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Histories of the Present

Italian Citizenship Law Needs Reform, But *Jus Soli* Doesn’t Guarantee Inclusion--Just Ask the United States

Amid a global pandemic, people from across the world stepped out to show solidarity for Black communities in the United States. Inspired by the American Black Lives Matter movement, some people took up the call to address histories and structures of racism in their communities. Some instead turned a blind eye.

Andi Nganso, a 33 year-old doctor from Cameroon who has lived in Italy for 14 years, [reflected on what he has seen](https://www.wsj.com/articles/antiracist-movement-struggles-to-gain-traction-in-italy-11593611869), “The situation in Italy is awful. Many offer solidarity to the Black community in the U.S. while here it is difficult to protect the rights of the same people.” Nganso is not alone in his experience: relative to residents of African descent in other European countries, those living in Italy are [more likely to have experienced harassment due to their ethnic or immigrant background](https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-second-eu-minorities-discrimination-survey). In Italy, the struggle for racial justice has also prompted a [resurgence of the perennial debate over Italian citizenship](https://www.globaltimes.cn/content/1198822.shtml), which is tangled up in questions of immigration and what it means to be Italian.

Currently, Italian citizenship is determined by *jus sanguinis*, right of blood. This law extends citizenship to children or descendants of other citizens. Under current Italian citizenship laws, [up to 800,000 Italian youth of color are not citizens as a result of their parents being born elsewhere](https://www.opendemocracy.net/en/can-europe-make-it/ius-soli-italys-opportunity-to-harness-much-needed-talent/). A common aim for second-generation immigrant activists is the implementation of *jus soli*, the citizenship favored by most of the Western Hemisphere. *Jus soli*, right of soil, extends citizenship to those born within the country, regardless of the nationality or citizenship status of their parents. *Jus soli* citizenship laws would not necessarily redefine the racial boundaries of the nation: the history of racialized citizenship in the United States shows how nations with *jus soli* citizenship are not necessarily more democratic or inclusive than those with *jus sanguinis* citizenship.

Tangled up in Italian *jus sanguinis* and American *jus soli* citizenship laws is each country’s imperial past. Both nations clarified who was a member of the nation and who was not within the context of imperialism, which happened relatively early on in their histories as nation-states. American imperialism shaping the country’s ideas of citizenship is clear in the case of Mexican Americans.

From the beginning of the United States, the American citizen was a white, property-owning man. As the country expanded its borders in the 19th century, this idea of the citizen did not change much: in order to be recognized as American citizens, Mexicans living in the newly-annexed territories had to become (legally) white. Even after the 1868 ratification of the 14th Amendment, which upheld that all people born in the U.S. were citizens regardless of race, Mexican Americans did not receive full protection or recognition as citizens.

In an oft-forgotten episode of American history, approximately 400,000 Mexicans and Mexican Americans were deported from the U.S. during the 1930s repatriation programs. The rationale behind these Depression era programs was ridding the U.S. of “indigent foreign” labor to make jobs for American workers. To be clear, the repatriation programs were conceptualized, [like many government responses to the Great Depression](https://atlantablackstar.com/2015/02/04/9-ways-franklin-d-roosevelts-new-deal-purposely-excluded-blacks-people/2/), for the benefit of white American workers, the idealized members of the nation.

Many of the affected Mexican Americans were born in the United States; for some, their families had lived in the American Southwest since before it was annexed during westward expansion. Instead of being recognized by the country which they called home, where they were born and raised, Mexican Americans were sent “back”--voluntarily or by coercion--to Mexico with little recourse for returning to the United States. Their legal status as American citizens was not formally stripped--it was just completely unrecognized.

The history of Mexican Americans is just one in a long history of a nation that has routinely failed to recognize those its constitution calls citizens. The non-recognition of U.S. citizens is also not an issue which only exists in history. Today, approximately 4.2 million citizens--residents of territories such as Puerto Rico and the Virgin Islands, along with residents of the District of Columbia--are not represented by voting members in federal government like other U.S. citizens. After looking at the history of Mexican Americans, it’s not surprising that we ended up here almost 100 years later.

To be sure, granting citizenship to all born on Italian soil would grant legal recognition to second-generation immigrants, which would provide them important protections while removing the current lengthy bureaucratic process of becoming a citizen. However, as Camilla Hawthorne, a professor of sociology at the University of California, Santa Cruz [has stated](https://youtu.be/67PUzPaPjtU?t=1068), “Contestations over [Italian] citizenship are not about access to rights and privileges and responsibilities, but are actually contestations over the racial boundaries of the nation.” As the case of the United States suggests, the racial boundaries of the nation do not change by just changing the law because the nation is not just a legal entity. It’s a social identity, too.

It’s absurd to maintain that certain people are not members of the nation when those people are not different from the accepted members of the nation, save for the country in which their parents were born. The group of second-generation immigrants born in Italy for whom this is a reality are called *Italiani senza cittadinanza*, Italians without citizenship. They *are* Italians, regardless of their citizenship status. *Jus soli* may be a start to ensuring that the Italian nation includes people who feel themselves to be Italian and consider Italy their home. Redefining the racial boundaries of the nation to make it more inclusive and democratic will take more than simply redefining the requisites for Italian citizenship.