

“Catch the opportunity”. Administrative transitions of Moroccan farm workers in Piana del Sele, Italy

Atrapando la oportunidad. Transiciones administrativas de trabajadores agrícolas marroquíes en Piana del Sele, Italia

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ABSTRACT

Informed by qualitative evidence obtained from interviews with Moroccan farm workers in Italy, the article argues that the itineraries and the process of legalization of immigrants show that the agricultural sector can be conceived as a “Refuge Sector”. As it stands, the agricultural sector is where migrants can find a job and stabilize their situation in order to calculate their possibilities to obtain a legal status. Also, the results show that the type of permits owned by migrants do not reflect their legal situations but are the product of an opportunity they have been able to catch.

Keywords: immigration – Moroccan farmworkers – Refuge Sector – Italy.

RESUMEN

Informado por evidencia cualitativa obtenida de entrevistas con trabajadores marroquíes en la agricultura en Italia, este artículo argumenta que los itinerarios y el proceso de legalización de los migrantes muestran que el sector de la agricul-

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tura puede ser entendido como un “Sector Refugio”. Como se observa, el sector de la agricultura es donde los migrantes pueden encontrar un trabajo y estabilizar su situación para estimar sus posibilidades de obtener un estatus legal. De igual forma, los resultados muestran que el tipo de permiso obtenido por los migrantes no reflejan su situación legal, pero son el producto de la oportunidad que ellos han sido capaces de tomar.

Palabras clave: inmigración – Trabajadoras agrícolas marroquíes – Sector Refugio – Italia.

I.- INTRODUCCIÓN

Since the 70's, when Italy transformed from being a country of emigration to becoming a country of immigration (Bonifazi et al., 2009), several studies have focused on analyzing how the State has dealt with the new influxes of immigrants arriving to the country. The first real attempt to develop a migratory law started in 1986, with the Law 943, when the government realized that the trend was consolidating and the prospects suggested that the phenomenon would increase in the following years. Since then, several laws have been passed and the migratory legal system became more sophisticated with the Testo Unico law from 1998. As it stands, the regulation absorbed all the different laws and decrees issued during the precedent years concentrating them in a unique migration law. With a complex system of annual quotas and a set of different types of permits defined by occupations, Italian institutions sought to develop a modern system capable of securing the border while offering a flexible tool to avoid labor market shortages.

In more than twenty years, the Testo Unico law has undergone several changes, adjusting its legislation to EU directives but also to the evolving socio-economic context, however, although the various reforms carried by the different Governments, still the main feature of Italy's migratory system is the high incidence of irregularity (Santoro, 2006)

typical of what has been labelled as the "Southern European Model of Migration" (King and DeBono, 2013).

There is a high consensus among scholars in pointing out that the main entry channel used by foreigners to enter in Italy is an irregular practice, being the overstay of the tourist visa the most common one (Finotelli, 2007; Sciortino, 2006). Statistics and qualitative works coincide in highlighting that Italy's migratory legislation produces irregularity (Colombo and Sciortino 2004). In spite of the implementation eight overreaching regularization processes in the last three decades (Colombo, 2012; Gonnelli, 2021), this phenomenon has not stopped, benefitting certain sectors. This is the case of the agricultural sector, where the extensive use of irregular migrant workforce has become a central element of its production.

This paper shows that the existence of a seasonal permit and an annual quota regulating the inflow of seasonal workers in the country are just formalities that employers do not use to get the workforce they require. Thanks to its isolation from urban areas and a certain tradition of informality, Italian agriculture has been worked on during the last decades by a growing mass of irregular migrants permanently residing either in the territory of the enclave or in the

national territory but chaining seasonal works in different enclaves.

Qualitative information obtained from fourteen in-depth interviews carried out with Moroccan farmworkers in the enclave of Piana del Sele, in the Province of Salerno, will be analyzed. The itineraries and legal transitions followed by migrants will show that the agriculture sector works as a “Refuge Sector”, this is, as a sector where migrants can find a job and stabilize their situation in order to calculate their possibilities to accede to the legal status. Also, they will show that the type of permits owned by migrants do not reflect their legal situations but are the product of

an opportunity they have been able to catch.

The paper will be organized as follows: firstly, an overlook of the Italian migratory system and how it produces and reproduces irregularity will be presented. Secondly, an account on how migrants have been inserted in the agricultural sector will follow. Thirdly, the region of Piana del Sele will be characterized. Then the methodology will be described before analyzing the qualitative information in the following section. Finally, the main conclusions will be discussed.

2- THE ITALIAN MIGRATORY SYSTEM: PRODUCING IRREGULAR MIGRATION

When the Italian Government advanced towards the first attempt to create a migratory legislation, with the law 1986 n.943, it also included a massive regularization for irregular migrants who have been working without a residence permit (Dimitriadis, 2018). The government sought to correct the errors of the past, where no law really defined the conditions for entering and staying in the country in a proper way. This action aimed at legalizing the situation of those affected by the previous situation, but also wanted to set a new starting point where now a new “ordered” system will be set up in place (Sciortino, 2006).

The next important migratory law was passed only four years after, in 1990, the so called Martelli law (Legge 28 febbraio 1990, n. 39). The law developed the previous legislation and instituted a new system of annual quotas aiming to limit the number of foreigners allowed to enter in the country. This reform will make the system more restrictive but will again include a sanatoria (massive regularization) for irregular migrants showing that the issue of irregularity was still not solved by the new system set in place. The subsequent reforms will again try to strengthen the system, creating, for instance, seasonal permits

(Dini Decree of 1995), defining new entry routes per specific occupations, defining severer and well-defined quotas (Testo Unico 1998) and incrementing border and inner controls (Bossi Fini Law 2002). However, since the 70's the only type of migration that has grown in the country has been the irregular one (Colombo and Sciortino, 2004).

Carfagna et al. (2008) identified three main drivers for irregular migration. Firstly, they said that Italy, for geographical reasons, is a country more exposed than others to this phenomenon. Italy has kilometres of coasts pointing to transit countries, principally those of Northern Africa. Secondly, they pointed out that the great diffusion of the informal economy in the country easily ensured the possibility of finding irregular jobs to these migrants. The third factor was that the recurrent application of sanatoria in intervals of approximately 5 years since 1986, was an incentive for new arrivals, so it gave hope to irregulars to be regularized in the short term. Sciortino (2006) agrees with the two last points saying that migrants have these elements in mind in what is known as a "migration knowledge", showing that they know better the system than legislators, and he adds another argument to explain the extension of irregularity: the inefficiency of legal mechanisms.

This latest aspect has attired the attention of several scholars and organizations, who identify it as the main reason

pushing migrants to fall into irregularity. The reality is that the Italian migratory law is very restrictive (Santoro, 2006) as it imposes numerous and hard-reaching requirements to migrants and employers making very difficult to enter in the regular channels. It is also inefficient, as employers do not have any certainty about at which moment of the year the annual quota will be approved, making the system maladaptive to meet employer's demands. Usually, quotas have been approved at the end of the year and at a level which is inferior to workforce needed (Sciortino, 2009). If one employer manages to do a request inside of the quotas, it takes approximately more than 6 months to obtain the authorization. The issuance time for the quota decree has to be added to the authorization, resulting that an employer may wait more than a year to effectively recruit a foreigner (Ferraris, 2008). In front of this long and bureaucratic process, irregulars are already available on place, and employing them to after emerging their situation with a sanatoria is often a much easier process than using the quota system (Sciortino, 2009).

According to Colombo and Sciortino (2004), Italy has never had an institutionalized policy to seek workers in the international labour market as the availability of irregular migrants produced no demand of such initiatives from employers. The fact that the presence of irregulars has been stable over time was taken for granted by families

and employers. Therefore, they planned their businesses according to this reality (Sciortino, 2006) which, for instance, explains why Italy did not create, as Spain did, a Temporary Migration Program for sectors like agriculture (Molinero and Avallone, 2018).

Since the 90's, the irregular path has been the main entry channel in Italy (Santoro, 2006) and massive regularizations have been the functional equivalent to an active policy of inflows (Ferraris, 2008).

Emilio Santoro (2006) described the normal circuit followed by immigrants to enter in the country as it follows: irregular entry or with a tourist visa and then overstay; irregular residence for a period of time; find an informal job in the black market and then seek regularization. Irregularity becomes then “a rite of passage” (Sciortino, 2006: 1034) in migrant's lives showing that legality and illegality are both parts of a same itinerary, that sometimes is hard to split (Bonizzoni, 2016).

The existence of quotas is justified only for two reasons. Firstly, it gives the idea that a formal system exists, calming networks of lobbies that press the Government (Ferraris, 2008), but in a more effective way, quotas work as permanent regularization mechanisms (Santoro, 2006; Ferraris, 2008). As employers already know migrants working for them, and that there is no requirement about the location of the applicant when the

application is submitted, most of those who enter in the quotas are already in Italy, and are auto regularized when they receive the permit. Meanwhile, part of employers uses this power to regularize foreigners by selling permits to prices reaching thousands of euros.

As the presence of irregulars in the country is so widespread, their employment is something normalized and even institutionalized, particularly in Southern Italy. The above leads a situation where authorities not only tolerate their presence but also sometimes put in place initiatives, for instance, to accommodate them (Ambrosini, 2015). Some economic sectors, such as agriculture, that are key for certain areas of the country, depend heavily on the employment of these workers (Sciortino, 2006). Thus, local authorities only act against them when they “do not behave correctly” (Santoro, 2006) or when they need to show to locals that they ensure public security by acting against slums or situations sometimes covered by the news as dangerous (Avallone, 2017a).

In this context, migrants do not act passively. Knowing that any type of regularization, either via a sanatoria or inside of the quotas, requires having a work relation (Ambrosini, 2015), once they arrive to the country they firstly look for a job usually in sectors where the employment of irregular migrants is more extended like in the construction (Avallone, 2012) or the agriculture sectors (Molinero Gerbeau, 2018). Once they

establish, a set of strategies will be developed to get a regular status, showing a high degree of agency (Bonizzoni, 2016). Usually, the permit obtained is more the result of the opportunities they found to change their legal status than a reflection of their real situation, as in some cases, they found no other options than to pay employers for whom they have never worked, to enter in massive regularizations targeting jobs they never did or getting documents to prove they have

owned businesses that never existed (Bonizzoni, 2016).

The following sections will concentrate on explaining how these processes have taken place in the agriculture sector, and more precisely on how migrants working in a concrete enclave, Piana del Sele in the province of Salerno, have developed their own strategies to regularize their situations.

3.- MIGRANTS IN THE ITALIAN AGRICULTURAL SECTOR

Migrants' insertion in the Italian agricultural sector started in the early 1980s when the presence of foreigners increased significantly in the country. In the beginning, their mobility was heterogeneous. However, a higher presence of North Africans could be highlighted, principally in some enclaves, where they occupied the lowest positions of the sector, in terms of wages and social status (Avallone, 2013).

Their incorporation into agriculture is explained because some jobs in the sector were among the first opportunities available for immigrants in the country. Nationals were retiring from a type of job that was exhausting, poorly paid and having a very low social prestige associated to it (López-Sala, 2016). Therefore, employers relied their production more and more on foreigners. Those immigrants were not only willing

to do this kind of jobs, but also, thanks to their irregular status, would accept low salaries. Data shows that foreigners regularly employed in agriculture have gone from approximately 23,000 in 1989 (INEA, 2014) to approximately 168,345 in 2020 (ISTAT, 2022).

Italian farmers introduced several structural changes to the production process in this period. Those changes may explain the centrality of migrant labour in this context. Among the variety of processes that occurred, three fundamental transformations can be identified: the differentiation of crops and the growing orientation of production towards exports; the strong productivity growth through the deseasonalization of production, the increase of technological investments and the spread of new agronomic techniques in many territorial areas; and the increasing insertion

of foreign labour (Avallone, 2014). All these factors may be summed up by mentioning that most of Italian enclaves experienced a transition from a traditional-peasant model of production towards industrial agriculture (Molineiro-Gerbeau, 2021).

In the course of the three decades during which these transformations have unfolded, a profound change occurred in the constituent characteristics of capital and labour employed in agriculture. Capital has been geared towards increasing production levels and productivity, tending to boost its competitive capacity in the national and international markets. Labour has adopted new characteristics and has become increasingly internationalized, seeing a contraction of the presence of Italian occupants and a gradual increase, in absolute values, of migrants. From a socio-economic point of view, agriculture has incorporated a more flexible workforce, favoured by the lowest social and symbolic positions migrants occupy in destination countries.

As explained in the previous section. The principal way to employ migrants was not thorough the annual quotas. Instead, the employment pattern was a continuation of the historical informal practices that have been predominating in the sector for centuries. Here, the gangmaster system, known in Italy as the *caporalato* (Filhol, 2017) had a strong role in matching the labour supply and demand between foreigners

and employers, perpetuating and deepening the irregularity of labour conditions as these illegal brokers have been, in several cases, the principal actors driving migrants to the fields (Colloca and Corrado, 2013).

While these new populations started arriving to the globalized agricultural enclaves some social problems arose: lack of infrastructures to properly accommodate them, reactions of xenophobia from local/rural populations (including assassinations of migrants) but also strikes and demonstrations of farmworkers against the exploitative conditions that are common in the sector (Colloca and Corrado, 2013; Corrado, De Castro and Perrotta, 2017; Avallone, 2017a).

The ONG “Doctors without Borders” published two reports on the housing and living conditions of migrant farmworkers in Italy in the first decade of the XXI century, one in 2005 called “The fruits of hypocrisy” (Medici Senza Frontiere, 2005) and another in 2008 called “A season to hell” (Medici Senza Frontiere, 2008). In 2015, Doctors for Human Rights continued this research agenda publishing a report called “Unfair Land” (MEDU, 2015), showing that previous findings from “Doctors without Borders” were still observable. The titles are provocative but also informative about the living conditions of these workers: precarious housing, string hygienic problems, extension of diseases, limited

access to drinking water and absence of electricity.

Working conditions are not better, as several researches carried out in different agricultural enclaves usually show generalized problems of underpayment, grey work (semi legal conditions, like for instance, employers who declare to the Social Security part-time contracts when workers do full time jobs etc.) and severe limitations of rights (not receiving salaries when workers are sick or no access to paid holidays for instance) (Avallone, 2017a; Colloca and Corrado, 2013; Corrado, De Castro and Perrotta, 2017).

Migrants have reacted in diverse forms. Resilience has been one of the most commonly highlighted pattern by researchers (Colloca and Corrado, 2013) but against the several violations of their labor and human rights, some migrant farmworkers have organized strikes, protests and clashes (Perrotta, 2015). In some cases, these experiences have led to the organization of Trade Unions exclusively formed by migrants, like the USB (Unione Sindacale di Base) in the province of Nardò. In others, the outcome has been dramatic. In certain enclaves, a part of local populations had xenophobic reactions against the growing presence of migrants in the fields and this ended in killings like those of Jerry Maslo in the 80's (Avallone, 2017a), of some Ivorian Workers in Rosarno that were

the spark of intense riots (Colloca, 2013) or more recently the assassination of the Trade Union leader Soumaila Sacko in 2018 in San Ferdinando.

Considering this difficult context, a relevant question is why migrants still continue integrating the agriculture sector under these conditions. The answer is complex as each individual may have its own motivations but a previous research carried in Piana del Sele, showed that obtaining a regular status is a central element (Molinero Gerbeau, 2018). Migrants accept their insertion in this harsh structure as part of their agency because they know that in this context they can maximize their possibilities to get the long stay permit and then be free not only to look for other jobs but to move to other Italian regions or other EU countries (or even to return to their countries of origin without the fear of losing the possibility to come back in regular ways).

Their last goal, this is, obtaining the long stay permit, can only be achieved after 5 years of legal residence which means that the very first stage of migrants' plans passes from regularizing their situations. In the next sections some paths followed by migrants working in Piana del Sele's agriculture will be explored.

4- PIANA DEL SELE, A RICH AGRICULTURAL ENCLAVE

Piana del Sele is an agricultural enclave belonging to the province of Salerno and located 80 km in the south of Naples. It covers an area of around 500 square kilometers and takes its name from the river Sele that crosses the land irrigating the fields and being used as the base for agricultural production (MEDU, 2015). Eleven municipalities belong to this region that has an approximate population of 200,000 residents where almost 9,000 are foreigners (Avallone, 2012). The primary sector is the main source of the region's income, where its dynamic and voluminous production of fruits and vegetables but also the production of flowers and dairy products has become so important that it is increasingly known as the "Italian California" (MEDU, 2015). Other sectors such as the industrial sector (powerful in the middle of the last century, although in progressive decline), construction and services also generate an important part of the local GDP (Avallone, 2012).

During the 90's, the agriculture of Piana del Sele fully entered into the process of progressively "industrializing" its production like many other enclaves did in countries like Spain or Greece (Avallone, 2013). Among the observable effects of this process are the massive construction of greenhouses and the increasing incorporation of foreign labor. By 2014, the region had 4,000 agricultural companies covering around 5,000

hectares of greenhouses, of which 3,000 produced the typical crop of the area: arugula (MEDU, 2015). This type of leaf vegetable is mainly produced for fourth range products (ready to go salads). According to the Italian Council for the Research and Experimentation in Agriculture (CRA, 2009) Piana del Sele is the main production area of Italian fourth range products, representing 60% of the total national production.

Producers in the area have specialized themselves in this product mainly for two reasons: the growing demand of consumers (at national but also at European level) and the possibility of producing it all year round, which explains why between the year 2000 and 2010 the area of greenhouses in the region doubled (Avallone, 2017b). The seasonality of production coupled with the high incidence of irregular labor in the area (Avallone, 2012) turning this enclave into a typical case of "refuge sector" (Moliner and Avallone, 2016) for migrants, offering work all year round without the need to have a legal status. Moroccan workers, mostly men between the ages of 20 and 30, were the first to arrive in the 80's and actually they represent the first nationality in the region (Avallone, 2017a). The following nationalities by number are Romanians and later Indians (although these mainly work in the cattle sector with the buffaloes). Official data estimates the percentage

of foreign workers at 42.6% of the total (Avallone, 2017b), however, since they do not take into account the irregular ones, the estimation is biased. Some organizations estimate that between 60% and 80% of the total workers are in an irregular situation (MEDU, 2015), that is, between 5,000 and 6,000 migrants working in local agriculture (Avallone, 2017b).

The fact that greenhouses guarantee a deseasonalized production, generates the possibility, for a part of the migrants, of having a stable job during all the year, although the majority of them work on a per day basis.

The modality of work that prevails in Piana del Sele is the "just in time". This is a flexible scheme adapted to the companies productive needs allowing producers to adjust up to the maximum the

days that migrants are contracted to the days they are effectively needed (Avallone, 2012). Although in the past the incidence of irregularity was higher, consecutive massive regularizations (mainly those of 2009, 2012 and 2020), coupled with the possibility of using annual quotas as a form of de facto regularization (Santoro, 2006), have provoked that today most of the foreign farmworkers have a residence permit (MEDU, 2015). However, the adoption of a regular status has not ended the conditions of exploitation that characterize the enclave. "The general situation of migrants working in agriculture [of Piana del Sele] can be interpreted as absolute surplus value" (Avallone, 2013, p. 82), this means that the sector is articulated on the basis of pressing wages to the minimum in order to make production as much profitable as employers can.

5- CATCHING THE OPPORTUNITY, PATHS FROM IRREGULARITY TO REGULARITY IN AN AGRICULTURAL ENCLAVE

5.1 Methodology

This research has been carried using a qualitative methodology for various reasons. Firstly, as the Italian National Institute of Agricultural Studies itself admits (INEA, 2014), official statistics have severe limitations to show a reality where rates of informality are so high. At the same time, regional data, and more precisely, data for Piana del

Sele is very limited, as the few available statistics always consider the whole Salerno region, and, in general, only take into account foreigners that are effectively registered as residents or having a formal contract. These limitations have been usually highlighted by those academics who have carried similar researches not only in Italian agricultural enclaves (Colloca and Corrado, 2013) but also in other countries of the Mediterranean

(Corrado, De Castro and Perrotta, 2017; Gertel and Sippel, 2014) and beyond (Pedreño Cánovas, 2014; Bonnano and Barbosa Cavalcanti, 2014).

In order to explore some legal paths followed by migrant workers in Italian agriculture, 14 in-depth interviews were carried out with Moroccan farmworkers in the enclave of Piana del Sele during the months of July and August 2015. In addition, the analysis includes data from two focus groups taking place spontaneously while doing the fieldwork. Finally, the qualitative work was complemented with ethnographic immersions and participant observation.

While the analysis draws largely from the fieldwork, no fieldwork notes and very few quotes from the interviews will be used due to stylistic choice and word-limits.

5.2 Mobilities and Legal pathways of Moroccan farmworkers in Piana del Sele

The interviewees entered in the country in six different ways as it can be seen in the following table:

Table 1. Mobilities followed by Moroccan Farmworkers interviewed in Piana del Sele

Category	French Tourist Visa overstayers	Boat from Libya	Boat from Tunis	Coming from Spain	Inside of a container in a cargo ship	With a regular contract
Number of respondents ¹	3	3	2	2	1	2

Source: Own elaboration

¹ The total number is lower than the total number of interviewees as some of them did not answer to this concrete question

As it can be seen from the table, only two categories are legal channels ("coming from Spain" and "with a regular contract") while others are always related with an irregular entry or with a legal entry and then a violation of its conditions (in the case of the tourist visa).

The first category refers to a group of migrants who told us that they came to Italy after entering in France with a tourist visa. For all of them, overstaying the visa was planned from the very beginning, as well as coming to Italy after arriving to France. The fact that an important number of respondents (in relative terms) mentioned that they followed this path, coincides with what was exposed in section two, meaning that overstaying the tourist visa is one of the main entry channels in the country. As a detail, it is interesting to note that one of the interviewees told us that he had to obtain a fake contract in Morocco to obtain the visa, as it was considered by the French authorities as a proof that he intended to return. This strategy shows how the "migratory knowledge" (Sciortino, 2006) can be sometimes very sophisticated to take advantage of the porosities of migratory laws.

The second and the third categories can be put together as they only differ in their departing points but follow the same logic. The migrants who answered that they entered taking a boat from Libya or Tunis risked their lives crossing the Mediterranean in precarious boats along with other migrants like them

who paid high amounts of money to smugglers. One interviewee for instance paid 3,500€ to cross from Libya showing how expensive it can be taking this route. Most of them arrived at Lampedusa and Sicily and were then either free to move around the country from the beginning, or after certain days of stay in a retention center.

The fourth category, "coming from Spain" refers to two interviewees who had the Spanish long-term resident permit but came to work in Italy as they were unemployed because of the economic crisis. This mobility was legal as their status of permanent residents in an EU country member of the Schengen Space allowed them to freely move from one country to another and look for a job. However, their previous itinerary, from Morocco to Spain, was not so easy as one interviewee came buying a fake contract in destination and becoming irregular after his arrival, while the other came by boat after two attempts and paying 1000€ per each. The first one was regularized using a permanent regularization mechanism existing in Spain called "arraigo" (roots) consisting in demonstrating that the person has been residing and working for three years in the country, so they can emerge their situation (Aguilera Izquierdo, 2006). The second interviewee obtained the regular residence during the massive regularization program initiated by the national government in 2005.

Another way of entering in Italy expressed by one of our interviewees was hiding in a container inside of a cargo boat departing from Casablanca and arriving to Genova. This worker said he had to pay for this service 300€ and then 1000€ when he arrived to Italy.

Finally, the last category was that of those coming with a regular contract. Only two interviewees followed this way, consisting on a nominative request done by an employer inside of the annual quotas. However, even if these met the legal requirements to enter and stay in Italy, not everything was easy for them as, at the time of the interview, one of the respondents was waiting to receive the long stay permit (after doing two renewals) and two years later he still had no response from the State. The other interviewee entered as regular with a domestic worker contract but felt into irregularity at a certain point confirming what Dimitriadis (2018) found in

his research, that is the fact that having a legal permit in Italy is not the end of the problems, because renewing it can be also a very difficult process sometimes leading migrants to irregularity again.

Regularizations are not a lineal process, and as shown in the first sections of this article, there are several ways to transit from irregularity to a legal status in Italy. Our interviewees followed 5 different paths, showing that various strategies can be adopted to obtain a legal status, even in a same sector and a same enclave, always depending on the structure of opportunities. However, all the categories are similar and coincide with what has been identified by other authors in other researches (Ferraris, 2009; Santoro, 2006; Sciortino 2009) showing a connection between the macro and micro level analyses. Table 2 shows the different strategies adopted by migrants in Piana del Sele to obtain a regular status:

Table 2. Strategies adopted by migrants in Piana del Sele to obtain a regular status

Category	Sanatoria 2002	Sanatoria 2009	Sanatoria 2012	Seasonal Permit	Self-employed permit
Number of responders	1	3	4	2	1

Source: Own elaboration

As it can be seen, the first three categories could be merged in one big category called “Sanatoria” (or massive regularization program). More than half of our interviewees obtained their legal status thanks to one of the general amnesties carried by the Italian Governments. However, it is important to separate them as these three Sanatorie had different characteristics that should be highlighted.

If the Sanatoria from 2002 and 2012 targeted all foreign workers in an irregular situation, the Sanatoria from 2009 was exclusive for domestic workers and caregivers, so in principle, it directly excluded farmworkers, however, most of them managed to obtain papers under this way as Hassan, one of our interviewees, said:

“Hassan: Caregivers and Domestic Workers... Moroccans did their regularization with a woman [...] Domestic workers... what does this mean? A Moroccan man working for an old Italian lady. But they did not know that lady.

Interviewer: They never met before? [...]

Hassan: Have you ever seen a Moroccan man working for an Italian woman?”

What can be deduced from this extract of the interview with Hassan, is

that the Sanatoria from 2009 was used by farmworkers as an opportunity to obtain a permit, and that a part of the Italian society participated in this fiction to make some money. One of our interviewees who became regular thanks to this amnesty, paid 650€ to a Romanian employer in Bologna who then declared him as a Domestic Worker. The payment was a fee “for the service”, a common practice used by employers to earn money with regularizations. Here the amount was relatively low as some may request higher quantities than can be superior to 10.000€ according to Hassan. Besides this quantity, workers have to pay their contributi, this is, a quantity defined by the Government in each sanatoria, aimed at paying to the Social Security a part of the taxes that have not been paid during the irregular period. Even if the law clearly establishes that employers have to pay this cost, all the interviewees told us that they had to pay this amount (usually around 1000€) with their savings.

It is important to highlight that not all the applicants succeeded. One of the interviewees was regularized during the sanatoria of 2012 because his application in 2009 was rejected. Another interviewee paid more than 5000€ to an employer who promised him to regularize his situation in that last sanatoria, the one of 2012, but he took the money and did nothing, so the farmworker lost all of his savings

and was still in an irregular situation at the time of the interview.

Other interviewees did not pay anything for being regularized but had to pay the *contributi*, in a situation that usually happened to those who were working for the same employer for several years. The emersion of their situation was here a “prize” for their good behavior, and employers applied at the sanatoria to improve their situation, not to take advantage of it but they still refused to pay the fees. However, as one interviewee reported, once he changed his legal situation, the employer started to lament it as he said that now he had to declare the contracts and employing regular workers was more expensive than employing irregulars.

Three interviewees were not regularized in sanatorie but thanks to the quotas. Two got a seasonal work permit, and one got a self-employment permit (*permesso di lavoro autonomo*). As explained in the previous sections, employers may request an authorization to recruit workers from abroad but there are no controls in place to check that the foreigners are really residing outside of Italy at the moment when the permit is issued so in reality, these permits are used to regularize workers already in the place. This was the case of our interviewees who were already in Italy and after a period of irregularity they obtained

these permits thanks to employers who got authorizations in the quota. However, this kind of regularization is very precarious as the seasonal permit only lasts 9 months and cannot be renewed or extended, so the only possibility to accede to a more permanent status is to change this permit into an employed work permit, a possibility that has been only allowed, prior to the time of the fieldwork, in the quotas decrees of 2007, 2010, 2011, 2012, 2013, 2014 and 2015 and for a very limited number of permits (for instance the maximum number was in 2014 when it was allowed to convert 4,050 seasonal permits into employed work permits in all the country) making this process practically impossible. This explains why one of the interviewees felt into irregularity after the expiration of his seasonal permit. The other interviewee still had a valid permit at the time of the interview.

In the case of the person who obtained the self-employed permit, unfortunately, he did not give information in the interview about how the process was but apparently in Piana del Sele some intermediaries are specialized in helping migrants to prepare all the documentation accrediting that they are self-employed workers (registering in the Regional Commerce Chamber for instance) in order to get a permit inside of the quota (Avallone, 2017b) so he possibly paid this service.

Finally, it is important to mention that only one of our interviewees, as said before, always had a regular status since he entered in the country, so he did not have to change it. Other two interviewees were always regular since they arrived in Italy but because they had a regular permit from Spain, after having spent a time in irregularity in that country. Lastly, one interviewee, did not change his legal status as well, but in his case this was due to the fact that he paid 5000 euros to an employer who at the end did not start the regularization process.

It is very important to keep in mind that all of our interviewees did similar jobs. Even if their conditions varied, as some had part-time jobs while others had full-time, or some worked in greenhouses cutting arugula while

others worked picking tomatoes, fruits or vegetables, they were all farmworkers, earning similar wages and working in the same sector: Piana del Sele's agriculture. This shows that the permits they managed to obtain did not reflect their real situations, not just in the case of those who bought it from employers they did not know or who obtained it as caregivers, but in general, these were just the opportunities they were able to catch to escape from their irregular status. Sometimes, these opportunities coincided with their real labor situations and they could regularize them with their current employers, but this was more due to their structure of opportunities than for being part of a group that really met legal conditions instead of seeking gaps in the law.

6. CONCLUSIONS

The identified mobilities and administrative transitions of the Moroccan farmworkers that were interviewed in Piana del Sele show there is a strong coincidence between the macro level analyses carried by a long list of Italian scholars and the micro level data obtained during the fieldwork that has been the core of this paper. Our interviewees confirmed the fact that the main entry channel in Italy is the irregular one, being the visa overstay or taking a boat and crossing the Mediterranean, coinciding with the

findings of Finotelli (2007), Sciortino (2006), Santoro (2006) or Avallone (2017a) among others.

The fieldwork confirmed as well that the formal mechanisms established by the law under the quota system are not functional because when migrants obtain their permits under this system, in reality they are regularizing their situation, as they are already in Italy (Ferraris, 2009) and because the agricultural sector seems to obtain its required workforce mainly from

informal channels instead of Temporary programs (Molinero Gerbeau and Avallone, 2018).

It seems that, as said by Sciortino, “Sanatoria after Sanatoria, irregular immigration has become chronic” (2006: 1034) in Italy and being irregular is just one of the multiple moments of migrants’ lives who develop several strategies to regularize their administrative situations. The agriculture sector has been a refuge for these populations (Molinero Gerbeau and Avallone, 2016) who, in search for a job and trying to maximize the possibilities to obtain a regular permit have found in enclaves like Piana del Sele, networks of actors and intermediaries (Avallone, 2017b) organized around the “regularization business”, thanks to the permission of local authorities (Ambrosini, 2015), in a social regulation where irregularity is tolerated and can be possibly overcome.

These dynamics have been working since the 80’s and although there have been several new migratory laws approved by the different Italian Governments, restricting and even pursuing irregular migration, the logics on how migrants enter in the country and end up working in agriculture still prevail. The constant presence of irregular workers in agricultural enclaves is a profitable source for employers, but also for caporali and other intermediaries who benefit from a migration business where thousands of euros can be earned. Until this system will continue being a well-oiled machine, initiatives like the anti-caporalato law of 2016 (making this a criminal offence) or the approval of the EU Directive on seasonal workers, will have no real impact in the articulation of Italian agricultural labor markets.

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