

## **When Families Need Immigrants: The Exceptional Position of Migrant Domestic Workers and Care Assistants in Italian Immigration Policy**

Franca van Hooren  
*University of Bremen*

*Abstract: In Italy, immigrants are increasingly employed as domestic workers and care assistants. In elderly care this phenomenon has become so important that we have seen a transformation from a 'family-', to a 'migrant-in-the-family' model of care. Though in Italy immigration policies in general have been restrictive, they have, through large immigration quotas and amnesties, mostly supported the entry of domestic workers and care assistants. The expansive policies have been enacted by both centre-left and centre-right governments, even when radical right-wing and strongly anti-immigrant parties have been in government. The exceptional position of domestic workers and care assistants in Italian immigration policies can be explained primarily by the important role these migrants play in the Italian family care system. Family needs seem to overrule anti-immigrant sentiments. Because migrants are employed within the family, care work continues to be informal and irregular. It is often too expensive for families to regularise their domestic workers, while it is unattractive for government strictly to enforce their regularisation. This is problematic because it leaves much room for abuse, putting both families and care workers in highly vulnerable positions.*

Keywords: immigration policy, elderly care, domestic work, migrant care assistant

Each year tens if not hundreds of thousands of people enter Italy to work as domestic workers or care assistants. They are engaged by Italian families to clean the house, to babysit, or to look after an older or disabled family member. This last type of employment in particular has become very common in recent years. The migrant care worker, in Italy often referred to as a *badante* (plural *badanti*), now constitutes the most important form of elderly care not provided by a family member. As a consequence, observers have discerned a transformation from a 'family-', to a 'migrant-in-the-family' model of care (Bettio et al., 2006).

While Italian immigration policies are becoming more and more stringent for most groups of immigrants, an exception has repeatedly been

made for domestic workers and care assistants. Romanian and Bulgarian domestic and care workers can be employed in Italy without any restriction. For non-EU nationals large immigration quotas have been set each year; and in 2009 a measure to regularise the position of illegal migrant workers was taken while being limited specifically to domestic workers and care assistants.

The expansive policies that have been adopted towards foreign domestic workers and care assistants are remarkable, given the strong anti-immigrant sentiments that have characterised Italian politics in the past decade. Surprisingly, the expansive policies have been enacted mostly when Italy's most intensely anti-immigrant party, the Lega Nord, has been a government coalition partner. This article compares developments in immigration policies for domestic workers and care assistants with developments in immigration policies more generally, the aim being to understand why policies for care workers have followed such an exceptional and expansionary path.

In recent years, migrant care workers have attracted a lot of academic interest, with the appearance of many studies addressing who these workers are and what they do (Andall, 2000; Sarti, 2004a; Iref, 2007); where they come from and what ties they maintain with their countries of origin (Castagnone et al., 2007); what roles they play in Italian society (Bettio et al., 2006; Scrinzi, 2008). Italian immigration politics and policies have also received considerable attention (Einaudi, 2007; Geddes, 2008), sometimes with a special interest in the influence of the radical right (Zaslove, 2004). However, so far no studies have focused specifically on the migration policies that govern the entry of care workers. It is this gap in the existing literature that this article aims to fill.

Studies of the politics of migration point to a number of factors that may influence policy. Among these is the role of political parties. It is often argued that the presence of radical right-wing parties makes immigration policies more restrictive, either because these parties are in government (Zaslove, 2004) or because they influence mainstream parties (Schain, 2006). Though the composition of governing coalitions and the strength of the radical right may influence general trends in immigration policies, they do not help us to explain why policies are more expansive for some groups of workers than for others. A promising alternative could be to look at the strength of interest groups, especially employers' organisations and trade unions, which may lobby in favour of, or against expansive immigration policies in specific sectors (Freeman, 1995; Menz, 2009).

After a short overview of the role of migrant domestic workers and care assistants in Italy in the first section, the second section of this article describes recent developments in immigration policies. This section relies on a variety of sources, including policy documents, newspaper articles and interviews with policy makers and interest-group representatives.

Attention will be paid to the role both of political parties and of interest groups in the policy-making process. It is attempted to explain why policies for migrant care workers have been expansive and have differed from policies for other groups. It is argued that this is a consequence of the important role these migrants play in the Italian family care system. In addition, the fact that most care workers are women has helped to overcome negative attitudes towards their immigration. The last section highlights a number of the problems that are associated with the current situation of migrant care workers in Italy. It is argued that these problems are inherent in the current 'migrant-in-the-family' model of care.

### **Migrant domestic workers and care assistants in Italy**

Before describing the role of migrant domestic workers and care assistants in Italy, a definitional issue has to be clarified. The group of workers in which we are interested, consists of migrant workers who are directly employed by families to carry out various tasks such as cleaning or caring for a dependent person. This group will hereinafter be called 'domestic workers'. In practice, two different types of domestic worker are often distinguished. On the one hand, there are those primarily occupied with cleaning and other housekeeping tasks (*collaboratrici familiari, colf*), who will hereinafter be called 'housekeepers'. On the other hand there are those primarily engaged in caring for a dependent person (*badanti*), who will hereinafter be called 'care assistants'.

Official data from the National Social Security Institute (Istituto Nazionale della Previdenza Sociale, INPS) show a significant over-time increase in the number of foreigners employed as domestic workers. While in the 1970s only around 5,000 immigrants were registered as domestic workers, this number increased to 136,000 in 2000 and then tripled to 464,000 in 2007 (see Table 1). Table 1 shows a distinct peak in the number of domestic workers officially registered in 2002. This was a consequence of the large-scale regularisation of domestic workers provided for by the Bossi-Fini Act, discussed in detail below, which resulted in the positions of 316,000 domestic workers being regularised. Citizens from Ukraine and Romania accounted for almost half of these cases, followed by Ecuador, Poland, Moldova and Peru. In 2007, 61 per cent of all registered foreign domestic workers came from Eastern Europe, followed by only 11 per cent from both South America and the Philippines.

A survey carried out in 2007 among 1,000 migrant domestic workers showed that regardless of their nationality, most had entered Italy on temporary tourist or student visas. The great majority had been illegally present in Italy for at least some time. While many had been able to regularise their status, a quarter still resided in Italy illegally (Iref, 2007).

**Table 1: Registered domestic workers in Italy**

	Total domestic workers	Foreign domestic workers	Foreign workers as % of total
1972-82 (average)	100,430	5,603	5.6
1992	263,956	53,861	20.4
1996	250,496	126,203	50.4
2000	256,539	136,619	53.3
2002	552,069	419,808	76.0
2004	503,181	371,566	73.8
2006	469,522	339,223	72.2
2007	597,281	464,033	77.7

Source: 1972-2000, Sarti (2004b); 2002-2007, INPS (2009)

Due to the prevalence of illegal migrants in the sector, the INPS data could very well be an underestimation of the actual number of domestic workers in Italy. In 2007 a newspaper suggested that there were probably no fewer than two million domestic workers in Italy, of which the great majority were almost certainly foreign.<sup>1</sup> According to some Italian scholars, as many as 650,000 to a million were working as care assistants (*badanti*) (Savioli, 2007: 32; Da Roit et al., 2007: 665; Spano, 2006). Unfortunately it is unclear exactly what these estimates are based on.

It should be noted that the number of registered domestic workers could also be an overestimation of the numbers actually employed. It has been suggested, among others by the Italian government, that regularisations and work permits for domestic workers have been abused by those seeking to obtain work permits for friends or family members. Since it is difficult if not impossible to check whether someone who is registered as a domestic worker is actually working as such, there is no evidence of this phenomenon. The suggestion by politicians of abuse of the domestic work permit will be discussed in more detail below. For now we have to conclude that the exact number of migrant domestic workers in Italy remains a guess. Nevertheless it cannot be doubted that the phenomenon is significant, its dimensions large.

The above mentioned survey carried out by Iref, the Istituto di Ricerche Educative e Formative (Institute for Educational and Pedagogical Research), can also help us to get a picture of what migrant workers do. Roughly a third of the respondents (31.4 per cent) were engaged in domestic work 'plain and simple', that is, cleaning, maybe shopping and cooking, but no caring. One in every six interviewees (17.4 per cent) was employed as a '*tata*' or 'baby-sitter'. This group regularly worked part-time. The largest portion of the sample (51.2 per cent) worked as care assistants, caring for an elderly dependent or disabled person. This group of employees usually worked long hours and often lived-in with their

employer (Iref, 2007: 26-31). In recent years this group of migrant care assistants has become so important for the Italian elderly, that scholars have spoken about 'the transition from a 'family-' model of care, where family members care for the elderly, to a 'migrant-in-the-family' model of care' (Bettio et al., 2006: 272).

The average wage earned by migrant domestic workers in the Iref survey was €879 per month. Other studies have found that a live-in migrant care assistant costs between €700 and €900 (Da Roit, 2007: 257-8). Domestic workers are predominantly female. In 2007 only 13 per cent of all formally registered migrant domestic workers were male. This is still higher than the 5 per cent that Italian men make up among Italian domestic workers (INPS, 2009). Finally, the Iref survey found that 65 per cent of all respondents were Christian and only 8.1 per cent Muslim.

### **Immigration policies for domestic workers and other groups: increasing divergence**

Until the 1980s Italy was a country of emigration. When economic circumstances improved in the 1980s, inflows of migrants became larger than outflows for the first time, due to both return migration and new arrivals (Calavita, 2004: 345). In the past two decades immigration has increased rapidly and by the 2000s Italy had become one of the main immigrant-receiving societies in Europe.

Following increasing political and media attention to the issue, the first comprehensive Italian immigration law was introduced in 1986. It reflected an assumption that immigrants were preponderantly workers who competed unfairly, that is, illegally, with native workers (Zincone and Caponio, 2006: 2). The law set conditions for both the admission of new immigrants and the regularisation of migrants already present. As a consequence, 105,312 irregular immigrants were regularised (Veikou and Triandafyllidou, 2001: 5). Reform of the immigration regulations followed in 1990 and 1995. Each new law was combined with a regularisation of illegal migrants.

The bulk of the legislation that currently governs immigration stems from two major reforms. The first is the 1998 'Turco-Napolitano Act' (40/1998), the second a reform of the 1998 law, known as the 'Bossi-Fini Act' (189/2002). The Turco-Napolitano Act contained measures that dealt harshly with illegal immigrants, by, for example, setting up special detention centres for arrested immigrants due to be expelled. At the same time, the law provided for yearly immigration quotas, a job-seekers' permit,<sup>2</sup> and supportive measures for immigrants already present. It was in the Bossi-Fini Act that migrant domestic workers started to feature visibly in immigration policies. Therefore, the developments starting with the Bossi-Fini Act will now be discussed.

*June 2001 – May 2006: Berlusconi II & III*

In the years after the Turco-Napolitano Act became law, immigration provoked increasingly widespread negative sentiments. In the run-up to the 2001 national elections right-wing parties made the perceived failings of immigration legislation an issue in their political campaigns. In media coverage and public debates immigration was increasingly associated with criminality (Sciortino and Colombo, 2004: 109). The radical right-wing party, the Northern League (Lega Nord, LN), in particular contributed actively to this criminalisation of immigrants in public discourse (Zaslove, 2004: 102). The right-wing block won the elections and formed a coalition government led by Berlusconi and his Forza Italia (FI), and including the LN, the National Alliance (Alleanza Nazionale, AN), the Christian Democratic Centre (Centro Cristiano Democratico, CCD) and the Christian Democratic Union (Cristiani Democratici Uniti, CDU). The latter were two small centre-right Christian democratic parties which would soon merge to form the Union of Christian Democrats and Centre Democrats (Unione dei Democratici Cristiani e dei Democratici di Centro, UDC).

A new immigration law became one of the Government's main priorities. Deputy Prime Minister, Gianfranco Fini (AN), and the minister for Institutional Reform, Umberto Bossi (LN), were charged with drafting the bill. The two belonged to the parties that were most openly opposed to immigration at the time (Geddes, 2008: 354). The CCD-CDU voiced more moderate opinions. Negotiations over the law primarily involved the coalition partners, members of the opposition and civil-society groups – which played an important role in the drafting of the Turco-Napolitano Act – being deliberately excluded. This contributed to a highly polarised and ideological atmosphere (Zincone, 2006: 363-4).

Though Berlusconi's government had taken office only in June 2001, initial proposals for a new immigration law had already been agreed upon in September (Geddes, 2008: 360). The resulting bill proposed a number of highly restrictive measures and was criticised by the centre left, employers' organisations, trade unions and Catholic organisations, but also by the CCD-CDU. The latter especially favoured adding to the law provisions for the regularisation of illegal immigrants already present in Italy (Einaudi, 2007: 317). Since AN and the LN continued to be strongly opposed to such an idea, the CCD-CDU focused initially on illegal immigrants among domestic workers, a category whose 'high social value was [widely] recognised' (Einaudi, 2007: 318). At first the LN stood firm in its opposition to regularising the position of domestic workers. Bossi, for example, suggested that 'legalization of home [care] workers would in reality constitute the legalization of a million prostitutes' (cited in Zaslove, 2004: 112).

In the winter of 2002 pressure on the Government to include provisions for regularisation increased. Elderly people, accompanied by their migrant care assistants, took part in protest marches demanding the

regularisation of these undocumented carers (Van Hooren, 2008: 104). At that point the minister for Work and Welfare, Roberto Maroni (LN), announced that his party would endorse the regularisation of 'all these non-EU citizens, for the most part women, who carry out activities of great social importance for families' (cited in Einaudi, 2007: 318). The CCD-CDU responded by pushing for immediate and general regularisation of the position of all illegal migrants working in Italy at the time. They were supported by the Church and by employers' organisations as well as trade unions (Einaudi, 2007: 317), all of whose representatives argued that regularising the position of only a certain group of immigrants would discriminate against the others. Under the weight of this pressure, and because they needed the support of the CCD-CDU, the LN and AN eventually gave in, allowing for the regularisation of domestic workers in the Bossi-Fini Act and for a separate measure regularising the position of other groups of immigrants.

The Bossi-Fini Act was finally approved by the Senate in July 2002. It tightened further the criteria for legal entry and expanded the possibilities for detention and expulsion of illegal immigrants. Yearly immigrant quotas, to be set by the government, were maintained. While the regularisation of domestic workers, including both housekeepers and care assistants, was part of the Bossi-Fini Act, other migrant workers had to wait for separate legislation. The reason was that the two politicians who had given their names to the Act did not want to be held responsible for granting an amnesty to what would be a very large number of illegal immigrants (Einaudi, 2007: 318). Personally responsible or not, the two sponsored a law that paved the way for the most extensive regularisation of immigrants in Italy's history.

The Turco-Napolitano Act had already allowed for yearly immigration quotas to be set by the Government, stipulating that employers were to apply for permission to employ migrant workers, through the quota system, before the workers come to Italy. These provisions were left unchanged by the Bossi-Fini Act. In the initial years of Berlusconi's government, immigration quotas were kept low. It was feared that increasing them would fuel protest especially from the LN (Einaudi, 2007: 325). The quotas were lower than the actual demand for migrant workers in the Italian labour market. Interest groups including employers' organisations, trade unions and Catholic organisations demanded higher quotas (Einaudi, 2007: 383). They were finally increased in 2005 and again in 2006. Moreover, additional quotas were introduced for the central and eastern European countries that entered the European Union in 2004. In 2005, a specific immigration quota was set for domestic workers for the first time. In that year, 15,000 domestic workers were allowed to enter the country, which was almost as much as the total for all other occupations combined (see Table 2). In early 2006 new quotas allowed for the entry of

another 45,000 domestic workers, which was even more than the total (33,500) for all other occupations.

*May 2006 – May 2008: Prodi II*

In 2006 the centre-left ‘Olive-tree’ coalition won the elections, after which Romano Prodi formed a government of eight political parties which depended on the parliamentary support of even more. The centre left was fiercely opposed to the criminalisation of immigrants that had occurred under the centre right. The new minister of the Interior emphasised that an immigrant is not the same as a ‘Mafioso’ (*la Repubblica*, 24 April 2007). The centre-left government immediately announced an extension of the 2006 quotas. An additional 350,000 work permits were made available to selected nationalities, domestic workers, and those in other occupations who had already applied for a work permit in the first round of applications in early 2006. This amounted to a disguised measure regularising the positions of immigrants who were already present and working in Italy illegally. In the summer of 2006, Prodi’s government also removed all restrictions on migration from the central and eastern European countries that had entered the EU in 2004. Plans were made for a reform of the Bossi-Fini Act. All these developments were opposed by the right-wing opposition, one newspaper asserting: ‘the radical left of this government has no intention of coming to a halt’ (*Il Giornale*, 22 July 2006). At the same time, the Government received broad support from most interest organisations.

**Table 2: Quotas for non-seasonal immigration**

	<i>Selected nationalities</i>	<i>Domestic workers</i>	<i>Other occupations</i>	<i>Other</i>	<i>Total</i>
2005	20,800	15,000	16,000	2,700	54,500
2006 – 1	38,000	45,000	33,500	3,500	120,000
2006 – 2		350,000			350,000
2007	47,100	65,000	45,900	12,000	170,000
2008	44,600	105,400	-	-	150,000

Note: additional quotas were available for new EU member states in 2005 (79,500) and 2006 (170,000); after this, restrictions were lifted for A-8 citizens. Normal restrictions still apply to A-2 citizens, but not for domestic workers from these countries.

Source: 2005, 2006-1, Einaudi (2007: 386); rest, Presidente del Consiglio dei Ministri (2006; 2007; 2008).

When Romania and Bulgaria entered the EU in 2007, it was decided to keep access to the labour market restricted to certain occupations. Only domestic workers, agricultural workers, and those employed in tourism, construction and engineering could work in Italy without restrictions. The minister for Welfare, Paolo Ferrero, emphasised that, although applying to

a larger group, the measure would be most important for care assistants, many of whom were already present in Italy (*la Repubblica*, 1 January 2007).

In 2007 the entry quota for domestic workers was increased to 65,000. Proposals for a new immigration law became more concrete. They included, among other things, more flexible quotas for domestic workers, because, as the minister of the Interior, Giuliano Amato, stated, 'while for companies the number of migrant workers is foreseeable, it is not for family carers' (*la Repubblica*, 24 April 2007). However, due to the large number of parties in Prodi's governing coalition and to the extensive consultations with interested organisations, negotiations over the new law progressed slowly. In 2008 Prodi's government fell without having passed a new immigration law.

#### *May 2008 – 2009: Berlusconi IV*

Migration and its negative connotations again featured in the election campaigns of the right-wing parties in 2008. Criminality amongst immigrants, especially Romani, was an issue high on the political agenda.<sup>3</sup> The elections were won by the centre-right coalition, consisting of Berlusconi's People of Freedom (Popolo della Libertà, PdL), a merger of FI and AN, and Bossi's LN. The new government immediately announced a series of repressive measures to combat illegal immigration and the criminality associated with it. Catholic associations and trade unions alike were strongly opposed to the position taken by the Government. As a representative of the largest trade union, the General Confederation of Italian Labour (Confederazione Generale Italiana del Lavoro, CGIL), put it, 'They want to make us believe that all the people's problems are attributable to this number-one enemy, immigration' (interview, CGIL).

The centre right's very restrictive stance towards immigration resulted in a moratorium on immigration quotas in 2008, which the Government sought to justify by the economic crisis that had recently begun. With so many people – Italian and foreign – becoming unemployed, there would be no need for additional immigrant workers. Exceptions were made for some selected nationalities, with an exception also being made, once again, for domestic workers. For these, the quota even amounted to a new record: 105,400 domestic workers would be allowed to enter the country (see Table 2). Apparently it was believed that the economic crisis would have no impact on the demand for housekeepers and care assistants.

In the meantime the government introduced a special 'Security Package' (Pacchetto Sicurezza), which, among other things, made illegal immigration a criminal offence. Prison sentences of six months to three years were introduced for those renting accommodation to illegal immigrants. When the package became law in 2009, there were some worries about the effects it would have on migrant domestic workers. Catholic associations and interest groups such as Caritas and the Italian Christian Workers' Associations (Associazioni cristiane lavoratori italiane,

Acli), and the large trade unions, used these concerns to lobby for the regularisation of domestic workers illegally employed in Italy.

Soon, the minister for Family Affairs, Carlo Giovanardi (PdL), proposed the regularisation of migrant domestic workers. Initially this proposal led to strong disagreement within the government. Some, such as the minister for Employment, Maurizio Sacconi (PdL), supported Giovanardi's proposal. Others wanted to make a distinction between housekeepers and care assistants. They were of the opinion that only care assistants, 'who were useful for elderly and disabled people', deserved to have their positions regularised, while for housekeepers 'there [was] no urgency' (*la Repubblica*, 7 July 2009). LN ministers were at first fiercely opposed to regularisation. Their main concern was that migrants not genuinely employed as domestic workers would use regularisation fraudulently to obtain work permits. As minister Roberto Calderoli emphasised: 'I don't agree with the proposal for the regularisation of care assistants: many of them are false' (*la Repubblica*, 7 July 2009). In the end agreement was reached on a proposal for 'selective regularisation' with the aim of distinguishing between fraudulent applicants and those genuinely working as domestics. The means chosen to make this distinction was the stipulation that short-term foreign residents would be ineligible to apply for the regularisation of domestic workers, while employers of such persons would have to be able to show that they earned a certain minimum income - thereby demonstrating that they could genuinely afford to hire a domestic.

### **Explaining expansive immigration policies and the exceptional position of migrant domestic workers**

Migrant domestic workers have started to acquire a special position in Italian immigration policy. Regularisations have been issued specifically for domestic workers; Romanians and Bulgarians have been allowed to take up work in the sector without any restrictions, and quotas for domestic workers have been higher than those for any other occupation. This raises two questions. First of all, why have the policies for domestic workers been so expansive? Second, how can we explain the divergence between policies for domestic workers and those for other groups?

Research has suggested that the presence of radical right-wing parties makes immigration policies more restrictive, either because these parties have direct executive power in government, or because mainstream parties shift towards more restrictive positions due to a fear of losing voters to the extreme right (Zaslove, 2004; Schain, 2006). In the past decade in Italy right-wing governments, which have included the LN, have indeed enacted more restrictive immigration policies than governments of the centre left. However, regarding migrant domestic workers, centre-right governments

have been almost as permissive as those of the centre left. Apparently, the political orientation of a coalition does not influence its policies on migrant domestic workers.

Other scholars (Menz, 2009) argue that immigration policies are influenced by interest groups such as business organisations. These organisations lobby for expansive policies, because they need migrant workers as employees. Policy towards migrant domestic workers in Italy does not reflect this. There have been no employers' organisations involved in lobbying for expansive policies. Other organisations, such as trade unions and Catholic associations, have lobbied for expansive policies for domestic workers as well as for other groups of migrants. However, there is no reason to believe that it was their lobbying that resulted in the exceptional policies for domestic workers, because interest organisations had hardly any say in the policy-making process when centre-right governments were in power.

It has been suggested that expansive immigration policies are most likely to be the result of policy-making behind closed doors (Freeman, 1995; Lahav and Guiraudon, 2006). Since expansive immigration policies are often unpopular, politicians try not to be associated with them; and to avoid losing electoral support, they often negotiate migration policies with as little publicity as possible. When there is fierce public debate, we would expect more restrictive policies. In Italy, migrant domestic workers have received a lot of media attention. Moreover, policies for them have been negotiated not behind closed doors, but out in the open. Politicians have seemed to expect broad public support for these policies. Indeed media coverage regarding domestic workers has been mostly positive, supporting expansive policies.

How can we explain this attitude towards migrant domestic workers on the part of politicians, left and right, interest groups and the media? There are two factors that help to explain it. The first and most important is related to the historical role of the family within Italian society, caring having been, and to an important extent still being, largely a family affair (Saraceno, 1998; Naldini, 2003). For example, compared to other European countries, the provision of care services for elderly and disabled people by public or market providers is very limited (Pavolini and Ranci, 2008). Many dependent people rely completely on their families for daily physical and financial support. Recently, this important role of the family has come under pressure. Families have become smaller and less stable, while women – traditionally the main informal carers – have become increasingly engaged in paid employment elsewhere. In response, migrant domestic workers have been employed by families to carry out the tasks that were previously performed by family members. As such, the migrant workers help the family to continue to fulfil the central role in welfare provision that they have fulfilled for centuries, regardless of the changing circumstances.

The important role of migrant workers in supporting the family is emphasised by policy makers, interest-group representatives and the media over and over again. Migrant care assistants according to this view are indispensable, because 'they provide a service that is vital for Italy and for families today' (interview, Acli-Colf). Regularisation is needed 'to try genuinely to meet the needs of Italian families' (interview, Italian Federation of Workers in Commerce, Tourism and Services, Federazione italiana lavoratori commercio, turismo e servizi FILCAMS). An official at the Ministry of Labour acknowledged that the high quotas in 2008 were an attempt to allow families to regularise domestic workers who were 'playing a significant role [in the lives of] parents and children' (interview, Ministry of Labour). Exactly the same argument was used by Giovanardi when he suggested that the authorities had to 'take on board the concerns of families' (*la Repubblica*, 6 July 2009). The newspaper, *Il Giornale*, one that is otherwise highly critical of immigration, wrote that 'domestic workers [...] contribute to the wellbeing of families' (*Il Giornale*, 10 July 2009). As families continue to be the cornerstone of Italian society, their needs provide strong legitimisation of expansive immigration policies. 'There is a narrative [...] saying: right, these people are of use to us; we must let them come in' (interview, Acli-Colf). This utilitarian view of family needs is shared by all important political actors and is significant enough to overrule strongly held anti-immigrant sentiments.

But besides the needs of families, there is another reason why migrant domestic workers are seemingly sheltered from anti-immigrant sentiments. As mentioned, such negative sentiments often concern security and the perceived criminality of immigrants (Sciortino and Colombo, 2004). In media coverage and public debate, domestic workers are usually depicted as hard working, Catholic women. Women are generally seen as less aggressive and threatening than men, and the stereotype of a kind and caring person applies even more strongly to domestic workers. Consequently, they are not perceived as being a significant threat to society. As Giovanardi argued, 'They are no drug dealers; they do not create social alarm' (*la Repubblica*, 6 July 2009). Or as a Caritas representative put it: 'It is the category of workers that probably causes the fewest problems in Italy' (interview, Caritas). The characterisation of migrant domestic workers as harmless foreigners has helped to legitimise expansive immigration policies for this particular group.

### **Everybody happy?**

Although there is a broad consensus about the desirability of expansive immigration policies for domestic workers, the policies themselves have not been without problems. A first problem is that work permits for domestic workers can be abused by immigrants not genuinely working as

domestics. This possibility was already mentioned by the newspaper *Il Giornale* in November 2007:

An army of domestic servants and waiters is pushing at the borders [...]. They come from all over the world breaking historical patterns of 'specialisation' that once saw domestic servants, for example, coming from the Philippines or care assistants from countries in Eastern Europe. Now border police are signalling a growing number of entries from the Maghreb, the Balkans, Nigeria and other countries considered potentially 'at risk' [...] The suspicion numerous employees in the offices of the border police allude to, sometimes explicitly, is that in many cases 'residence contracts' are a mere trick to obtain legal access to our country (*Il Giornale*, 9 November 2007).

In 2008 Berlusconi's centre-right government thought the potential abuse was a serious threat. According to a government official, a 'high percentage' of applications for these permits came from foreigners who were not actually looking for domestic workers, but were wanting to regularise the positions of friends or family members. To counteract this abuse, the Government decided to restrict eligibility to apply for work permits to employers who were Italian or who had obtained permanent residence permits. The same requirement was part of the regularisation of domestic workers in 2009. Whether it has been effective in ending abuse remains an open question. At the same time the provision has been challenged by the trade union CGIL, which sees it as a form of discrimination.

A second problem is the apparent unwillingness of migrant workers and employers to legalise the worker's position. Migrant workers sometimes fail to obtain a work permit because of the complex procedures that have to be followed. As an illustration we can have a look at the results of the 2007 quotas. In December 2007 there were 371,709 applications filed for permission to enter Italy as a domestic worker. This number was much higher than the 65,000 work permits that were available in that year. However, by February 2009 - a year and two months later - only around 29,000 domestic workers had acquired a work permit.<sup>4</sup> This low number was partly due to the fact that many of the applications were judged to be invalid or were still being processed. Nevertheless, around 70,000 applications were approved, meaning that a total of 70,000 domestic workers could have acquired a work permit. However, the migrant workers had to collect the work permits in their countries of origin. Since a large proportion of those who had applied were effectively already working in Italy, the requirement was often problematic and as a consequence many permits were never claimed.

Most of the time employers have to apply for a work permit for the regularisation of their migrant worker. Not all families have been prepared

to apply for legalisation of their domestic workers. For example, in September 2009, 114,336 families applied for the regularisation of their care assistants and 180,408 families for the regularisation of their housekeepers.<sup>5</sup> This number was substantially lower than had been expected. There are several reasons why families might prefer to leave their domestic worker in an irregular position. First, irregular workers are cheaper. There is a collective agreement for housekeepers and care assistants stipulating minimum salaries, limits to the number of hours worked, sick leave, holiday payments, etc. Once regularised, an employer has to obey this collective agreement, which will in most cases make the domestic worker considerably more expensive. As an older woman hiring a migrant care assistant, having to decide whether to regularise her or not, pointed out in *la Repubblica*:

I am worried that I won't be able to afford it any longer. How much will it cost me? A great deal, because with wages, deductions, holidays and the thirteenth month, the annual costs exceed €14,000 (*la Repubblica*, 3 September 2009).

In the 2009 regularisation, families that wanted to regularise their domestic workers had to pay a €500 fee. In addition they had to pay social-security contributions retrospectively and risked having to pay back wages and holiday payments (*la Repubblica*, 25 August 2009). Estimates suggest that, when including all the extra expenses, regular wage costs are twice as high as the amounts paid informally (*la Repubblica*, 11 September 2009). All this makes it financially unattractive to regularise a domestic worker.

Moreover, a regular domestic worker might also make a family more vulnerable. A government official suggested that regular domestic workers are 'more dangerous' for employers. Being regular, they can sue the families they work for. *La Repubblica* tellingly entitled an article: 'Care assistants regularised, families in trouble' (*la Repubblica*, 3 September 2009). It has been suggested that domestic workers might sue their employers even when these have not done anything wrong. But it is easy to imagine that many housekeepers and care assistants have plenty of reasons to report their employers for not abiding by minimum-wage or work-time requirements. There are already various examples of lawsuits involving families and domestic workers.<sup>6</sup>

These problems are probably an inherent and therefore unavoidable feature of the current 'migrant-in-the-family' model of care. Foreign workers are imported to work under circumstances that no Italian worker would accept. When these circumstances are improved through regularisation and obedience to the collective agreement, employees immediately become more expensive and less attractive. This trade-off maintains the demand for irregular workers.

Subsequent governments have chosen to tolerate the irregular employment of domestic workers:

they don't go and have a look, because they know that these [workers] cover an important part of family welfare. So there is this ambiguous attitude, that is: it's convenient to leave things as they are (interview, Acli-Colf).

In discussions taking place after the Security Package became law (thereby criminalising illegal immigrants and those who harboured them), cabinet ministers hurried to assert that domestic workers would not be affected. The reason given by Roberto Maroni was that the law was not retroactive and could therefore not apply to migrant domestic workers who were already employed at the time.<sup>7</sup> Minister Maurizio Gasparri argued, 'Those working honestly in our homes will receive due consideration. After all, no one is seeking to take measures against those genuinely assisting the elderly' (*Il Giornale*, 6 July 2009). Meanwhile, Ignazio La Russa stated that 'certainly no one is looking to start a witch-hunt' against domestic workers (*la Repubblica*, 7 July 2009).

Tolerating irregularity is hardly an ideal solution. An irregular employee is highly vulnerable because of her complete dependence on the employer and the lack of any legal protection. At the same time the persons cared for by migrant domestic workers are often also vulnerable due to physical infirmity - making them entirely dependent on the migrant care assistant. As a result, when a migrant domestic worker is irregularly employed, 'there is no certainty, either for the employee, or for the person cared for' (interview, Acli-Colf).

## Conclusion

In the past decade Italy has enacted several restrictive immigration policies. However, an exception has repeatedly been made for domestic workers. Large immigration quotas were set aside for this specific group and in 2009 there was even a special measure regularising the positions of domestic workers. This article has attempted to show that these special and expansive policies cannot be explained by looking only at the preferences of political parties or interest organisations. Instead, we can understand these policy outcomes only when taking into account the fact that in Italy care is largely a family affair.

Although at first sight Italian immigration policies cater for the needs of families and their migrant employees, there are still a number of problems associated with the phenomenon. On the one hand, work permits and opportunities for regularisation are abused by immigrants not genuinely working in the sector. On the other hand, willingness to regularise the employment relationship is limited. Migrants have to go

through complicated procedures and families face rising costs when they regularise their employees, while they also become vulnerable to litigation. Recent governments have chosen to tolerate irregular practices in the sector. Yet irregularity leaves both the domestic workers and the people they care for in a highly vulnerable position.

Is there any way out of this dilemma? As long as Italian families do not have more to spend and as long as there are migrant workers willing to work irregularly the only way out seems to be financial support from the state in combination with stronger public control. Some regions have already introduced cash allowances for families hiring migrant care assistants legally. Some also provide training courses for migrant workers. To provide a permanent solution to the problem of illegality and uncertainty, such efforts have to be intensified. However, given the ongoing financial difficulties of the Italian state, it is politically much easier to tolerate the current situation, allowing for limited regularisation while turning a blind eye to illegal practices.

## Notes

<sup>1</sup> See, for example, *Il Sole 24 Ore* (2 April 2007). All translations are those of the author.

<sup>2</sup> A limited number of immigrants could enter the country to search for employment, without having arranged anything in advance. This possibility was to be abolished by the Bossi-Fini Act.

<sup>3</sup> See for example, *Il Giornale* (18 May 2008): 'more than Romanians, more than Albanians or North Africans, the Roma are the ethnic group [...] that for Italians pose the greatest danger to public order'.

<sup>4</sup> Based on data provided by the Ministry of Labour.

<sup>5</sup> Ministero dell'Interno, *Dichiarazione di Emersione, Dati Definitivi*, 1 October 2009.

<sup>6</sup> As transpires from my interviews with CGIL representatives, and from *la Repubblica* (10 April 2008).

<sup>7</sup> See for example *Il Giornale* (5 July 2009). It is evident that penal measures cannot work retroactively. At the same time it is unclear why this would put *badanti* in a special position.

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