

## URBAN SANCTUARY AND THE RIGHT TO TRANSIT: MIGRANTS IN TRANSIT THROUGH MILAN AND THE WELCOMING RESPONSE OF THE CITY

This contribution focuses on the policy that the city of Milan (Italy) implemented in order to cope with the surge of *migrants in transit* passing through Milan on their way to Central Europe. To grasp the response of the city to this recent migration surge, I committed to a qualitative case study during which I conducted interviews with volunteers, civil servants, legal advisors and refugees. As a result, I will discuss this policy within the spreading of sanctuary policies in Europe during the ‘migration crisis’. In particular, we will see how it represented an alternative to the national and supra-national policy on transit migration in term of law, rhetoric and actualization, by supporting the right to transit and questioning the European and Italian policy-making on this matter.

**Keywords:** Sanctuary City, Urban Refuge, Transit Migration, Milan

### Introduction: sanctuary cities and the right to the city

Primarily due to the turbulent conditions of neighbouring countries on the opposite side of the Mediterranean Sea, Europe has recently faced an unprecedented inflow of asylum-seekers and refugees during the so-called *migration crisis*. Europe has emerged from this phenomenon as a contemporary battlefield of migration on various levels (see Ambrosini, 2018). While the EU national governments revealed all their hostility toward migration, indeed, the local—mainly city—level has become increasingly prominent and entrepreneurial in the field of migration governance.

In this context, many scholars have emphasized the city as a key site for immigration integration, even for building an *open Europe* (e.g. Douzinas, 2016; Mayer, 2017). Indeed, albeit cities in most countries are tied to the national policies of migration, the recent migration crisis and the slow reaction of national authorities have often left cities at the forefront.

In particular, the many forms of exclusion and the accumulated social problems forced cities to play a role without having either a legal mandate or any specific budget to do so (Mayer, 2017). Local politicians, for pragmatic reasons (often more concerned with maintaining public order than with the legal status of their residents) proved to be more inclined to take favourable positions towards incoming migrants: there are examples of cities’ administrations, often motivated by a logic of emergency, that provided some form of membership based on human rights (see Oomen, Davis and Grigolo, 2016)<sup>1</sup>. We must not forget, then, the role played by the civil society. Since 2012, indeed, many cities across Europe have also become sites for new forms of protest to demand the right to stay, the right to work, the right to move freely, the *right to the city*. In cities such as Berlin, Paris and Barcelona, civil society organisations (including established welfare associations, profit and non-profit service delivery agencies and a host of other third sector organisations) have become rather accomplished in providing educational, training, social or labour market insertion services (Karakayali and Kleist, 2016).

In other words, cities have become strategic sites for both the demands from the civil society and the introduction of innovative policies from the local administrations: aspects that often intertwine in the

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<sup>1</sup> As with the German example, where municipalities interacted and collaborated with civil society organisations in order to provide refuge to many irregular migrants (Mayer, 2017), the UK’s Cities of Sanctuary movement (Darling, 2010), or Utrecht’s policy to provide shelter for rejected asylum claimants (Van den berg, 2016).

actual assistance of refugees at city-level. In this context, some scholars (e.g. Darling, 2015; Mayer, 2017) have maintained that we witness to a turning point for the European cities and their role in migration policy-making: the spread of the idea that the city can represent a *sanctuary*. Heir to a great tradition of theorisations and practices (e.g. see Ridgley [2008], Yukich [2013], and Bauder and Gonazalez [2018]), indeed, the notion of *sanctuary city* comes from North America. There, it is a term that has been used to describe cities that commit to providing some sense of safety to refugees of different categorisations: “cities that have adopted policies to ensure that all residents, regardless of immigration status, have access to municipal services” (Ottawa Sanctuary City, n.d.:1).

Obviously, the idea of *sanctuary* is not historically new. Indeed, the origin of sanctuary dates back to several centuries and can be associated with various religions and cultures (e.g. Buddhism, Christianity, Islam, Judaism, Ancient Greece) (Pedley, 2005; Lippert & Rehaag, 2012). Albeit sanctuary’s early history is tightly connected with faith and church-based initiatives, since the late 1970s sanctuary has not limited itself to religious spaces. In the late 20th Century, sanctuary practices have trespassed the limits of religious authorities to diffuse into secular institutions. In this period, indeed, municipalities began offering “sanctuary” to refugees and later to illegalized inhabitants: from 1984 to 1987 alone, Ridgely (2008) noted that more than 20 cities and two states adopted City of Refuge policies in the USA.

Sanctuary city movement’s first steps are located in North America in the 1970s. Around this time, in 1971, the City of Berkley offered protection to soldiers who deserted the Vietnam War (Ridgely, 2008; Bauder, 2016). As time passes, this example was followed by other US cities, applying the idea of sanctuary to migrants. A movement, including a group of faith-based organisations in Arizona and California, started providing housing, transportation and legal assistance to refugees from Central America who were trying to escape deportation. Sanctuary Movement organised protests and became increasingly entrepreneurial in the public debate, so much so that in the 1980s it was able to pass the first municipal sanctuary policies (Ridgely, 2008). This movement turned into a national network of movements for protecting the basic rights of undocumented people and those fleeing for safety (Hintjens and Pouri, 2014). Finally, in the last decades, it has increasingly become an international phenomenon. Varying kinds of urban-sanctuary policies and practices, under different labels (such as “city of refuge”, “solidarity city”, “city of sanctuary”), offer sanctuary to migrants fleeing persecution and hardship. However, despite the influence that historical, legislative and socio-cultural factors have had on the way through which the ideal of the ‘sanctuary city’ expresses locally, we can detect shared trend lines across different contexts.

In particular, I want to emphasize three common features. These features concern the roles of the grassroots’ movements and the local governments in policy-making, and the relationship between local and national authorities.

- *The claims from the grassroots: the discourse of hospitality and welcome.* Civil society groups have a central role in sanctuary initiatives from North America to Europe. Over time, these groups have been inspired by an ideal of hospitality. Their aim is to ‘offer a positive vision of culture welcome and hospitality’ (City of Sanctuary, 2017:3), which is expressed through spaces of welcome offered as a refuge for asylum-seekers (Darling, 2008). In particular, grassroots groups in neighbourhoods and communities have tended to create horizontal coalitions. Their aim has often been to institute a ‘welcoming apparatus’ through a network composed of different spaces within cities with the goal of extending help to refugees (Darling, 2008). They have been able to develop a ‘welcome culture’ (Mayer, 2017) whose aim is to call for a change of attitude toward migration at city, national and international levels. Often, the growing consensus that characterises these

movements allows them to advocate on behalf of migrants by calling for reforms, developing a migrant justice perspective and extending their support base to the local political elite.

- *The eminent role of the local governments in policy-making.* Civil society initiatives have often built consensus to achieve institutional endorsement from local administrations. Through these measures, cities try to respond to the mismatch between exclusionary national migration and the need to be inclusive at the local scale (Bauder and Gonzalez, 2018). Municipal policies scale up ideas of immigrant incorporation from civil society symbolically and instrumentally. In the UK, this activity has been mainly symbolic and conducted through the endorsement of City of Sanctuary's basic principles by municipal governments (Darling, 2010). However, this support can also take more concrete forms. In the US, local governments have often expressed support for the organisations involved in sanctuary initiatives through DADT policy (more than 50 municipalities have adopted this kind of policy) and by limiting the use of local resources for the enforcement of activities implicated in the deportation of undocumented migrants (Nyers, 2010). Regardless of the form taken, however, these municipal measures generally express similar ideals; they seem to favour a relational and cosmopolitan reading of the city, namely an image of the city as a relational entity whose responsibility stretches outward to distant territories and people (see Amin [2004], Massey [2004]; Darling [2010]). In this regard, we must observe that this effort of imagination, i.e., 'thinking of space relationally' (Darling, 2010), is often in conflict with the perspectives of national authorities on themes linked to refuge and forced migration.
- *The discordant relationship with national authorities.* Several recent accounts within social sciences have suggested that cities are becoming increasingly active agents, drawing their own agendas to answer to the 'big' challenges that characterise our epoch (see Zapata-Barrero, Caponio and Scholten [2017]). Sanctuary initiatives try to turn the city into a setting of migration policy-making. In effect, cities appear to respond to exclusionary national policies by devising their own strategies. Sanctuary policies by part of the Municipalities can be interpreted as an attempt to rescale migration and refugee policies and practices from national to urban scales on the part of cities that have acquired enough authority and autonomy through horizontal and vertical networking (Bauder, 2016). America's sanctuary cities represent a prime example of the power that cities have to oppose nation-states. US cities have openly resisted the federal government through local tactics of sabotage, e.g., by preventing local agencies from participating in certain enforcement programs implemented at the national level (Chauvin and Garcés-Mascreñas, 2012). In this sense, deploying and inverting Giorgio Agamben's notion of 'State of Exception', we can arguably say that cities of refuge represent 'Local States of Exception' (GLIMER, 2018) whose policies on migration sometimes diverge significantly from national-level policy and rhetoric. They indicate a decoupling process (Scholten, 2015) based on ground-level politics, welcome culture and horizontal and vertical networking.

In effect, today 'sanctuary cities' is an international movement transforming urban society in various ways: from defying exclusionary national immigration policies and citizenship laws to changing the discourse of migration and belonging and reimagining the city as an inclusive space (Bauder and Gonzalez, 2018). It has both a practical and theoretical significance. In particular, it impacts on (and draws from) the growing literatures on novel forms of citizenship (e.g. Isin, 2002; Nyers, 2010),

sovereignty and migrant autonomy (e.g. Lippert, 2004; Mudu and Chattopadhyay, 2016), and, especially, the right to the city (e.g. Lefebvre, 1968; Purcell, 2003).

In particular, sanctuary cities, both its theorisation and its practices, owe much to this debate. Henry Lefebvre's work on the right to the city influenced the developments of initiatives concerning *giving sanctuary* in cities. Indeed, Henri Lefebvre's (1968/1996) concept of the 'right to the city' surfaced as part of much wider social protests against capitalism. At the basis of this notion lies the idea that all inhabitants who use the city in their everyday lives have a right to contribute to modelling social relations and spaces in that city (Dikeç & Gilbert, 2002; Young, 2011). Broadly speaking, then, the idea of a citizenship based on one's residency and presence in a city (rather than legal status) has barged in on academia and policy-making. In particular, by mobilising Henri Lefebvre's (1968/1996) concept of the 'right to the city', the scholarship has moved to discuss the city as a potential refuge whereby it is possible to articulate "a more inclusive vision of political belonging, based on the idea that all people in the city should have access to the same fundamental rights, regardless of their immigration status" (Ridgley 2008:56). For example, Monica Varsanyi (2006) in exploring the emerging literature on cities and citizenship mobilized Lefebvre's right to the city to conceptualize a citizenship grounded in residence in a place.

In conclusion, 'sanctuary city' is not a legally defined term. However, it materializes across the world a vision (in resonance with Lefebvre's right to the city) of political belonging that is based on an *urban citizenship* both grounded in residence in a place and granting the access to fundamental rights. As advanced by Ottawa's Sanctuary City (n.d:1): "While not having jurisdiction over immigration, cities can act to minimize exclusion and ensure that all residents have access the city services they are entitled to. By declaring that city services will be made available to all, regardless of immigration status, and by making sure that agencies that receive city funding respect these guidelines, we can make Ottawa healthier, safer, and more welcoming".

In what follows, we will see the policy that the city of Milan (Italy) implemented in order to cope with the surge of *migrants in transit*, namely those refugees (i.e. prospective and actual asylum seekers and refugees) passing through Milan on their way to Central Europe. As we will see, this policy has contact points with sanctuary policies. Indeed, such policy was actively claimed by grassroots organizations and subsequently endorsed officially by the Milanese municipality. Moreover, it challenged the rules and prerogatives of the national authorities, introducing *de facto* a decoupling between national and supra-national guidelines and local norms. Yet, this same policy presents original aspects. In particular, differently from the classical sanctuary policies (based on the ideal of right to the city and the service provision to all the inhabitants), Milan's policy originates from a different challenge: the challenge to safeguard the right to transit.

### *Fieldwork and methodology*

This work focuses on Milan, a city historically relevant for the (both domestic and international) migration phenomena within the Italian context where, recently, following the European 'refugee/migration crisis', a question of asylum has been raised. Milan has seen the arrival and visible presence of hundreds of thousands of refugees into its territory. The city saw the erection of internal borders against this presence as well as important openings. Its local administration (a newly established centre-left coalition that emerged victorious after nearly two decades), despite difficulties addressing this challenge, showed an innovative approach. The civil society gave a strong, welcoming response, while a plethora of charitable institutions, especially Catholic-related groups, made Milan one of the most relevant settings for studying the impact of these organisations on the migration governance of a city.

To grasp the response of the city to this recent migration surge, I committed to a qualitative case study. In particular, I conducted a 13-month ethnographic study (between January 2017 and February 2018) during which I also conducted 61 in-depth interviews with volunteers, civil servants, legal advisors and refugees in Milan. For this paper, specifically focused on policies regarding 'transit migrants', I utilize both desk research and field research analysis. In particular, this paper originates mostly from two sources of information. On the one hand, it draws from thirteen interviews with public officials of the municipality (who were actively implicated with the design and monitoring of the policy under scrutiny), NGOs workers (involved in its implementation) and members of grassroots organisations that supported such policy. On the other hand, it benefits from the analysis of documents, and specifically *internal memoranda*, kindly provided by the local administration. Both sources were critical to assess both the rationale and the magnitude of this policy.

### **Milan Within Transit Migration: At The Root Of 'Sistema Profughi'**

Between 2013 and 2016, Milan was greatly affected by the transit migration that spanned from Southern Italy to Northern Europe, a transit based on overcoming the Dublin Regulation by avoiding the provision of fingerprints in Southern Italy, which created, for hundreds of thousands of people, 'internal routes' to reach the northern borders (Denaro, 2016). Among these internal routes, the itinerary connecting the southern regions and Milan was the most conventional path due to Milan's geographical position and transportation infrastructure (Briata, Castelnuovo and Costa, 2017). According to the municipality, the city of Milan has witnessed the passage of more than 130,000 refugees (Comune di Milano, personal communication, 28 November 2017), including half of the Syrians who eventually reached Germany between 2013 and 2014 (Minoia, 2016). In other words, beginning in 2013 (long before the transit migration along the Balkans) Milan has been the backdrop for an intense phenomenon of 'stop and go' of refugees, whose migratory project did not contemplate their long-term settlement in Italy. In Milan, this movement has pertained two physical settings: Milan's railway Central Station and the Porta Venezia neighbourhood. Two different populations characterised these settings; however, similar measures were put in place thanks to the active involvement of local authorities and civil society.

From the summer of 2013, Syrian migrants (often families) arrived *en masse* in Milan's Central Station, a historical space of migration in the city (Colombo and Navarini, 1999), while journeying northward. Between 2013 and 2014, 40,000 Syrians arrived in Italy, and just 2,000 of them requested asylum in the country (Denaro, 2016). In this situation, Milan served as a *door to Europe* (Denaro, 2016:90). Upon arrival by train from Apulia or Calabria to one of the Milanese train stations, Syrian migrants would stop in Milan for a few hours (the necessary time to buy a train ticket to Switzerland or Germany) to a few days (in case they needed to withdraw money from a money transfer or rest) before departing. In the meantime, they often settled temporarily and slept within the premises of the Central Station.

Another population in transit characterised Porta Venezia: transit migrants from the Horn of Africa. Porta Venezia is the 'Eritrean neighbourhood' of Milan and, as such, offered the presence of co-nationals who eased their passage. Moreover, Porta Venezia is located near a park where, in 2013 and increasingly in 2014, hundreds of Eritrean, Ethiopian and Somali migrants found shelter during their journey to Northern Europe, creating tensions with the local residents (Grimaldi, 2016).

Both situations were initially dealt with by voluntary activism. As the fieldwork allowed me to discover, a group of second-generation Syrians and members of Milanese Muslim associations provided support

to Syrian refugees in the Central Station, while second-generation Eritreans did the same in Porta Venezia, subsequently supplemented by more structured associations, notably the local branch of the *Community of Sant'Egidio*. However, in October 2013, the local administration stepped in. From that moment, Milan witnessed the inauguration of what has been called the 'Milanese *sistema profughi*'.

*Sistema profughi* involved the establishment of a registration desk and reception point at the mezzanine level of the Central Station. From there, incoming migrants who wanted to temporarily stop were sent to reception centres—at the beginning, two centres for 240 people. In these 'municipal' centres, board and lodging, medical care and clothes were given. This system was coordinated by the local administration that, in turn, outsourced implementation to well-enmeshed third-sector organisations. At this time, a more spontaneous 'wave of welcoming and generosity' from civil society evolved. Voluntary paediatricians and doctors assisted underage and adult migrants, private citizens brought food and clothes and NGOs like *Save the Children* guaranteed support to migrants. The following is the recollection of a civil servant, an assistant to the Councillor for Social Policies, concerning the context that characterised Central Station's registration desk:

*You need to figure this mezzanine floor, the two side included, where the entire world gathered. Where we, all together, gave the food, the doctors examined the people, there was a playground for the kids, donations from the citizens that we had to stop because it was too much. [...] Many different actors, also the Municipal Voluntary Office, which created a list of volunteers to address their number.*

In the next paragraph, we will see how, from this initial circumstances, the system of assistance developed, across the years, to accommodate an incremental and diverse population.

#### *The developments of 'sistema profughi' across the years*

During the period 2013–2017, *sistema profughi* was able to host about 130,000 people (and more people were assisted but not hosted). Furthermore, in the same period, it was able to evolve in two directions.

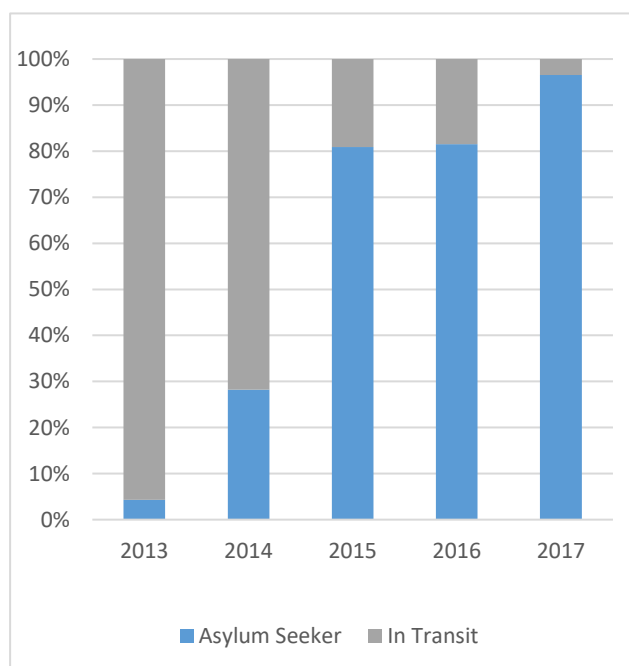


Figure 1 Percentage of asylum-seekers and transit migrants hosted by 'sistema profughi' between 2013 and 2017. Source: Internal memorandum by Comune di Milano

On one hand, it expanded by accompanying the structuring and development of the refugees' municipal welfare sector, which was previously very limited. Under the incitement of an 'emergency', Milan developed and structured its welfare sector to accommodate asylum-seekers and refugees. On the eve of the forthcoming 'transit migration' in 2013, Milan's municipality was involved in a project (*progetto Morcone*) for the reception and integration of refugees that concerned 300 refugees; in addition, Milan hosted approximately 100 people in the SPRAR project (Comune di Milano, personal communication; 9 November 2017). Starting from 240 migrants hosted in two centres in October 2013, *sistema profughi* was able to host up to 2,000 people a day in a dozen centres at the end of 2016 (Comune di Milano, personal communication; 16 May

2017). Simultaneously, the ordinary reception system expanded, yet in 2015, the city's SPRAR facilities provided assistance to 500 people and CAS assisted at least 2,000 migrants (Naga, 2016). Moreover, the third-sector associations that implemented *sistema profughi* in partnership with Milan's municipality expanded their expertise and capacity. For example, *Fondazione Arca*, a large third-sector agency that previously focused on assisting the homeless and drug addicts, ran the reception desk for *sistema profughi*. During this period, the reception desk changed location and scope from the mezzanine of the Central Station (from 2013 until 2015, where migrants were allocated to centres and food and clothes distributed) to via Tonale (2015) near the station and finally to via Sammartini. Set in a more peripheral space, Sammartini 'Hub' (as it was then known) provided food, medical advice, orientation to other services and even accommodation to migrants all under one roof. This was intended to increase the workforce and skill levels, as explained by a manager of Fondazione Arca:

*"We went from 40 to 300 workers [hired for migration-related jobs]. [...] On the one side, we created a Project Office and a training department, expanded the HR department, we have a scientific committee now and a monitoring department"*

Furthermore, *sistema profughi* became increasingly universal, broadening the groups of migrants assisted. *Sistema profughi* was originally designed to care primarily for Syrian nationals. Between 2013 and 2014, Eritreans and other nationals were also assisted, mainly by volunteer groups in Porta Venezia and other parts of the city. A process of 'equalisation' between Eritreans and Syrians, with the accommodation of Eritreans within the municipal centres of *sistema profughi*, caught on in 2015. Subsequently, since late 2015, *sistema profughi* offered hospitality to all migrants, even those who did not want to transit and instead requested asylum. As shown in Figure 1, starting in 2015, the majority of migrants assisted through *sistema profughi* ended up requesting asylum in Italy. This decision, together with a crackdown on migration movement in Europe, radically shaped the aim and scope of *sistema profughi*. The different approach to migration control that Italy and its neighbours took (i.e., the 'closure of borders') determined the fall of transit migration. Consequently, municipal reception centres within *sistema profughi* began hosting a more 'sedentary' population, as can be inferred from municipal statistics indicating *sistema profughi's* guests' preferential arrival countries in 2014 and 2017 (Fig. 2).



Figure 2 Preferential arrival country of 'sistema profughi' users in 2014 and 2017. Source: Internal memorandum by Comune di Milano

In this period, *sistema profughi* acted as a 'buffer space' from homelessness for all migrants who were outside the ordinary reception system (mainly 'escapees' from the reception system in Southern Italy or people who tried to transit and failed), irrespective of their legal status. In other words, as said by

the manager responsible for the registration desk, 'we witnessed to the confluence of migrants in Milan, the migrant people who were incapacitated to transit out of Italy'<sup>2</sup>.

In conclusion, *sistema profughi* was the initiative that dominated Milan's action toward refugees from 2013–2016. It saw the creation of a coalition, formed by the local administration, 'implementing' third-sector and civil society actors to help a significant number of migrants. These migrants included transit migrants (especially in the years 2013–2014) as well as refugees who risked falling outside official assistance (between 2016–2017). To these people, Milan was able to provide basic assistance: food, medical care and accommodation. This was possible thanks to two elements: the political stance that the municipality took due to the commitment of key local political figures and the role(s) played by third-sector and civil society actors in implementing, designing and urging interventions.

#### *A partnered policy: local political leadership and civil society's role*

As already mentioned, 'sistema profughi' represents the accomplishment of the efforts and expectations of a set of actors; among them, two actors in particular stand out: Milan's municipality and civil society organisations.

As seen, the municipality was actively involved in 'sistema profughi', turning out to be the leading partner. The decision to be involved represented a relevant act: the local administration, indeed, 'scaled-up' the claims of the civil society and in so doing challenged rules and prerogatives of other authorities (as we will see in the next paragraphs). It can be argued that, behind this positioning, the political leadership of part of the local administration played a crucial role. It was especially the influence of Marco Granelli, the councillor for security, social cohesion, local police, civil protection and volunteering, and Pierfrancesco Majorino, the councillor for social policies, welfare and rights, that directed the position of the municipality. Indeed, both had a personal interest in migration and volunteerism.

As theorised by Caponio (2006) with respect to the action of local Italian politicians, politicians represent crucial actors in orienting local migration policy-making especially early in their mandate and when migration is a highly debated issue in the local arena, by being eventually able to reorient the debate. This 'role' was performed in particular by Majorino. Indeed, Majorino's efforts were concentrated on characterising his political actions in relation to both welcoming refugees and migrants in transit and diversity in the city. This is evident as Majorino's department on social policies was the main municipal body in charge of *sistema profughi*. Moreover, Majorino himself promoted initiatives as well as advertised the role of Milan during the 'refugee crisis'. For example, he spoke before an audience of mayors and local administrators in 2017 during the Global Mayor Summit<sup>3</sup> and organised a pro-migrant demonstration in May 2017 that gathered 100,000 people<sup>4</sup>. In particular, Majorino appears to have been able to collect and invest political capital on migration to build an alternative 'framework' (see Caponio [2006]). Thanks to that, the Milanese local administration 'seized on' *sistema profughi* to reorient Milan's image as an open city (within the Italian limits)

However, the strong political investment from the part of Milan's municipality would have been possibly unimaginable without the contribution of the civil society. Indeed, as discovered through the field research, many grassroots associations, volunteer groups and civil society networks mobilised to assist incoming migrants (in transit or not) and introduce this population to the identity and fabric of

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<sup>2</sup> From a personal interview with the civil servant responsible for the registration desk on the 16 May, 2017.

<sup>3</sup> <https://www.concordia.net/annualsummit/2017annualsummit/global-mayors-summit/>

<sup>4</sup> <https://www.wantedinmilan.com/news/milan-to-hold-pro-immigrant-march.html>



the city. This group represented an *infrastructure of welcoming*, less formalised than the one constituted by the implementing third-sector associations but equally important.

Their first act was to provide concrete assistance. As previously discussed, the first actors to mobilise in both the Central Station and Porta Venezia were volunteer groups and associations. In this regard, it is necessary to mention the members of Muslim associations, such as Giovani Musulmani d'Italia, for their assistance to Syrians and a group of second-generation Eritreans in Porta Venezia that constituted Cambio Passo. As said by an office manager at the Department for Social Policies:

*"In the face of these crowds of people, the city has reacted in a genuine and spontaneous way by giving and making itself available"*

As pinpointed also by these examples, civil society was the *backbone* of sistema profughi. First, civil society organisations were the 'spur' that urged the municipality and its members to intervene in the first place. Thanks to personal connections, the Community of Sant'Egidio and Giovani Musulmani d'Italia pushed the local administration for an intervention in the Central Station, while Cambio Passo actively campaigned for the *process of universality* that characterised sistema profughi in 2015. The local administrators, as highlighted by the next excerpt from the Assistant of the Councillor for the Social Policies, have acknowledged this role:

*"The 'watchmen' of the city were fundamental to us since [...] these volunteers made us realise that a new phenomenon has been taking place here"*

Far from being a new element (Van Aken, 2008), the direct involvement of part of the civil society favoured local administration's action by demonstrating the people's consensus to such policy. This element has been embodied by the 'wave of generosity' that hit Milan (and especially the Central Station) through individual donations of goods and the activities of these volunteer groups; at the same time, this wave of generosity is the result of the work that civil society associations pursued throughout this time. As recalled by many informants, the activities of these organisations were also based on counteracting a negative discourse and on 'generating' a positive breeding ground by which new people could join. This was achieved by promoting forums for discussion and showing their presence in the territory through activities carried out in different neighbourhoods<sup>5</sup>.

In conclusion, the role of 'voluntary' organisations went beyond implementing the interventions passed down from local authorities; they participated in the design of the intervention, concrete assistance, communication with local administrations and cultural suasion. In this regard, I want to conclude with the clarifying words of a volunteer and member of the Community of Sant'Egidio that well-represent the 'spirit' of *sistema profughi*:

*"These are important aspects: cultural, concrete helping, political aspects like the communication with the municipality. We must consider these element altogether, since asking to the municipality to take a position like they did with the transit migrants means you need to build a consensus, neighbourhood by neighbourhood"*

### **The right to transit: decoupling and state of exception**

In *Lo Stato di Eccezione*, the Italian philosopher Giorgio Agamben (2003) resumes and updates the notion of 'State of Exception' to illustrate the ability of the sovereign power to suspend the law and delimitate an 'anomic space', a juridical non-place that makes violence possible. In particular,

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<sup>5</sup> As said to me by several volunteers that I interviewed from volunteer groups and local oratories that organised meetings with the local citizenry and the most 'oppositional' neighbours in the city.

Agamben characterises the State of Exception as the circumstance whereby particular individuals, often as member of a sub-group such as the refugees (Agamben, 2000), can be stripped of their rights by a sovereign power and put in a state of 'bare life', a concrete example of the *homo sacer* (see Agamben, 2003).

Inverting Agamben's logic, recently scholars have noted how cities represent settings in which migrants and refugees may not only be protected but also granted specific rights vis-à-vis the exclusionary sovereign power of the nation state. It is the case of the *sanctuary cities* in the USA and Europe, where welcome movements arose and set a local agenda (e.g. Karakayali, 2017; Mayer, 2017) that *decouples* with the national approach to the governance of migration and asylum (on the notion of decoupling, see Scholten [2015]). In this respect, it has been advanced the notion of *local state of exception* (GLIMER, 2018). A local state of exception is characterised by a standpoint diametrically opposite to Agamben's notion of exception: while, in the latter, the national level governments respond to crises by diminishing rights, through local state of exception one can see how the local level governments respond by opening up (GLIMER, 2018). In particular, similarly to the notion of decoupling, it may describe a situation in which local and city level migrant and refugee reception are significantly in contrast with national level policy and rhetoric especially on three levels: the legal-level, the discourse-level, and the policy-level.

In the remaining of this section, I wish to discuss the Milanese policy on the transit migration as an example of both decoupling and exception. In particular, I wish to show how it can constitute an example of decoupling and exception to the national and supranational approach on this matter.

#### *A legal loophole*

The Common European Asylum System (CEAS) constitutes the common legal framework for the treatment of asylum-seekers within the limits of the European Union. Whereas the formal objective of CEAS instruments is to provide a common level of protection across Europe, over time it has been used to apply more stringent rules to the so-called 'secondary movements', the transit phenomenon occurring at the EU-level whereby refugees move from the country in which they first arrived to seek protection or permanent resettlement elsewhere. At the core of these instruments lies the identification of the incoming applicants through the fingerprinting process and the setting up of a computerised central database of fingerprint data known as 'Eurodac'. In order to limit the secondary movements of applicants for international protection, so, CEAS has set some instruments: among them, the possibility to withdraw reception conditions from the identified asylum-seekers, the detention of the applicants, and the reduction of their procedural guarantees (Radjenovic, 2017).

*Sistema profughi* is based on an exception to these rules. It represented a system lying outside the national system of asylum. In particular, the Milanese municipal reception centres were not part of the regular reception centre circuit (e.g. SPRAR and CAS in Italy), which provides assistance to migrant people under the condition that they request asylum. Indeed, in accordance with CEAS, the Italian reception system does not contemplate the accommodation of refugees that are either non-identified nor in transit within the EU-space. As seen, on the contrary, 'sistema profughi' gave assistance primarily to refugees who were either *illegalized* or non-intentioned to ask asylum in Italy and identify themselves, for different reasons. TinaArca, in the next excerpt, shed light on the nonstandard features characterising the people who directed to Milan, namely their unidentified status.

*"The volunteers in Central Station pointed out to us what was happening, the fact that more and more migrant families and individuals were arriving in order not to ask asylum and live in Milan. These people wanted to stay for a short time in Milan, few hours or maybe few days. People whose desire was to*

*get away unnoticed by the authorities, without identification. It was the first time and a legal conundrum for us"*

As illustrated by TinaArca, therefore, the assistance of this unidentified population occurred in a legal dilemma. Milan's municipality solved the dilemma by 'opening up' an exception to the rules. It did so through resorting to an old regulation, as pointed out in the next interview with Manuela.

*"Given also the visibility of that phenomenon, we decided to intervene and to coordinate with the prefecture. However, we needed to find a justification for their presence, [...] so we discovered a law dated back to 1995, the so-called 'Legge Puglia', according to which migrants have an 8 day-window time for asking asylum. In this way, we gave them a 'legal status', as people temporarily staying on the territory, before the asylum request".*

As seen, the state of exception establishes a suspension of the law (Agamben, 2003). Sistema profughi is precisely based on a suspension of the laws. In this case, different actors (with Milan's municipality at the forefront) decided to collaborate in order to challenge the regulations on the secondary movements. However, this suspension moves in the opposite direction compared to the reduction of rights generally operated through Agamben's state of exception. Ultimately, indeed, whereas CEAS focuses on limiting the secondary movement of people by applying a sophisticated mechanism of control, identification and infringement punishment, sistema profughi allowed a number of migrants to escape identification and fingerprinting process, opening up the possibility for the creation of a 'humanitarian channel'.

#### *An alternative to the prevalent rhetoric*

During the so-called 'refugee crisis', the issue of immigration has quickly become a major public concern. The European Union and its member-state have reacted to the surge of asylum application by deploying policies aiming at the securitisation of forced migration (Kersch and Mishtal, 2016). Measures like the ones included in the 2015 European Agenda on Migration point to the quick sorting, prompt identification and immobilisation of refugees and have arguably exacerbated a 'European politics of fear' (Castelli Gattinara 2017, 11). Italian's central government has embraced a rhetoric of forced migration that legitimises the equation between migration and insecurity. It is a rhetoric that has barged into a big chunk of the public opinion in Italy, as demonstrated in opinion polls (e.g., see Pew Research Centre [2016]); a rhetoric whereby migrants have occupied a specific 'discursive location' (Witteborn, 2011) as outsiders that need to be quarantined and threats to national socioeconomic, cultural and physical security.

On its part, Sistema profughi seems to detach from this prevalent rhetoric, in line with the positioning that Milan's administration have taken across the years. As seen, indeed, the centre-left coalition that rules the city from 2011 (after a 18-years period of centre-right governments) has invested in framing migration under a different light, in discontinuity with previous administrations, endorsing a more multicultural approach (Marzorati and Quassoli, 2015). Sistema profughi can be read as part of this political investment through which the Councillor for social policies, Pierfrancesco Majorino, was able to advocate for the role of Milan in Italy and abroad and organise a demonstration through the city to celebrate Milan's diversity and open approach to migration vis-à-vis the increasing prevalent negative narrative on migration. Such position is claimed by the Municipality and, in particular, by the close collaborator of Majorino, Cesqui:

*"We are aware that the prevalent narrative depicts Italy as it is constantly invaded by refugees. Actually, we think that talking about invasion is an exaggeration, [...] the result of a political dramatization. The emergency – if we are allowed to talk about emergency – was humanitarian"*

The words of Cesqui point to a clash between the prevalent rhetoric of the invasion and a reality characterised by a different situation. In particular, as the previous excerpt seems to allude, the Milanese action was framed as a 'humanitarian' issue by the local administration. The municipality, therefore, has adopted a reading that considered what was happening (i.e. the massive presence of families and individuals in transit without a formal assistance) as an issue tied to the fulfilment of basic needs, instead of a problem of security. This position can be appreciated in the next quote from Manuela:

*"When we met with the Councillors and the Municipal council, [...] we decided to take a decision, the decision that we must accommodate these people [...], to give a humanitarian hospitality, since the regional government did not respond, the national government did not understand nor reply, thus it has been a local response to a global phenomenon. The decision of the administration was that Milan couldn't turn its head, since it was not an issue of security and identification, [...] but a question of humanitarian reception on our territory"*

At the European level as well as in Italy, the prevalent reading of the so-called refugee crisis (that in Italy erupted in 2011, well before it was recognised by other European countries) has entailed the equation between forced migration and insecurity (New Keywords Collective, 2016). This was the result of a rhetoric dear to the right-wing parties but subsequently legitimised also by different national governments led by a centre-left coalition, as in the case of Italy. In Italy, the last intervention explicitly sustained by humanitarian concerns has possibly been the 'Mare Nostrum operation' that saved 146,000 people between 2013 and 2014 (Wihtol de Wenden, 2016). Even in this case, Milan's *Sistema Profughi* represented an exception.

#### *The right to transit*

As seen in the previous sections, the European Union rules have increasingly imposed stricter conditions to the identification of the incoming migrants and excluded any form of support for those who transit within it. In particular, the European Agenda on Migration of 2015 has taken a harsh approach on refugees' mobility and secondary movements within the Schengen Area. In this regard, the Italian state has adopted a shifting but always-opportunistic position. At the beginning, the national approach to the disembarked migrants between 2013-16 can be described as one of the 'close eye' (Denaro, 2016:92): it tolerated the mass arrival of asylum-seekers, mainly through seaborne migration, but intentionally avoided fingerprinting and registering them in order not to be responsible for their asylum process. Once disembarked in Italy, indeed, migrants were not assisted and fingerprinted and, without the willingness to assist them and a *laissez-passez* attitude, the Italian state enabled these incoming migrants to move further in Europe. Following the 'crackdown' on migration of 2015 and the pressure from its EU-partners, subsequently Italy endorsed the European approach by intensifying the control within its territory (Tazzioli, 2016) and at the fringe of the nation-state (Scirba, 2017).

*Sistema profughi* represents a relevant detour from the policies that European and national governments have implemented in this period. As seen, it provided for board and lodging, medical assistance and linguistic support. *Sistema profughi* established a 'haven' for migrants in transit, so that they could rest and organise further their movements. In this regard, as Manuela aptly explains, it opened a 'humanitarian channel' for safeguarding the *right to transit* of the migrants, by giving a basic assistance to them throughout their travelling:

*"We put our efforts on this system that did not consider reporting people to the police and their identification. A humanitarian channel. This in order to enhance their possibility to fulfil their desire to*

*go and ask asylum in Northern Europe, given also the international laws. [...] Obviously, we problematized our stance. However, to give a bed and a roof to these people, instead of being left in the cold, was a much more important duty"*

In other words, *Sistema profughi* was a policy designed to fulfil the basic needs of those refugees and prospective asylum seekers who moved along the "free railway channel" (Tazzioli, 2016:10) connecting Southern Italy with Central Europe. This is accomplished in spite of the legal framework and the prevalent policy-making. The literature on sanctuary cities oftentimes highlights the process of decoupling between national governments and local administrations (e.g. Bauder and Gonzalez, 2018): while the first reacts by diminishing rights, the latter responds by opening up. It is a decoupling process that illustrates the desire to provide for both a different set of services and a different take on an issue (GLIMER, 2018). This is also the case of Milan. Not only because, unlike the European regulation, it tolerated the secondary movement of unidentified or because, differently from Italy, it assisted this movement of people, but also because this decision was crucially driven by the desire to send a strong political signal to national and European authorities. Indeed, as said by Cesqui:

*"Milan has played an important role by opening a humanitarian channel when Europe, UN and Italy decided not to intervene, [...] because when people say that we break the Dublin Regulation we say yes, we did it but taking a conscious position. It was an audacious policy that was born out of the observation that reality comes before the laws"*

## **Conclusions**

In the first months of 2017, Milan's municipality decided to stop *Sistema Profughi*. The intervention that assured the assistance of migrants in transit or outside the Italian reception system for refugees was eventually ended. To lead Milan's municipality to this decision were the decrease of the transit migration, due to the externalisation process of bordering and the success of the policies to block secondary movement, and the necessity to focus on the assistance and reception of the rising population of stable refugees in Milan. This development saddened many of the volunteers and workers involved in *Sistema Profughi*. In particular, they were disappointed by Italy and Europe and their inability to recognise the alternative that *Sistema Profughi* represented for the successful management of transit migration in Europe.

As seen throughout this paper, indeed, *Sistema Profughi* was the flagship of the Milanese approach to refuge and migration, and in particular transit migration. In this contribution, first we saw how it came out and developed to give accommodation to 140.000 migrants, through the joint effort of the local administration and third sector organisations. In particular, we observed how it was the result of the personal involvement of key local politicians and the attention paid by the civil society to this issue. Subsequently, it was emphasized how it represented an alternative to the national and supra-national policy in term of law, rhetoric and actualization. This "local response to a global phenomenon" (as said by Cesqui) represented a decoupling trajectory from and an exception to both the European legislation on the secondary movements (e.g. CEAS), adopted also by Italy, and the prevalent rhetoric on migration. Finally, we saw also how it established a 'sanctuary' for the transit of people. This policy intervention, therefore, appears to have supported a right to transit and questioned the European and Italian policy-making on this matter.

In conclusion, Milan's *Sistema Profughi* represents an intervention compliant with the claims of the sanctuary city and right to the city's initiatives that spread recently in cities across Europe. It focused, in particular, on the right to transit of the many incoming refugees during the 'migration crisis', to which EU-member-states have often reacted by building higher fences and restricting access to

asylum. In this respect, many European cities (not just Milan) have long been in favour of an alternative to the current restriction of movement of asylum seekers and refugees in EU (the so-called secondary movements)<sup>6</sup>. However, curiously, European cities, which are expected to play a central role in migrants' resettlement, have often been muted and absent at the table where decisions are made.

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<sup>6</sup> It is the position taken by the Solidarity City network, and in particular by the city of Barcelona, which has recently shown its willingness to take in refugees directly from Athens, a city that was at the forefront of transit migration

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