and obliquely modifying regulations.

When paperwork has to do with carrying out administrative procedures which implement legal norms, it takes the form of *street-level bureaucracy*. Indeed, in their daily work, bureaucrats resort to various kinds of documents (Dubois 2014; Hull 2008, 2012; Lipsky 2010; Mathur 2016). Besides dealing with legal norms and implementation devices, they get in touch with their users through forms that must be filled out. These forms in some cases are arranged by a central authority, while in other cases are directly provided for by the street-level bureaucrats. Clearly, depending on the different situations, the degree of discretion changes, being lower in the first kind of cases and higher in the second (Gargiulo 2021). However, even when the forms are arranged by the central authorities, and hence are received by bureaucrats as something ‘ready-made’, it can happen that they are intentionally altered to serve purposes that are different from those for which they should be formally used.

The dynamics of paperwork are exemplified by the case of the Italian registration system. As will emerge in more detail below, paperwork here

works as if it were a legal norm in two ways. First, it is used in the place of laws or decrees. When this happens, it produces the same regulatory effect even though it has a different legal status, as it is located in a lower position in the hierarchy of legal sources or even stands completely outside of that hierarchy. Guidelines issued by the ISTAT to regulate registration procedures are quite illustrative in this regard. Technicians who write down the texts of guidelines *de facto* act as if they have a political role and have been formally charged with the task of determining the content of a legal norm.

Second, paperwork is used to clarify the meaning of a law or decree. The guidelines and circulars issued by the technical staff of a ministry are asked to give a correct interpretation of a given legal norm. In so doing, they should implement this norm without changing its sense. However, circulars frequently ‘innovate’ with respect to the laws and decrees they are called on to simply clarify. Even in this case, technical actors play a major role – acting as *de facto* lawmakers.

Moreover, the forms used in registration procedures are an interesting kind of paperwork. Legally, they should be uniformly provided by the central authorities while local authorities are merely appointed to follow the instructions coming from above, and hence are not allowed to change the aspect and content of the forms or to bend their purposes. Yet, municipalities often autonomously arrange their own forms, which differ from the official ones. In most cases, they do this in order to prevent people who belong to certain social groups from obtaining registration.

Contextualizing Paperwork in Immigration Law

Paperwork plays a major role in the government of human mobility, in all the three forms mentioned above – namely, when it pretends to be a law or decree, clarifies the meaning of a law or decree, or acts as a form to be filled out. Indeed, it can replace – by standing for or ‘clarifying’ – the legal norms that regulate both the movement of people between different states and the paths of individuals’ inclusion in host societies. It is also involved in the bureaucratic procedures concerning stay permits, registration with national and local authorities, and integration programmes.

Paperwork as soft law is often issued at the EU level. Indeed, over the last few decades, the European Union has been a key actor in producing law-like documents which are not legally binding but able to influence national politics and policies. Documents of this kind are used in fields where the direct power of the EU institutions is quite limited, and aim at persuading states to act in a certain way by spreading ‘best practices’ and trying to foster shared views of how to manage certain phenomena.

This has happened especially in the field of immigration, where guidelines try to promote changes in the beliefs and expectations of domestic actors and then to obtain a greater policy convergence in the long term (de la Porte 2002; Borrás and Jacobsson 2004). The integration of third-country nationals (TCNs) is an issue which particularly concerns EU institutions, to such an extent that a Framework for the Integration of TCNs in the EU has been proposed. Within it, several documents have been released. Probably, the best known is represented by the *Common Basic Principles*, issued by the European Commission (EC) in 2004. Even though these principles are formulated in a rather general way and do not push member states in a clear manner towards particular immigrant-integration programmes (Jacobs and Rea 2007), they do show how the EC plays a coordinating role in the exchange of national practices and experiences on the integration of TCNs among member states representatives (Carrera and Wiesbrock 2009).

At the state level, paperwork is widespread both as soft law and infra-law. In many countries, the government of immigration, besides laws and decrees, *de facto* hinges on documents such as guidelines and circulars, which do not hold the actual status of legal norms but play a major role in fields such as, for instance, entry and stay permits, family reunification and recognition of international protection. In the hierarchy of the sources of law, guidelines and circulars are not present, or, if present, occupy its lowest rungs. Generally, they are formally conceived as internal provisions of a general character or declarations of the intent of an administrative body. In Germany, for instance, *administrative guidelines* appear under a range of different designations such as directive, decree, administrative circular, internal instruction or procedural guidance (Vetters 2019: 76). In Italy, circulars are often issued by a ministry in order to clarify the contents of a legal norm for those bureaucrats who are called on to implement and apply them.

As such, guidelines and circulars are issued by a higher administrative authority and are addressed to subordinate authorities with the aim of providing guidance on how to implement relevant laws and carry out tasks. Theoretically, they are binding only internally: that is to say, they do not have to be obeyed by people who are external to the administration. Yet, they deeply affect the government of immigration and the lives of migrants. In Germany, guidelines are meant by those who use them as simply a means to counter the complexity of legal norms (Vetters 2019: 78). However, they play a more complex role, being a device of standardization and constituting 'an attempt by astute bureaucrats to codify their practical norms and to shield them from external challenges by inserting them into the space that the larger web of public law doctrine provides for bureaucratic margins of interpretation' (Ibid.: 82). In Italy, circulars, before the first law on immigration was issued in 1990, had for a long time been playing the role of

actual laws. Subsequently, they were theoretically understood as documents merely aimed at interpreting and explicating the contents of a legal norm. Despite appearances, circulars have actually designed immigration politics and policies, and therefore have had the character of a ‘device’: even when they seem to limit themselves to giving a correct interpretation of a legal norm, they *de facto* alter the times and modalities of its application (Gjergji 2020: 332). For this reason, even though in Italy the legal condition of migrants, according to Article 10 of the Italian Constitution, is subject to a ‘legal reserve’ – namely, it has to be regulated by the law in conformity to norms and international treaties – it is *de facto* affected by circulars.

Paperwork as a form or document involved in bureaucratic procedures is highly important both at the state and the local level. Generally, the importance of documents for the working of bureaucracies and the relations of power they allow is well known in the study of discretion (Dubois 2014; Lipsky 2010) and in anthropological research on law (Heyman 1995, 2012; Hull 2008, 2012; Handelman and Leyton 1978; Pratt 2005; Riles 2006). The role of documents in the relationship between noncitizens and the institutions of the country in which they reside, or through which they transit, is a more specific topic – one, in turn, deeply analysed in many studies. Heath Cabot, for instance, has stressed the role of documents ‘as regulatory technologies that enact control and legibility over both citizens and “aliens”’ (Cabot 2012: 11). Anna Tuckett has talked about a ‘documentation regime’ – namely, a ‘nexus of documents, paperwork, and legal and bureaucratic processes that migrants must engage with in their efforts to become and stay “legal,” to bring family members into the country, and to attain citizenship’ (Tuckett 2018: 4).

To people who have crossed the borders of a state they do not belong to, ordinary paperwork assumes new currency ‘as it becomes valuable evidence of one’s duration of residence, work history, or “moral character” (diligence, civic responsibility, compliance with the authorities)’ (Horton and Heyman 2020: 11). More specifically, the interaction between migrants and the law of the host country, as it is mediated by ‘mundane paperwork procedures, uncovers the diverse strategies that can be employed to bend the law to one’s advantage’ (Tuckett 2018: 15). This means that “the state” – whether the local branches of government that issue these myriad documents or a centralized government authority – often assumes a greater presence in the lives and imaginations of precariously positioned migrants than it does in those of citizens’ (Horton and Heyman 2020: 11). To the former, paperwork, being inserted within an opaque and not easily understandable system of governance, creates uncertainty and indeterminacy, making the existence of such persons precarious and at the same time affecting the work of low-level bureaucrats (Tuckett 2015).

Registration in Italy

In the countries where it is employed, registering fulfils various purposes. It allows state institutions first to track individuals who live in the various municipalities that compose the territory of a state and their movements – and hence, to understand the dynamics of internal mobility. It also permits them to know how the population is composed and distributed within the perimeters of the state, so as to foster surveillance and, at the same time, to better allocate public resources. In order to establish population registers and make them work, various kinds of paperwork are needed.

Italy is an interesting case study in understanding the role of paperwork in registration. In this country, devices aiming at gathering knowledge about the population had already been introduced around the time of state unification in 1861. Specifically, population registers or registers of the resident population (*registri anagrafici* or *registri della popolazione residente*) were established in 1862 on the basis of the first census, made the previous year. The intent was that of allowing institutions to see as clearly as possible all the different categories of people living or having interests within the diverse parts of the national territory. Technically, this means making the *de facto* population completely overlap with the *de jure* population.

In order to be efficient, accurate and detailed, population registers are conceived as administrative and statistical records which contain information about the people who habitually reside within a given municipality or who, being homeless or without fixed abode, have a certain kind of link with it. The act of registering (*iscrizione anagrafica*) produces as its output the formal recognition of a *legal status* called residency (*residenza*).

Registration in Italy is considered a matter of national importance. As such, it is defined and governed by a national law (Law 1228 of 1954) and its implementing regulation (Decree of the President of the Republic [DPR] 223 of 1989). According to these legal norms, the authority that confers residency is the state – even though, for exclusively practical reasons, the task of registering people is assigned to municipalities. Basically, the central authorities delegate their power to the local registry offices (*uffici anagrafici*), which are simply appointed to apply the national rules. As a consequence, even though municipal authorities are *de facto* autonomous in their work, they cannot rewrite or change the ‘rules of the game’ of registration. *De jure*, in fact, municipalities have but a limited and indirect ‘sovereignty’ over population registers. It is only the state that issues laws and regulations on registration, and it is only the state that has the authority to supervise the entire process and to revoke the delegation of powers to local registry offices at any time.

This articulation of powers between central government and peripheral local authorities, moreover, has been strengthened by the unification of the system of registration launched in 2005, with the issuing of Legislative Decree 82, called the ‘Digital Administration Code’. This decree has introduced the *Anagrafe nazionale della popolazione residente* (National Register of the Resident Population – ANPR). It is a sort of national register collecting and connecting the different municipal registers in real time (Pelizza 2016).

As registration is crucial for state interests and is meant as a device to accurately monitor the territory, it is conceived so as to administratively and statistically cover the greater part of the resident population. Toward this end, it is extended to all Italian citizens, all EU citizens satisfying certain requirements and all non-EU citizens legally authorized to stay in Italy. For all these groups, registration is a duty: those who belong to them are legally obliged to declare their habitual dwelling (*dimora abituale*) to the municipal authorities or, should they be homeless or without fixed abode, the fact that they have decided to establish therein their domicile (*domicilio*) that is the centre of their affairs and interests. At the same time, the municipal authorities are expected to verify the accuracy of the declarations received and to register those who correctly declare their position.

For the same purpose of covering the population as completely as possible, registration is also a right: all the people who belong to one of these groups have to be registered by the local authorities. Moreover, this is the means to exercise other rights: social assistance, health assistance, public housing, the right to vote in local elections – for Italians and EU citizens – and many others all depend on registration. Even the acquisition of citizenship falls into this category: the regular presence in Italy of EU and third-country citizens is measured by the number of years they have been enrolled. Without residency, therefore, it is impossible to actually enjoy the better part of individuals’ rights.

Governing Registration through Paperwork

Paperwork is essential for the functioning of the system of population registers. All the kinds of documents mentioned above are involved in designing and managing how registration works. They can act as soft law, by integrating the formal regulations and filling their lacunae; as infra-law, by specifying the content of legal norms and often changing their meaning and purpose; or as forms, which are necessary to complete the procedures of registration.

First, paperwork acts as soft law because national laws and regulations do not contain precise indications on all the aspects of registration. For instance, the concrete procedures for enrolling people who do not have a

habitual dwelling are not provided for by legal norms. This gap is filled in by the Italian National Institute of Statistics (ISTAT), which is formally entrusted with the duty of overseeing the regular functioning of municipal registry offices.¹ In its operative guidelines, the ISTAT distinguishes two kind of people who do not have a habitual dwelling: those *with no fixed abode* and those who are *homeless*. The first, for professional or existential reasons, do not live in a stable way in a given municipality. The second conduct their existence within a certain municipal territory, but without having a proper living space and/or without dwelling constantly in a precise place. On the base of this distinction, the ISTAT invites ‘the registry office to establish a street, territorially inexistent, but known with a conventional name given by the registrar (e.g. street. . . followed by the name of the municipality itself, Municipal House Street, etc.)’ and to register both those who are homeless and those who are without fixed abode ‘in this virtual street address, with progressive odd numbers’ (ISTAT 1992: 45–46).

Second, paperwork plays the role of infra-law, as the ISTAT uses its guidelines and manuals not only to fill in the gaps of the law but also to clarify the meanings of the changes made to it. This happened, for instance, following the ‘Security Package’ (*Pacchetto sicurezza*) of 2009, a law that modified the requirements for the registration of those who do not have a habitual dwelling. This law established that they have to provide to the registry office all the elements for ascertaining the ‘effective reality’ of their declared domicile. Consequently, it risked increasing the confusion between the figure of the resident and that of the domiciled – namely, by giving rise to the idea that whoever wants to be registered as a person who is homeless or without fixed abode must demonstrate their physical presence. In order to clarify this question, the ISTAT, in its guidelines published in 2010, has stated that

the assessment of domicile is different from that of residency as it does not presuppose the person’s continual physical presence at the indicated address. Therefore the assessment by the Registry officer will regard the existence or non-existence of the principal base of the applicant’s affairs and interests and not his/her physical presence, which is and will be, in such cases, an accidental element. (ISTAT 2010: 71)

A similar role was played by the circular issued by the Ministry of the Interior after Decree-Law n. 47/2014 – the so-called ‘Lupi Decree’ or ‘Housing Plan’ (*Piano casa*) – which states that ‘[a]nyone who abusively occupies a property without entitlement cannot ask residency or insertion in public services in relation to that property’ (Art. 5). This circular states that those who dwell in abusively occupied property nonetheless have the right to be registered, and, since the general and prevalent criterion of the

'habitual dwelling' cannot be applied to them, no solution is possible other than registration 'by way of domicile', analogously to what happens with people without fixed abode.

Third, paperwork takes the form of bureaucratic forms, as these are essential for the administrative procedures that make registration concretely work. Specifically, two of them are important: the 'declaration of habitual dwelling' and the 'declaration of domicile'. The first is reserved for those who habitually reside in an accommodation of any kind (regardless of its material conditions and 'decency'). It contains the declaration of changing one's residence and several pieces of information concerning individuals and the space in which they live. Some of this information is mandatory while some is not, being simply of statistical interest. As a consequence of the issuing of Decree-Law n. 47/2014, anyone who declares their habitual dwelling must also prove their entitlement to occupy the accommodation in which they live. In order to ensure uniformity and consistency in the behaviour of the different local authorities, a circular issued by the Ministry of the Interior provided a standard form which asks the declarants to give – through a self-certifying process – all the relevant information and proofs.

The form reserved for those who do not have a fixed abode or are homeless contains instead the declaration about the lack of habitual dwelling and the address elected as domicile. As a consequence of the Security Package of 2009, it also asks them – again, mainly via self-certification – to provide all the elements which are necessary to prove the 'effective reality' of domicile.

With the introduction of the ANPR, moreover, access to registration depends even more on a system of nationwide digital identity, called SPID. As a consequence, the administrative process is gradually dematerialized, and the forms for enrolment are no longer paper made but go online.

Paperwork as an Institutional Battlefield

Despite the clarity of the legal norms and the indications stemming from the ISTAT and the Ministry of the Interior, there is neither agreement nor uniformity of behaviour in registering. Documents explaining the logic of enrolment in the registry office and allowing registration procedures therefore constitute a sort of battlefield, within which actors driven by different interests conduct their own strategies and conflict with each other. Basically, there are two kinds of conflict. The first involves the political and the technical level of the state apparatus: central governments attempt to tighten the right to registration through legal norms, the exclusionary effects of which civil servants and technicians attempt to ameliorate. The second sees state

and local authorities facing off against each other: this happens whenever municipalities use registration improperly to the extent that they violate national regulations.

The first kind of conflict emerged especially in 2009 and 2014, when changes made to the legal norms which regulate registration started to become a problem, and in some way a challenge, to the civil servants of the Ministry of the Interior and the ISTAT. From their perspective, population registers are a strategic tool for monitoring a territory and the people who live and circulate in it. For this reason, any restriction put on registration is perceived as an impediment to the capacity to fully and accurately 'see' what happens in the state space. The guidelines produced by the ISTAT and the circulars issued by the Ministry of the Interior are an attempt to limit the power of those political actors who aspire to use population registers as a selective and not as a monitoring device. Restrictions to registration are perceived as impediments to seeing the territory by other state apparatuses – for instance, the Constitutional Court, as emerged on the occasion of its judgment about the legitimacy of the decree on Security and Immigration, the so-called 'Salvini Decree'. Issued in 2018 under the pretext of protecting security, it denied the right to municipal residency to asylum seekers. According to the Constitutional Court, the decree was illegitimate, since, 'by preventing certain migrants from being registered, it has impeded the authorities from monitoring the territory and knowing exactly what people live and circulate in it'. In this way, the Salvini Decree has created insecurity by making it impossible to track migrants, and thus causing them to remain administratively invisible.

The fact that the first kind of conflict is conducted by technical actors does not mean that it is not 'political', for two reasons. First, because it involves the capacity of drawing the borders separating those who can exercise their rights from those who cannot despite being physically present in, or however linked to, a municipal territory. Controlling registration is therefore a highly political act as it implies deciding who deserves to be fully recognized and included in the local community. Second, on some occasions ministerial circulars have been used by political actors as a means to indirectly intervene in the political arena. The circulars following Decree-Law n. 47/2014 are an interesting case in point. The issuing of this norm triggered some tensions within the governing majority, composed of both centre-left and centre-right parties. Some members of the centre-left proposed amendments meant to alleviate the consequences of exclusion from registration. The proposals were voted down, but in the following months the 'dissident' members of the governing majority put pressure on the technical staff of the Ministry of the Interior to intervene with circulars that fulfilled the same purpose.

The second kind of conflict, on the other hand, has repeatedly emerged over the years, whenever municipalities have violated national laws and regulations on registration. Indeed, over the decades, local authorities have frequently refused to stick to national indications and have preferred, rather, to use registers as a selective device. In many cases, they have systematically avoided registering individuals of the lower classes and persons living at the margins of society who are likely to require social protection and who are, often, recently immigrated. More specifically, their targets have changed through time. If, up to the 1990s, it was mainly homeless Italian individuals, Roma or those with criminal records who were to be excluded from population registers (Kazepov 1997; Sigona 2002), later, increasing migratory movements and the politicization of the migratory issue made noncitizens as such the most excluded ones (Gargiulo 2021). To fulfil their purposes, local authorities have frequently issued formal acts, mainly ordinances and circulars, which tighten the requirements provided for by law or add new ones – for instance, holding a job contract, having a decent dwelling place, the absence of any criminal record (Lorenzetti 2009).

On many occasions, municipalities have fulfilled their selective aims by resorting to the forms used for the registration procedures. Misinformation contained in them or on websites – for instance, requiring a job contract or the absence of criminal records – exercises a dissuasive influence over people by confusing or pushing them to declare conditions and facts that might adversely affect their registration. Moreover, municipalities have taken advantage of the change in the registration procedures made by the Security Package of 2009 and the Housing Plan of 2014. In the first case, the request to provide all the elements which are necessary to prove the effective reality of domicile is arbitrarily and univocally interpreted as an obligation to get in touch with social services. The case of two large Italian cities, Florence and Milan, is quite representative in this regard: there, social workers are called to act as ‘filters’, able to select the ‘deserving’ migrants (MEDU 2019; Naga 2019). In the second case, instead of asking for a self-certification of the entitlement to occupy the accommodation in question, the authorization of the landlord is mandatorily requested – and, in some cases, that of the tenants as well, if they are already present within the dwelling. Here, another large Italian city, Rome, makes an interesting case: people who declare their habitual dwelling there are expected to have their landlord and the other tenants fill out the form that, according to the law, only they should fill out (Actionaid 2021; Nonna Roma 2022).

All these municipal behaviours are illegal. Formally, it is the Ministry of the Interior which has a steering and coordinating function in the field of registration, supporting the prefectures and local administrations and monitoring their conduct. Legally speaking, the latter are subordinate to the

former: the mayor is the final link in the ‘chain of command’ proceeding from the Ministry of the Interior all the way through its territorial articulations. For this reason, in the matter of registration, the mayor acts as a government official and not as the head of an administration (a role that he/she plays in other areas).

Over the years, the Ministry of the interior has tried to contain the exuberance of local governments by issuing several ministerial circulars. In 1985, for instance, a circular exhorted them to register those Roma people who live within their territories. Over the following decade, two circulars, issued in 1995 and 1997, clarified that it is not permitted to request as a requirement for any registration documentation which demonstrates things such as having an occupation or the absence of criminal records, and specified that the nature of a dwelling – for example, a building without licensed habitability or one which does not obey urban specifications (caves, caravans, etc.) – shall not be considered an obstacle to enrolment in the population registers.

The introduction of the ANPR and the digitalization of the registration procedures, furthermore, risks paving the way for new forms of exclusion. In the current intentions of central institutions, access to registration will depend on SPID as a digital identity. The possibility of holding it, however, hinges on the availability of an ID card – which, in turn, presupposes registration. The choice to digitalize the procedures for being registered, therefore, on the one hand simplifies the procedures and turns paper forms into online forms; on the other hand, however, it triggers a form of Catch-22: being registered is the beginning and, at the same time, the end of the registration process.

Resisting Paperwork

People who are exposed to exclusion from registration are not always aware of the injustice and discrimination they suffer. From the perspective of lay people, the complexity of the rules is a barrier preventing full comprehension of what is going on. Paperwork appears as something inscrutable and indisputable. Conforming to the obligations contained in it is considered natural, even when they lie completely outside of the law. People I have interviewed who live in an illegal occupation in Rome offered statements like the following: ‘They always ask you for a rent contract; without that, you can’t get residency’; ‘If you don’t have residency, the police headquarters won’t renew your stay permit, and they won’t do it even if you only have a virtual residency’. Substantially, they think that the requests contained in paperwork (or simply asked verbally) are as such legitimate. This depends on the fact that such requests are so widespread as to seem ‘normal’, in

the sense of conforming to legal norms. In this regard, the informational asymmetry between institutional actors and the users of the registry office certainly plays a strategic role.

In other cases, people are aware of the injustice and discrimination they suffer, but they decide not to respond. When this happens, paperwork is perceived as an impenetrable barrier: it is considered wise to forgo trying to overcome it, rather than starting a battle which one is bound to lose. Adopting the categories proposed by Hirschman (1970), this attitude is a form of *exit*.

However, some people decide to circumvent the requirement contained in the paperwork by simply pretending to be able to meet them (Gargiulo 2021). For instance, if they live in an abusively occupied dwelling they declare they are resident in another place, one in which they actually do not live. This other dwelling is made available by a friend or is obtained by paying for it.

On the other hand, there is also *protest*: in this case, paperwork, as well as the entire registration procedure within which it plays a strategic role, is explicitly contested. Requirements requested by the institutions are labelled illegitimate and unfair. Politically, paperwork containing them is considered to be a device conveying and symbolizing all the abuse and prevarication carried out by the local and national authorities. As such, actions to show how it is discriminatory and oppressive are taken. These actions are a form of *voice*: movements, unions and NGOs organize mobilizations aimed at emphasizing the exclusionary aspects of the device of registration (Ibid.).

These kinds of organized protest are part of broader struggles for migrants' rights and the right to the city which, over the last few decades, have been conducted in Italy jointly by migrants and Italian activists. Within these protests, the condition of the undocumented person, the *sans-papier*, has often been considered emblematic of a political and economic system that resorts to documents in order to raise barriers against undesired individuals and social groups. Claims for fair and easily accessible documents have been made against the international and national institutions that use paperwork as immaterial borders which contain and constrain migrants' lives. In recent years, these claims have been intertwined with those at the local level, and specifically for enrolment at municipal registry offices as a means for exercising rights.

In contesting the exclusionary ways local authorities use documents, the right to housing has played a major role – especially as a consequence of the economic crisis of 2008 and the resulting austerity policies. Migrants have been the main actors in many housing movements, in terms of both numbers and organizational capacity (Mudu 2014; Nur and Sethman 2017). They have contributed to proposing different repertoires and strategies

of action, and have framed the protest in terms of counter-racialization (Oliveri 2018).

More generally, Italian and non-Italian urban dwellers and activists, given the lack of top-down organization of urban services, have developed autonomous organizational practices of survival. In creating networks of resistance and solidarity, these practices have also expressed the capacity to denounce the fact that while institutions refuse to provide even basic infrastructure, such as drainage systems and electricity supply, they are at the same time inflexible in asking for documents and use paperwork as a tool of selection (Grazioli and Caciagli 2018).

Besides protests, the struggle against exclusive registration paperwork is sometimes conducted through judicial proceedings – even though, for several reasons, this is not an easy path. When paperwork takes the form of soft law or infra-law, it is practically exempt from judicial control – in the first case because it is apparently a mere suggestion and not a prescription, while in the second case because it is formally internal to an administration. When paperwork takes the form of an Act issued at the local level, on the other hand – for instance, a mayor’s ordinance or circular – appealing to administrative and civil courts is easier. In this case, additional – and, as such, illegitimate – requirements have been explicitly added through a formal act, or are contained in a registration form which has been altered by the local authorities and differs from the original one issued by the ministry. If, on the contrary, requirements are only verbally asked for, appealing to a court is quite difficult as there is no clear and formal proof of illegitimate action. To make it possible to initiate legal action, the denial of registration has to be formalized in a written text. Only in this way are there administrative traces of what actually happened, such as might be used as proof in a trial (Morozzo della Rocca 2017).

The Performativity of Paperwork

Registration is a technology through which states make societies legible and more easily governable (Scott 1998). Like other written forms of knowing and tracking individuals, it contributes to reducing the complexity of a society and standardizing administrative procedures, making possible a more modern and efficient management of the state’s core activities (Goody 1986). Paperwork such as documents and certificates has historically contributed to the increase of a government’s intellectual capacity to exercise logistical power and engage in territorial governance (Mukerji 2011). From this perspective, registration contributes to providing *individual identification* by allowing states to make each person administratively classifiable and knowable (About, Brown and Lonergan 2013; Caplan and Torpey 2001;

Higgs 2011; Noiriél 1998; Torpey 2019). This is especially true in the case of migrants: towards them, it acts as a form of *bureaucratic inscription* through which information about their characteristics and immigration status is incorporated into official state registers (Horton and Heyman 2020: 5) and is specifically linked to a given municipal territory (Gargiulo 2023).

Registration processes in Italy add particular and strategic aspects to this bureaucratic inscription. They produce a *legal status* which is equivalent to the formal recognition of being 'local citizens' in a municipality. The legal rationale and rules governing how this status is attributed clearly reflect the importance of population registers for the Italian central state apparatuses. Those who meet the requirements for being registered have a subjective right to registration, not merely a legitimate interest in it. More specifically, residency is a *declarative*, and not a constitutive, condition: a person does not become resident because she/he is discretionarily registered, but rather has to be *ipso facto* registered as she/he finds her/himself in the material condition of being a resident.

In more theoretical terms, legal recognition does not turn an individual into a formal resident but simply constitutes the legal declaration of her/his material condition: that of being a resident. Since the system is designed in this way, the rules on registration try to facilitate the administrative and statistical 'capture' of those who are linked to a territory. In other words, population registers are meant to be devices that can produce a detailed 'picture' of those living within Italian borders and keep track of the different 'categories' to which they belong (Gargiulo 2021).

Registration, from the perspective of the institutions which have invented and realized it, constitutes the mere *representation* of the people linked to a territory and of how they move. According to the ISTAT (1992), population registers strive to bring the *de jure* population to correspond exactly to the *de facto* population. In these terms, the act of registering does not affect the reality it is called on to accurately 'describe'.

Yet, instead of merely certifying a material condition, registration shapes a legal population which conforms to certain institutional rules, rather than simply reflecting how people live and dwell in a territory. Since people who declare their residence or domicile have to fit into well-defined categories, they are substantially pushed to live and dwell differently from how they would if they were free to decide for themselves. Their decision to settle and the ways they manage their lives in the territory are somehow conditioned. At the same time, people who are materially resident but fall outside the legal categories through which population registers work are neglected and made invisible. As underlined by James Scott regarding other fields of state action, the concepts and legal notions employed by institutional actors often become categories that organize people's daily experience precisely

inasmuch as they are embedded in state-created institutions which are able to structure that experience (Scott 1998: 82–83).

Registration, therefore – like other demographic devices such as censuses, which have been deeply analysed by literature coming from Science and technology studies (STS) (Curtis 2002; Ruppert 2007, 2011) – is a *performative* device: by attributing a legal status, it confers an *administrative existence*. This materializes in the documents released by local authorities: in Italy, registration is required before obtaining an ID card, which is not mandatory but is concretely necessary in interacting with the public administration, conducting private transactions and facing police control – particularly for non-Italians.

Avoiding registering people who live or have the centre of their interests in a municipal territory consequently means making them *administratively invisible* to the state: they are ‘administrative ghosts’, being unregistered in the place in which they live or to which they are somehow linked. It also means exercising a specific kind of performative power, which is *intentional* rather than unintended: registers are used with the aim not of obtaining a detailed picture of the population but of altering its representation by selecting its ‘deserving’ components.

The power paperwork holds within registration procedures is a genus of the broader species of *identificatory* power characterizing modern states and their establishment process. As stressed by Gérard Noiriel, the ‘identificatory revolution’, which involved many European states towards the end of the nineteenth century, marked the advent of papers and codes and made distinctions introduced for administrative ends a central element of the government of populations and territories (Noiriel 1991). This formally decreed the affirmation of the legal statuses of the ‘regular’ and the ‘irregular’ migrant. Since then, therefore, the identity of noncitizens, more than that of citizens, has been broadly determined by legal and administrative procedures, and specifically moulded by the documents and practices of registration (Noiriel [1988] 1996: 45). Basically, this means that the documentation of foreign nationals makes it possible for governments to record and formally recognize individuals, and in the end to produce the status of being authorized/unauthorized (Horton and Heyman 2020: 111).

The choice of registering or not registering those who live in a municipal territory, particularly if they are non-Italians, produces huge effects not only on their lives but also on the population as a whole – especially considering the fact that the status deriving from registration is not a simple right but is rather a right which allows one to concretely exercise other rights. The lack of registration is therefore the lack of formal recognition, and consequently of rights. Those who are ‘present yet not registered’ are ‘local non-citizens’ (Gargiulo 2017). Among them, some are residents elsewhere while others

completely lack registration. ‘Municipalityless’ people are seldom Italians, being composed mostly of non-Italians who have arrived in the Italian territory for the first time. Those who are local noncitizens but are residents elsewhere are less vulnerable than the ‘municipalityless’: the former can at least exercise their rights in a municipality different from that in which they live, while the latter cannot. Thus, ‘municipalityless’ people lack any kind of local recognition, and thereby resemble stateless persons.

Conclusion

As shown throughout this chapter, paperwork can take three different forms – all of which are exemplified in the procedures for registration. It can work as: a soft law, which tries to standardize the behaviours of the local authorities; an infra-law that clarifies/changes the content of legal norms, in an attempt to reduce the exclusionary effects of political choices or to intensify discriminatory acts at the local level; or a bureaucratic form through which enrolment in registry office is eased or, on the contrary, impeded.

In Italy, as has emerged throughout the chapter, there is a structural gap between the theory and practice of registration. Rules are systematically violated by local authorities. Moreover, in recent years, central governments have modified them in order to turn registration from a monitoring device into a selective one. Within this strategy of transformation, paperwork has played different roles. It has therefore constituted a sort of battlefield: the interpretations of the rules of registration, as well as of the documents which have tried to explain and correct them, have been at the centre of a conflict involving different state apparatuses. Moreover, forms of resistance against a certain use of paperwork have been carried out by those who are excluded from population registers, and often have had as their target the forms to be filled out for registration.

Paperwork therefore is ‘paper “at work”’ – namely, ‘a set of practices and processes through which power circulates, and identities and boundaries are produced and materialise’ (Borrelli and Andreetta 2019: 4). As such, it is the basis for the functioning of the state, as it produces ‘legitimacy and establishes “truths” upon which bureaucrats as well as migrant individuals act’ (Ibid.: 3).

Moreover, this chapter has shown that the power of paperwork for registration can be exercised both unintentionally and intentionally. In the first case, the act of registering performs a population even though those who use registers wish to merely represent it. In the second case, the same act is made just to shape the population in a desired manner. The power of paperwork, therefore, can be apparently technical or can be explicitly political. In any case, it is able to deeply affect the lives of migrants by making them

municipally undocumented and hence impeding them from exercising the rights they are entitled to.

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Note

1. As specified by Art. 12 of Leg. 1228/1954 and by Arts. 52–55 of DPR n. 223/1989.

References

- About, I., J. Brown and G. Lonergan (eds) (2013), *Identification and Registration Practices in Transnational Perspective: People, Papers and Practices*. Basingstoke: Palgrave Macmillan.
- Actionaid (2021), *L'anagrafe respingente. Una fotografia di Roma in emergenza*. Rome: Actionaid.
- Andreetta, S. (2019), 'Writing for Different Audiences. Social Workers, Irregular Migrants and Fragmented Statehood in Belgian Welfare Bureaucracies', *Journal of Legal Anthropology* 3(2): 91–110.
- Baxter, R.R. (1980), 'International Law in "Her Infinite Variety"', *International and Comparative Law Quarterly* 29(4): 549–66.
- Bierschenk, T. (2019), 'Postface. Anthropology, Bureaucracy and Paperwork', *Journal of Legal Anthropology* 3(2): 111–19.
- Borrás, S. and K. Jacobsson (2004), 'The Open Method of Co-Ordination and New Governance Patterns in the EU', *Journal of European Public Policy* 11(2): 185–208.
- Borrelli, L.M. and S. Andreetta (2019), 'Introduction. Governing Migration through Paperwork', *Journal of Legal Anthropology* 3(2): 1–9.
- Cabot, H. (2012), 'The Governance of Things: Documenting Limbo in the Greek Asylum Procedure', *PoLAR: Political and Legal Anthropology Review* 35(1): 11–29.
- Caplan, J. and J. Torpey (eds) (2001), *Documenting Individual Identity: The Development of State Practices in the Modern World*. Princeton, NJ: Princeton University Press.
- Carbonnier, J. (1978), *Sociologie juridique*. Paris: PUF.

- Carrera, S. and A. Wiesbrock (2009), *Civic Integration of Third Country Nationals: Nationalism versus Europeanisation in the Common EU Immigration Policy*. Brussels: CEPS.
- Costa-Lascoux, J. (1989), *De l'immigré au citoyen*. Paris: La Documentation française.
- Curtis, B. (2002), *The Politics of Population: State Formation, Statistics, and the Census of Canada, 1840-1875*. Toronto: University of Toronto Press.
- Dean, M. (1991), *The Constitution of Poverty: Toward a Theory of Liberal Governance*. London: Routledge.
- De la Porte, C. (2002), 'Is the Open Method of Co-Ordination Appropriate for Organising Activities at European Level in Sensitive Policy Areas?' *European Law Journal* 8(1): 38–58.
- Dubois, V. (2014), 'The State, Legal Rigor and the Poor: The Daily Practice of Welfare Control', *Social Analysis* 58(3): 38–55.
- Eule, T. (2014), *Inside Immigration Law: Migration Management and Policy Application in Germany*. Farnham: Ashgate.
- Eule, T., L. Borrelli, A. Lindberg and A. Wyss (2019), *Migrants Before the Law: Contested Migration Control in Europe*. London: Palgrave Macmillan.
- Foucault, M. (2008), *The Birth of Biopolitics. Lectures at the Collège de France, 1978-1979*. Basingstoke: Palgrave Macmillan.
- Freeman, R. and J. Maybin (2011), 'Documents, Practices and Policy', *Evidence & Policy* 7(2): 155–70.
- Gargiulo, E. (2017), 'The Limits of Local Citizenship: Administrative Borders Within the Italian Municipalities', *Citizenship Studies* 21(3): 327–43.
- (2021), *Invisible Borders. Administrative Barriers and Citizenship in the Italian Municipalities*. Basingstoke: Palgrave Macmillan.
- (2023), 'Registration as a Border: Shaping the Population at the Local Level in Italy', *Geopolitics* 28(1): 439–63.
- Gjergji, I. (2013), *Circolari amministrative e immigrazione*. Milano: FrancoAngeli.
- (2020), 'Immigrazione e infra-diritto: dal governo per circolari alla Twitter-governance', *Etica & Politica / Ethics & Politics* 22(3): 323–39.
- Goody, J. (1986), *The Logic of Writing and the Organization of Society*. Cambridge: Cambridge University Press.
- Grazioli, M. and M. Caciagli (2018), 'Resisting to the Neoliberal Urban Fabric: Housing Rights Movements and the Re-appropriation of the "Right to the City" in Rome, Italy', *Voluntas* 29(4): 697–711.
- Handelman, D. and E., Leyton (1978), *Bureaucracy and World View. Studies in the Logic of Official Interpretation*. Newfoundland Social and Economic Studies No. 22. St. John's: Memorial University of Newfoundland.
- Heyman, J. (1995), 'Putting Power in the Anthropology of Bureaucracy: The Immigration and Naturalization Service at the Mexico-United States Border', *Current Anthropology* 36(2): 261–87.

- _____ (2012), 'Deepening the Anthropology of Bureaucracy', *Anthropological Quarterly*, 85(4): 1269–1277.
- Higgs, E. (2011), *Identifying the English. A History of Personal Identification 1500 to the Present*. London: Bloomsbury.
- Hing, B.O., J. Chacón and K.R. Johnson (2018), *Immigration Law and Social Justice*. New York: Wolters Kluwer.
- Hirschman, A.O. (1970), *Exit, Voice, and Loyalty. Response to Decline in Firms, Organisations, and States*. Cambridge, MA: Harvard University Press.
- Horton, S.B. and J. Heyman (eds) (2020), *Paper Trails: Migrants, Documents, and Legal Insecurity*. Global Insecurities. Durham, NC: Duke University Press.
- Hull, M.S. (2008), 'Ruled by Records: The Expropriation of Land and the Misappropriation of Lists in Islamabad', *American Ethnologist* 35(4): 501–18.
- _____ (2012), 'Documents and Bureaucracy', *Annual Review of Anthropology* 41: 251–67.
- ISTAT (1992), *Anagrafe della popolazione. Legge e regolamento anagrafico (legge 24 dicembre 1954, n. 1228, D.P.R. 30 maggio 1989, n. 223), avvertenze, note illustrative e normativa AIRE*. Rome: Istituto nazionale di statistica.
- _____ (2010), *Guida alla vigilanza anagrafica*. Rome: Istituto nazionale di statistica.
- Jacobs, D. and A. Rea (2007), 'The End of National Models? Integration Courses and Citizenship Trajectories in Europe', *International Journal on Multicultural Societies (IJMS)* 9(2): 264–83.
- Kazepov, Y. (1997), 'Senza casa e senza diritti. Le politiche locali contro l'esclusione sociale e abitativa dei senza fissa dimora', in P. Guidicini, G. Pieretti and M. Bergamaschi (eds), *Gli esclusi dal territorio. Comunità e politiche di welfare di fronte ai percorsi di impoverimento*. Milan: FrancoAngeli, pp. 153–90.
- Lascombes, P. and P. Le Gales (2007), 'Introduction: Understanding Public Policy through Its Instruments—From the Nature of Instruments to the Sociology of Public Policy Instrumentation', *Governance: An International Journal of Policy, Administration, and Institutions* 20(1): 1–21.
- Latour, B. (2000), 'The Berlin Key or How to do Words with Things', in P.M. Graves-Brown (ed), *Matter, Materiality and Modern Culture*. London: Routledge, pp. 10–21.
- Le Goff, J. (1978), 'Documento/Monumento', in *Enciclopedia Einaudi*, vol. V. Turin: Einaudi.
- Lipsky, M. (2010), *Street-Level Bureaucracy: The Dilemmas of the Individual in Public Service*. New York: Russell Sage Foundation.
- Lorenzetti, A. (2009), 'Il difficile equilibrio fra diritti di libertà e diritto alla sicurezza', in A. Lorenzetti and S. Rossi (eds), *Le ordinanze sindacali in materia di sicurezza pubblica e sicurezza urbana. Origini, contenuti, limiti*. Naples: Jovene, pp. 191–205.

- Mathur, N. (2016), *Paper Tiger: Law, Bureaucracy and the Developmental State in Himalayan India*. Delhi: Cambridge University Press.
- MEDU – Medici per i Diritti Umani (2019), *Le residenze invisibili: Indagine sulle emergenze abitative a Firenze*. Florence: MEDU.
- Morozzo della Rocca, P. (2017), *I luoghi della persona e le persone senza luogo (itinerari di diritto civile ed anagrafico)*. Rimini: Maggioli.
- Mudu, P. (2014), “Ogni sfratto sarà una barricata”: Squatting for Housing and Social Conflict in Rome’, in Squatting Europe Kollektive (eds), *Squatters’ Movement in Europe: Commons and Autonomy as Alternatives to Capitalism*. London: Pluto Press.
- Mukerji, C. (2011), ‘Jurisdiction, Inscription, and State Formation: Administrative Modernism and Knowledge Regimes’, *Theory and Society* 40(3): 223–45.
- Naga (2019), *Senza (s)campo. Lo smantellamento del sistema di accoglienza per richiedenti asilo e rifugiati*. Un’indagine qualitativa. Milan: Naga.
- Noiriel, G. (1991), *La Tyrannie du national. Le droit d’asile en Europe (1793–1993)*. Paris: Calmann-Lévy.
- [1988] (1996), *The French Melting Pot: Immigration, Citizenship, and National Identity*. Minneapolis: University of Minnesota Press.
- (1998), ‘Surveiller les déplacements ou identifier les personnes? Contributions à l’histoire du passeport en France de la Ier a la IIIe république’, *Genèses: Sciences sociales et histoire* 30: 77–100.
- Nonna Roma (2022), *Dalla strada alla casa. Un rapporto sui senza dimora a Roma*. Rome: NonnaRoma.
- Nur, N. and A. Sethman (2017), ‘Migration and Mobilization for the Right to Housing in Rome: New Urban Frontiers?’ in P. Mudu and S. Chattopadhyay (eds), *Migration, Squatting and Radical Autonomy: Resistance and Destabilization of Racist Regulatory Policies and B/Ordering Mechanisms*. London: Routledge, pp. 78–92.
- Oliveri, F. (2018), ‘Racialization and Counter-Racialization in Times of Crisis: Taking Migrant Struggles in Italy as a Critical Standpoint on Race’, *Ethnic and Racial Studies* 41(10): 1855–73.
- Pelizza, A. (2016), ‘Developing the Vectorial Glimpse: Infrastructural Inversion for the New Agenda on Governmental Information Systems’, *Science, Technology and Human Values* 41(2): 298–321.
- Pratt, A. (2005), *Securing Borders: Detention and Deportation in Canada*. Vancouver: UBC Press.
- Riles, A. (2006), ‘Introduction: In Response’, in A. Riles (ed.), *Documents: Artifacts of Modern Knowledge*. Ann Arbor: University of Michigan Press, pp. 1–38.
- Ruppert, E. (2007), ‘Producing Population’. Cresc Working Paper Series, no. 37.
- (2011), ‘Population Objects: Interpassive Subjects’, *Sociology* 45(2): 218–33.

- Scott, J.C. (1998), *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven, CT: Yale University Press.
- Searle, J. (1995), *The Construction of Social Reality*. New York: The Free Press.
- Sigona, N. (2002), *Figli del ghetto. Gli italiani, i campi nomadi e l'invenzione degli zingari*. Civezzano: Nonluoghi Libere Edizioni.
- Terpan, F. (2014), 'Soft Law in the European Union: The Changing Nature of EU Law', *European Law Journal* 21(1): 69–96.
- Torpey, J. (2019), *The Invention of the Passport. Surveillance, Citizenship and the State*. Cambridge: Cambridge University Press.
- Tuckett, Anna (2015), 'Strategies of Navigation: Migrants' Everyday Encounters with Italian Immigration Bureaucracy', *Cambridge Journal of Anthropology* 33(1): 113–28.
- (2018), *Rules, Paper, Status: Migrants and Precarious Bureaucracy in Contemporary Italy*. Stanford, CA: Stanford University Press.
- Vetters, L. (2019), 'Administrative Guidelines as a Source of Immigration Law? Ethnographic Perspectives on Law at Work and in the Making', *Journal of Legal Anthropology* 3(2): 70–90.
- Vismann, C. (2008), *Files: Law and Media Technology*. Stanford, CA: Stanford University Press.
- Weisser, F. (2014), 'Practices, Politics, Performativities: Documents in the International Negotiations on Climate Change', *Political Geography* 40: 46–55.