

## Excesses and double standards: migrant prostitutes, sovereignty and exceptions in contemporary Italy

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In this paper, the author proposes an analysis of the apparently contradictory attitudes towards transactional sexual exchanges, as they have emerged in public debate and informed legislation and policies in Italy over the past few years. The ambiguity towards commercial sex is linked to a specific dynamic of power, which denies sexual labour the status of work and makes it the object of repressive and criminalising policies, whilst at the same time habitually demanding sexual services in exchange for money, gifts or favours. The article shows how criminalisation functions as a prominent form for the control of subjects, related to the workings of sovereignty. In particular, the author considers the ways in which the criminalisation of prostitution and of undocumented migration, which compound in the figure of the migrant prostitute, represents a means for the exertion of sovereignty and relates to the centrality of desire, transgression and their disciplining in the contemporary context. However, closer examination of the subjective experiences of those who are supposedly excluded and criminalised, such as undocumented migrant sex workers in detention centres, reveals the incompleteness of disciplinary mechanisms.

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Prostitution is a realm of contradiction, (McClintock 1992, 85)

In 2008, former pin-up and showgirl, and then-Minister for Equal Opportunities, Mara Carfagna vigorously announced her project for a revision of the legislation (the so-called ‘Merlin law’) regulating prostitution in Italy. ‘Prostitution’, she declared, ‘makes me cringe. It horrifies me, I do not understand those who sell their body. It’s a shameful phenomenon’ (*Liberazione*, 12 September 2008). The controversial ‘Carfagna Bill’ would have made the sale and purchase of outdoor sexual services illegal (whilst under the current law it is simply unregulated), subjecting transgressors first to heavy fines and, in the case of relapse, to jail terms. The proposal, which was subsequently ‘lost in the meanders of parliamentary debate’,<sup>1</sup> came soon after Carfagna herself had been involved in a scandal with then-Prime Minister, Silvio Berlusconi. Some phone interception, it was alleged, would reveal how they had a sexual liaison. While this was never officially confirmed, it kindled the appetites of the media and the public for years.

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Since then and throughout Berlusconi's third term in power, scandals involving the exchange of sexual services for money or other 'favours' by prominent public figures kept multiplying – relayed, amplified and capitalised on by media across the political spectrum, in Italy and abroad. One of the most significant for the purposes of this article is that involving a 17-year-old Moroccan citizen, Karima El Mahroug, also known on Milan's nightclub scene as 'Ruby Rubacuori' ('Ruby the Heart-Stealer'). Following her arrest on 27 May 2010, under allegations she had stolen €3000 from a friend, she was found to be missing from a care home. As was later revealed, upon her arrest the Italian Prime Minister made a phone call to the Milan police station where the girl was held, and requested her release on the grounds of her supposed, bogus, family connection with then-president of Egypt, Hosni Mubarak. Karima/Ruby was put into the care of Nicole Minetti, a local politician from Berlusconi's party and also a former showgirl, who released her shortly afterwards (*Il Fatto Quotidiano*, 2 November 2010).

The story came to light in October of the same year, following Karima's questioning by the judiciary in relation to an investigation on a prostitution ring involving minors, which led to her revealing further particulars about Berlusconi's notorious parties in his private residences. Dozens of young (sometimes underage and often migrant) women would provide sexual entertainment of some sort in exchange for gifts, cash, and the promise of a career in show business or in politics, in what were known to participants as 'bunga-bunga' parties (*La Repubblica*, 28 October 2010). Speculations as to the origin and meaning of such a term kept pouring in, among which was the one that attributed it to Muammar Gaddafi's own orgiastic, 'oriental(ist)' practices (*Il Fatto Quotidiano*, 5 April 2011). TV journalist and all-time Berlusconi supporter, Emilio Fede, related a joke involving two male members of Berlusconi's party who, on an official visit to Libya, get captured by a local 'tribe' opposed to Gaddafi and are made to undergo sexual practices called 'bunga bunga' before being cannibalised.<sup>2</sup> Fede himself participated in the parties and, according to the prosecutors in the judicial case, procured the women (*Il Fatto Quotidiano*, 3 October 2011). A belly dancer who took part in those evenings refers to the entourage of women involved as Berlusconi's 'harem' (*Il Fatto Quotidiano*, 26 January 2011).

Later in 2010, the Italian Prime Minister was thus incriminated for inducing a minor into prostitution, against which accusations he defended himself, by way of his lawyer and fellow party member, explaining that he did not know the girl's real age – and, subsequently, that he had given money to Karima only 'to prevent her from becoming a prostitute' (*Il Fatto Quotidiano*, 11 April 2011). After the outburst of a previous sexual scandal, which also related to a judicial inquiry for the procuring of prostitution, Berlusconi had stressed how he did not need, and did not like, to pay women for sex. He 'did not get anything out of it,' he explained, as prostitution denies a man the 'pleasure of conquest' (*La Repubblica*, 10 September 2009). Furthermore, just like his cabinet colleague Carfagna, during his previous term in power Berlusconi had also expressed his discomfiture at the sight of street prostitutes: 'The streets must be cleaned', he proclaimed. 'Like many Italians, I cannot bear to be ashamed any more when I move around with my children: prostitution everywhere, g-strings showing and all the rest. Perhaps we shall re-open brothels, regularise it, we will see' (*Corriere della Sera*, 6 January 2002).

In this paper, I tease out the implications of the double standard in the treatment of transactional sex, evident in Italy's public discourse, examining the mechanisms through which prostitution is represented and regulated. I begin by pointing to criminalisation as a

prominent form for the control of subjects, and relate it to the workings of sovereignty. In particular, I consider the ways in which the criminalisation of prostitution and of undocumented migration, which compound in the figure of the migrant prostitute, represents a means for the exertion of sovereignty. Following Agamben (1998), I define sovereignty as the power to suspend the law: those belonging to criminalised classes can be denied the status of political subjects, of workers and citizens, and reduced to 'bare life', biological life as such, by means of that exclusion that 'founds the city of men' (ibid., 12). Recourse to sexual services by politicians, and particularly by Berlusconi, and the modality through which such practices are represented, denied and at the same time reproduced, speaks of the power of the sovereign to transgress the law, and relates to the centrality of desire, transgression and their disciplining in the contemporary context, in which biological, 'bare' life becomes the central object of politics. However, closer examination of the subjective experiences of those who are supposedly excluded and reduced to bare life, such as undocumented migrant sex workers in detention centres, reveals the incompleteness of disciplinary mechanisms. Thus, I conclude by describing subjective experiences and attachments that do not conform to power's commands.

### **Double standards, criminalising practices and sovereign exceptions**

The double standard in the institutional treatment of commercial sex, which the incidents I described above so glaringly reveal, is in effect at the heart of the regulation of prostitution. In contemporary Italy prostitution is not formally a crime, but simply falls 'outside' the purview of the law, provided it is not exploited by third parties. However, debate around the issue has never ceased since the current law – that criminalises brothels and more generally the exploitation of sexual labour – came into effect in 1958.<sup>3</sup> Although the proposed Carfagna Bill was eventually dropped, several municipalities *de facto* implemented parts of it, thanks to the powers granted them by the same government in 2008, through a piece of legislation commonly known as 'Pacchetto Sicurezza' ('Security Package,' Parlamento Italiano 2009), and in line with policies supposedly protecting public security and morals. Legal instruments such as administrative fines for public disturbance, obscene behaviour, or hindrance to the circulation of vehicles are routinely wielded to impose restrictions on the exercise of outdoor prostitution in residential areas and city centres. As critical observers have noted, this makes sexual labour less safe and encourages the proliferation of safeguarding (but exploitative and therefore formally 'illegal') figures such as those of the pimp or *madam* (Sorgoni et al. 2009).

The recurring measures to criminalise the outdoor sale of sexual services speak of the unease prostitution produces in the eyes of the law: while it is often regarded as a 'necessary evil', its contours must be carefully controlled and confined lest it unsettles the moral-political order. This 'regulationist' approach was very much the dominant position in Italy before the passing of the Merlin Law: prostitution needed to be hidden from public view, but it could not be entirely abolished (Gibson 1999, 208). As many scholars have shown (Foucault 1980; Laqueur 1990; McClintock 1995; Walkovitz 1980), in the modern period the emerging, 'biopolitical' management of and capitalisation on middle-class sexuality proceeded, among other techniques, also through the disciplining of prostitution. The nascent Italian state was no exception to this pattern, as Gibson's study has clearly shown (1999). The sale of sexual services became the lucrative outlet for ('natural' and

uncheckable) male desires that could not be expressed in marital sexual intercourse, for the preservation of a docile and 'decent' middle-class woman. At the same time, the prostitute's body needed to be heavily disciplined and policed, so as to avoid sex workers' control of their trade and thereby maintain the illusion of male economic mastery over women's sexuality, work and time, which prostitution threatened. In giving money to female prostitutes, male clients expose their dependence on women's sexual power and skill, and the economic nature of heteronormative, patriarchal sexual exchanges – the value of sex (McClintock 1992).

Hence the claim that 'there is no fun in paying a woman for sex', for indeed this undermines the absolute power of man-as-conqueror, his right of access to, and appropriation of, the unrecognised and unpaid sexual (and therefore 'reproductive' in the wider sense of the term) labour of women. Some critical commentators' disgust at the events implicating the Italian Prime Minister and his cronies stemmed precisely from anxieties over what they dubbed as a 'whorearchy' (*mignottocrazia*, also the title of a book written by MP Paolo Guzzanti and published in 2010). Nor did a criminalising attitude against prostitutes spare some of the promoters of a protest against the political climate during Berlusconi's last term in power, for the degrading treatment of women: calls to action reinstated the age-old distinction between whores and madonnas.<sup>4</sup>

According to Foucault (1979), criminalisation has served the purposes of economic and political control by the dominant classes, ever since 'popular' illegalities have acquired a markedly political, subversive potential, creating a 'great fear' for the status quo. Crime is thus attributed predominantly to one social class, not least with the aid of the media, while other forms of illegality, perpetrated by the dominant classes, are covered up. Hence, penal systems do not function to eliminate crime, however defined, so much as to categorise, differentiate, and hence control it, making it directly useful for the reproduction of the system (*ibid.*, 257–92 *passim*).

Together with sex work, undocumented migration is the other salient example of this mechanism. As critical analysts point out, both produce value for the state and its citizens, and it is in this political-economic framework that discourses on illegality must be understood – as the attempt not to eradicate migration or prostitution, to make undocumented migrants and/as prostitutes disappear or to merely exclude them, but rather to select and control them, and make them productive as vulnerable subjects; to discipline their mobility, to prevent potential social unrest by dividing and weakening 'dangerous' elements, and use migrants/prostitutes as scapegoats (De Genova 2002, 2010; De Genova and Peutz 2010; Palidda 2009). In Italy, the progressive criminalisation of migration reached a peak with the approval, by government decree, of the so-called 'security package' in 2008, subsequently turned into law (Parlamento Italiano 2009). The bill includes a series of norms which make 'clandestine migration' into a criminal offence; increase the maximum period of detention for undocumented aliens; and prevent those who do not possess work or residence permits from marrying Italian citizens and accessing education and healthcare, whilst obliging health practitioners to report any undocumented patient to police authorities and sanctioning the formation of citizen patrols to increase security on the streets. Furthermore, its application, as already mentioned, made the exercise of street prostitution even more precarious, and migrant sex workers doubly criminalised. Other, more recent measures reinforce those policies: in June 2011, the Italian government further extended the maximum term of administrative detention to 18 months.

In the contemporary Italian context, street prostitutes are for the majority migrant women and transgenders,<sup>5</sup> often undocumented and therefore deprived of basic rights and outlawed for their mere existence. My own ethnographic research on Nigerian sex workers (Peano 2010), who work predominantly outdoors, and the experiences of those engaged in outreach work with migrant prostitutes, show how this form of sexual labour occupies the lower end of the trade. Migrant sex workers (and certainly the majority of Nigerians) are in some cases subjected to contracts of debt bondage – further adding to their structural vulnerability.

Furthermore, increasing criminalisation, aided by media campaigns, must be understood not merely as the enforcement of the law, but of enforcement-through-suspension. Migrant detention and deportability, and the general management of migration through police practices, like the denial of the status of work to prostitution and its stigmatisation, all point to the presence of ‘zones of exception’ in which the law (freedom of movement, labour rights) is exerted by way of its suspension. These practices are in accordance with Giorgio Agamben’s analyses (1995, 1998) on the nature of sovereignty. Following Arendt, Agamben (1998) has argued that so-called illegal migrants threaten the fiction of sovereign power, which is founded upon a conflation of ‘bare life’, human biological life as such, with the political life of citizens: in the absence of a correspondence between nativity and nationality, ‘man’ and citizen, refugees and migrants become truly sacred, i.e. destined to be killed with impunity. The myriad manifestations of the disposability of migrants’/sex workers’ labour and bodies – for example in coastguards’ denial of rescue to the boats loaded with people that attempt to approach Italian shores, the dumping of the corpses of those undocumented migrants that suffer death after work-related injuries, the frequent and silenced homicides and rapes of prostitutes – are witnesses to the process.

Thus, different sorts of stigmatisation and exclusion compound in the figure of the migrant prostitute. On 11 August 2008, the local section of national newspaper *La Repubblica* published the photograph of a Nigerian prostitute lying, exhausted and almost naked, on the ground of a prison cell in Parma, covered in dirt, her limbs heavy and seemingly lifeless and her head half-hidden against a concrete block. The picture was captured by one of the journalists whose presence had been requested at the ‘anti-prostitution blitz’ organised by the city’s municipality in compliance with the new government decrees, which grant additional powers to local administrators. Whilst spurring heated debate as to the nature of police practices and the appropriateness of ‘zero-tolerance’ policies, its objectifying power perfectly captured the woman in her condition as bare life, however contested. In the words of sex-worker rights activist Pia Covre, ‘the immigrant prostitute is the paragon of exclusion’. ‘[I]n the case of the immigrant prostitute’, she contends:

... it is not enough to denounce the total absence of her rights. In reality, she is a bearer of a singular right: the right to not have any rights . . . . And, after “reasons of State” have unfolded all their effects, it is at this point that these “naked lives” get labelled as victims . . . . In this way the State, the Church, and the institutions are able to recuperate some sort of relationship with the rejected. As we know, the term evinces feelings of sacrifice, suffering, and passivity. It is the victim who undergoes hardship and . . . the one who suffers. Every trace of personal consideration is missing, and any possible collective experience of liberation is precluded. (Ibid. 2000. The immigrant prostitute is the paragon of exclusion. <http://www.lucciole.org/content/view/4/3/>, accessed 2 August 2010).

### **The criminal, the victim, the subject and the sovereign: generalised whoredom and death of desire?**

The same dynamic of exclusion-through-victimisation emerged from Berlusconi's defence in the 'Rubygate': he gave Karima money so that she would redeem herself from a life of damnation and deviancy. In another recorded phone conversation with Nicole Minetti, also accused of aiding and abetting the prostitution of minors, the Italian Prime Minister explains the defence line to be adopted thus: 'L'abbiamo soltanto aiutata perché ci faceva pena' ('We only helped her because we took pity on her'; *Corriere della Sera*, 5 April 2011). During the phone call, Minetti related to Berlusconi how Ruby had accused several people, including herself, of inducing her into prostitution, to which the Prime Minister replies: 'Does one really claim a license as a whore?' Minetti confirms, laughing ('I swear'), and he comments, incredulous: 'That's crazy' (*ibid.*). How could a woman transgress the stigma of sexual labour and admit to having received money in exchange for sex?

Karima/Ruby's Janus-faced figure of exclusion, the 'victim-whore', epitomises the position of those who find themselves at the margin. In a television interview following the onset of the scandal, she eloquently recounted how she reached Italy with her family in 2003, aged 10. Amidst an outbreak of tears, she claimed to have been sexually abused by her uncle at the age of nine, and to have been urged by her mother, whom she had informed of the violence, to keep quiet about it. She then tells of how, at age 12, her father poured hot oil on her body when she expressed her intention to convert to Catholicism. Regardless of the truth-value of such stories, they are significant in that through them Karima is placed precisely in the position of the victim and the deviant. She described how she lacked a proper childhood and grew up too fast ('ho bruciato le tappe'), whilst denying ever having been a prostitute ('I tried', she tells the interviewer, 'but there is a saying that my mother used to repeat to me all the time: "One cannot become a prostitute, one is born a prostitute"'). Having worked as a waitress, and having experienced the sexual harassment of her employers, she describes her encounter with Silvio Berlusconi as bliss: 'I couldn't but be grateful to a man who gives me 7000 euros without touching me with a single finger'. Questioned on the discrepancies between the different versions of the story of her involvement with the Prime Minister, she explained how her traumas instigated in her a penchant for lying, the result of a desire to hide behind an alternative, less painful identity.<sup>6</sup> During a phone conversation with her father, recorded by the police, she also appealed to her lost honour explaining that she had asked Berlusconi for five million euros 'against the tarnishing of my name' (*Il Fatto Quotidiano*, 26 January 2011). Like many migrant women and 'deviant subjects', Karima also has a history of encounters with the disciplinary apparatus of the Italian state. Caught stealing as a teenager, she was sent to a care home, from which she escaped to go to Milan, where she began working in nightclubs for 'easy money', as she explains. It was then that she started attending Berlusconi's parties, until one night in May 2010 she was arrested for alleged theft.

The intercession of the Sovereign to effect her release can be read as a further affirmation of the power to suspend the law which characterises such position, and which over and over again Berlusconi has exploited to circumvent criminal charges and moral indictment. However, in this case sovereign power does not limit itself to the stigmatisation, exploitation and exclusion of those subjects who are constructed as Other: it also effects an identification between the Sovereign and those figures of excess that a (repressed and unelaborated) colonial imagination collapsed into the racially other.

Hence the bunga-bungas, the belly dancers, the harem, the references to and mimetic association with autocratic 'oriental' leaders such as Gaddafi and Mubarak, among others. Psychoanalyst Massimo Recalcati has described the implications of Berlusconi's leadership thus:

The epochal character of a figure such as that of Silvio Berlusconi [lies] in the way in which his person paradigmatically sealed [the] hypermodern equivalence between Law and enjoyment. Not only his so-called private behaviour, but in a much more emblematic way, his very legislative action... reveal how the ultimate representative of the State aims at the realisation of his own enjoyment, pitched not as extemporaneous whim, but as a right inscribed in the institutional function he fulfils.... There is no shame, guilt feeling, indeed sense of the limit, since there is no sense of the Law disconnected from that of enjoyment, because *the site of the Law coincides with that of enjoyment*. Everything is openly (perversely) played out as if castration did not exist. The figure of the chief of Cabinet thus rehabilitates the phantasms of the Freudian father of the horde, of the Father who has the right to enjoy all women, of the bionic, immortal, invulnerable, obscene and unassailable Father, not as a limit to enjoyment... but as unlimited exercise of enjoyment. (2010a, 13, fn. 14, emphasis in the original, my translation)

The sovereign, in this reading, vindicates for himself the entitlement to occupy in reality, rather than just symbolically, the place of the Other (ibid., 36, fn. 15).<sup>7</sup> This would seal the accomplishment of a tendency which, according to Agamben (1998), is latent in modern politics as such: the progressive superimposition of bare life onto the political realm, the mechanism by which the exception becomes the rule. The same kind of sovereign claims can be seen at play in the practices regulating the relationships between the female inmates of migrant detention centres and the male guards. Requests for sexual prestations in exchange for cigarettes, phone calls and access to other goods and services have been amply documented, as are rapes and attempted rapes by law enforcement agents on migrant inmates and sex workers.<sup>8</sup>

Thus, if the regulation of desire, the basis of (re)production, is crucial to modern, biopolitical power, for psychoanalytical theorists such as Recalcati (who draws on Lacan's reflections on the collapse of the Oedipal paradigm) the dimension of desire in hypermodernity is increasingly inaccessible to the subject, who is either flattened into what he terms 'solid identifications', or given to the 'hyperpower of the *id*' (ibid., *passim*). In the latter case, epitomised by the figure of Berlusconi, the commandment to enjoy proper 'turbocapitalism' erodes the necessary play between desire and the Law, through a refusal to take external reality into account in the quest for absolute freedom. In the former, by contrast, the subject gives him/herself to a conformist adaptation, characterised by the absence of desire and vital *élan* and the erasure of the difference between subject and mask. In fact, these processes would appear to be two sides of the same coin, where conformism adopts as its model the unbridled subject of narcissistic enjoyment – witness, for example, the spread of 'reality TV', or the release of two porn movies that take inspiration from Berlusconi's sexual excesses. The first, titled 'Bunga Bunga Presidente', was released in May 2011. Whilst attempting to parody the Prime Minister's lifestyle it capitalises on it, exploiting the identification between the powerful politician and the viewer according to the well-tested canons of mainstream pornography. The second, 'Bunga Bunga 3D', screened in the fall of 2011, features Nadia Macrí – a so-called 'escort' who admitted to having had sexual intercourse with the Prime Minister – as one of the female protagonists.

The ‘discourse of the capitalist’ that subtends to these dynamics can be linked to global processes such as the creation and spread of specific models of masculinity and femininity and the mediatisation of experience (Fortunati 2007, 149), which in Italy came to its full realisation precisely through Berlusconi’s television channels. The heteronormative, erotic instrumentalisation of de-personalised bodies features as the main characteristic of this paradigm, together with the attribution of erotic content to market exchange and consumption more generally (cf. Baudrillard 1998). In such representations, which proliferate in the media/reality, the discursive control of desire thus seems to have shifted from a distinction between whores and madonnas towards a ‘generalised whoredom’: the exception becomes the rule.

However, whilst working to explain the symbolic underpinnings of law and citizenship through their suspension – what may be termed their obscene underbelly (Žižek 1994, *passim*) – an analysis focusing exclusively on sovereignty and its powers may prevent a more rounded understanding of subjectivities in the zone of exception. What kinds of subjects are those that power labels as bare life, as Other, as its objects? Are the subjectifying techniques of the biopolitical regime ever complete, contained and thoroughly successful? I follow Aretxaga (2005, 58) in interrogating the intersubjective, emotionally laden dynamics that invest the body as the object of biopolitics, revealing an excess in the exercise and transgression of power. Failing to do so would in fact reinforce the exclusionary, objectifying representations of eroticism and sexual labour that characterise the hegemonic discourse I have so far unravelled.

### **Excess and desire, a retake**

In this section, I attempt to sketch the lived position of the victim-criminal in its complexity, and subjects’ continuous (attempts at) traversing the divide between citizen and non-citizen, biological and political life. The most flagrant examples of these refusals to comply with the impositions of exclusionary power are the recurrent protests that have been sparking across detention centres in Italy in the past few years. Here I focus the attention more specifically on those forms of antagonism and on those moments of rupture that, whether directly or obliquely, bring to the fore the issue of sexual difference, which in turn constitutes one of the central terrains on which the power dynamics I have been describing are waged.

On 13 August 2009, the inmates of the male and female section of Milan’s migrant detention centre (CIE) staged an uprising against the extension of the period of administrative detention from two to six months, effected by the Pacchetto Sicurezza. During the ensuing trial against the alleged participants, a 28-year-old Nigerian woman named Joy denounced the attempted rape on her person by the centre’s chief police inspector, Vittorio Adesso. According to her story, while she was sleeping in her underwear on a mattress in the corridor, the policeman sat on top of her and started fondling her breast. Joy reacted promptly, turned round and started shouting at him, helped by a few other Nigerian inmates. The police inspector then tried to calm her down, and minimised the occurrence classifying his act as a ‘joke’. Vittorio Adesso had previously promised to release Joy in exchange for sex. All the women who had helped Joy were beaten and then transferred from the centre (where Joy had been detained for two months) to prison, on the grounds of their supposed participation in the riots. One of Joy’s



fellow inmates, Hellen, was witness to the scene and confirmed Joy's story in front of the court. Joy's and Hellen's allegations cost them counter-accusations of slander, and together with the centre's other inmates they were sentenced to six months' imprisonment, which they served in different penitentiaries, and after which they were sent to yet other detention centres across the country. Upon learning that after his release from jail he would have had to go back to a detention centre, Mohamed El Abouby, one of the inmates of Milan's CIE who had taken part in the riots and also spoke about Vittorio Addesso's penchant for sexual abuses in court, committed suicide.

Joy recounts that she reached Italy in 2002, according to her under the false promise of a job as a hairdresser. Forced to work as a prostitute to repay a debt of €50,000, in 2007 she managed to escape and, hosted by some fellow nationals, started working as a hairdresser until her father was killed, back in Nigeria, as retaliation for her default. Under the pressure of her family, Joy thus went back to the streets until she was arrested and sent to the detention centre in Milan, where the events leading to her trial unfolded. During her detention, another two members of her family were killed in Nigeria, and her mother went into hiding. Despite having applied for a residence permit as a victim of trafficking, and notwithstanding the danger to her life that a repatriation would entail, or her right to a permit for 'reasons of justice' (given that she was involved in a trial), the Italian state threatened Joy with deportation (as well as Hellen and others). A 'blitz-like' deportation was attempted in the space of a few hours, and averted at the last minute through the intervention of anti-racist activists. Throughout the Nigerian women's odyssey, a network of activists in different cities had organised pickets, protests and information campaigns, and mobilised to support Joy and her fellow detainees. A huge banner reading 'Nei centri di espulsione la polizia stupra' ('inside expulsion centres police rape') kept appearing during the demonstrations and pickets set to coincide with court hearings and for the International Day against Violence on Women, which police forces tried to prevent activists from exposing. During her final months of detention, Joy's frustration and anger found their outlet first in her refusal to eat, and then in her swallowing the contents of a bottle of shampoo, after which she was hospitalised. Eventually, Joy was able to obtain a permit and residence in a safe house, under the humanitarian provisions of Italian immigration law, whilst Vittorio Addesso, the inspector she had accused of rape, was later tried and acquitted on all counts.<sup>9</sup>

Acts of revolt and (sometimes successful) attempts at escaping are a common occurrence inside Italy's detention centres, documented by activist blogs, free radio and the so-called alternative press, but often downplayed or ignored by the mainstream media. According to some activists, Nigerian women have been reported to have stripped naked, and in some instances covered themselves in excrement, in protest. Other common forms of dissent include acts of self-harm, as well as hunger strikes. How can these eruptions and refusals be understood in the light of the configuration of power-as-exception, of exclusion and subjectification that this article has sketched?

Miriam Ticktin (2006) has interpreted the acts of self-harm performed by migrants in contemporary France as ways for subjects to re-politicise their bare life, in a situation in which their only possibility to be granted some recognition by the state passes through threats to their biological integrity. Injured bodies can get access to documented status. However precarious, and different from a full recognition of political and civil rights, this recognition would amount to a partial shift away from the status of *homo sacer*, in a context in which the humanitarian regime of care effects the biopolitical regulation

of populations. In analysing the collective and subjective symbolism of the 'dirty protest' and hunger strike staged by IRA militants in the prisons of Armagh and Long Kesh, Aretxaga (2005, 57–74) similarly exposed the ways in which a deprivation of identity, which the British government effected by denying the prisoners political status (and instead classifying them as ordinary criminals), led to the prisoners' employment of their bodies as a weapon of struggle. The battle, Aretxaga contended, was displaced onto the terrain of childhood, where the body represented the only weapon and where extreme acts signalled the utter rejection of the prison system of socialisation. The protest, which led to the death by starvation of 10 men, acted as a mirror to colonial barbarism by appropriating, literalising and enacting the fantasies of savagery traditionally employed against the Irish (similar, of course, to those currently used against migrants), confronting prison officers and the British public more generally with their aggressive practices of othering. '[F]rom objects of a defiling power, the prisoners had come to be the subjects that controlled it' (*ibid.*, 68).

In some of the cases mentioned here, which concern migrant detainees in contemporary Italy, episodes of self-harm, dirty protest, and nakedness can therefore be interpreted as unconscious (or at the very least individual) crystallisations of the conflict between a desire for mimetic violence, for retaliation against the violence perpetrated against migrants in detention centres, and more broadly in Italian society, and the need for restraint imposed by the disciplinary apparatus – what Aretxaga identifies as Freudian symptoms, a 'compromise formation' (*ibid.*, 64) that produces a past of violence and exploitation, not only on the individual level, but also at the more collective level, that of the historical relations of domination that subtend to contemporary migration flows. In yet others, the protests assumed a more conscious, and consciously politicised meaning, especially when they articulated to the agendas and networks of anti-racist activism. In the most extreme, death represented the last resort to keep one's humanity: a sacrifice of those whom sovereign power has deemed unsacrificeable, because outside both human and divine law (Agamben 1998, 48).

Yet, I follow Aretxaga's lead also in pointing to the existence of forms of protest that specifically address the issue of sexual difference and gendered subjectivity. By joining the dirty protest, and whilst seeking to bridge the gendered divide that separated them from their male comrades, IRA female militants in effect reinscribed sexual difference by exposing the presence of menstrual blood – and, thereby, prompted a reflection on feminine subjectivity and its place in the struggle. Unlike its male counterpart, which was trapped in a spiral of mimetic violence, the dirty protest enacted by women positively spurred change. Africanist scholars have analysed forms of protest enacted by women, for example in Cameroon (Ardener 1975) and Nigeria (Ifeka-Moller 1975), whereby the exposure of one's naked body signals the non-recognition of authority, the denial of dominance. In a context such as that of detention centres, and in contemporary Italy more generally, female Nigerian presence is overwhelmingly representative of bonded street prostitution. Thus, whilst the exposure of such quasi-naked bodies is a common sight on many roads across the country, their willing and defiant display in the context of detention can be read as a re-appropriation of such bodies, of their desires, their flesh, their uniqueness against their instrumentalisation and fragmentation in the biopolitical regime of hypersexualised, narcissistic consumption.

A similar performance might have been staged by Karima/Ruby herself. During a phone conversation with a friend, recorded by the police in December 2010 and reported

by *L'Espresso* on 18 January, Michelle Conceincao (a Dominican citizen, also part of Berlusconi's entourage of entertainers) complains about the behaviour of Ruby, to whom she had given hospitality after her release from the police headquarters earlier the same year. She describes a bitter, loud argument between her and the young girl, which led some neighbours to call the police. Karima's host describes the young woman's behaviour thus: 'I swear, the police comes and she strips naked'. At her friend's astonished reaction ('No!'), Michelle confirms: 'Naked in front of the police'. Whilst Ruby's act might be interpreted simply as another performance of objectification, I would argue that it functions as a symptom of refusal, a re-appropriation of one's body and its fleshiness, a shocking act exposing the barbarism and obscenity of power. More generally, her attempts at manipulating the system in which she found herself trapped, by vindicating her status as prostitute and accusing of exploitation the characters populating the grotesque circus of voracious, cannibalistic enjoyment (and regardless of whether or not she 'spoke the truth' in relation to the specific cases), might be read as the eruption of an excess, the surfacing of desire against its eclipsing.

By way of a conclusion, I would therefore like to suggest that these occurrences signal the presence of a non-appropriated excess to subjectifying power. As other commentators have pointed out (e.g. Copjec 1994, 224; Byrne and Healy 2006; Glynos 2008, 701; Stavrakakis 2007, ch. 8; Dominijanni 2010b), the evaporation of the Law as articulated through the Oedipus complex might open the space not only for cynical and narcissistic surrenderings, but also to more open-ended forms of attachment:

... to acknowledge and affirm the contingency of social relations and to pursue an enjoyment that is not guided by the impulse to "complete", to "totalize", or to "make full or whole", an enjoyment situated, rather, on "the side of the not-whole" ... in which subjects appear more ready to embrace contingency. (Glynos and Stavrakakis 2008, 265)

Examining the double standard in public attitudes towards prostitution in contemporary Italy, I have argued that sovereign power seeks to regulate desire in ambiguous ways that function within a logic of exclusion. If situated within historical trajectories that are specific to the Italian context, the mechanisms of power described here are at the same time part of larger processes that have their origin in modernity and relate to neo-liberal forms of capitalist valorisation and sociality. The criminalisation of certain subjects, namely prostitutes and/as undocumented migrants, relates to a sovereign structure in which power is characterised by its capacity to suspend the law, affording certain subjects a seemingly unrestrained freedom whilst denying any political subjectivity to others, who are thereby reduced to 'bare life'. In between, a drive towards conformist adaptation mimics the unbridled command to enjoy. However, as the events unfolding in detention centres and at other margins suggest, such mechanisms are never entirely self-sufficient, but always contain their own excess and point to the existence of forms of subjectivity that reappropriate the power of contingent desires.

## Notes

1. <http://www.liviaturco.it/?p=321> (accessed 1 August 2011).
2. Cf. <http://video.repubblica.it/dossier/ruby-tormentoni-inchieste/bunga-bunga-fede-racconta-labarzulletta-di-berlusconi/55522/54644> (accessed 10 March 2012).
3. Law No. 75 ('Merlin Law') on the 'Abolition of the regulation on prostitution and fight against exploitative prostitution'.

4. Cf. De Gregorio's letter in leftist newspaper *L'Unità*, published on 27 January 2011: 'I am sure, I know for a fact that the majority of Italian women are not queuing up for the bunga bunga. I am certain that consciously exercised prostitution is the choice, if one can indeed speak of a choice under such conditions, of a small minority. It is thus the others, all the other women that I address. It is time to answer out loud: where are you, girls? Mothers, grandmothers, daughters, granddaughters, where are you'.
5. Given the problems concerning the commensurability of different sets of data collected according to disparate, inadequate and often unaccounted for methods (cf. Agustín 2007, 36–38), on the one hand, and those of quantifying a phenomenon whose contours are fuzzy (partly because sex work is not formally considered a profession and is criminalised in subtle ways) on the other, figures are to be taken cautiously. The very exercise of counting partakes of a specific form of power that manages sexual (and more generally (re)productive) labour through a variety of techniques, including state and non-state actors' interventions. These depend on processes of resource allocation that in turn revolve around the politics of (ac)counting (Lindquist 2010). Nonetheless, quantitative estimates can give a sense of scale: most studies conducted in recent years calculate the number of non-Italian prostitutes to be around 20,000, the majority of whom are working outdoors (Camera dei Deputati 1999; Carchedi 2000; Transcrime 2002; Gruppo Abele 2008; Caritas 2010; UNICRI 2010).
6. See <http://youtube.maroc.bz/video/GS4473BDNRRM/RUBY-intervista-completa-a-Kalispera-12> (accessed 1 August 2011).
7. For further elaborations on this psychoanalytical reading of contemporary Italian politics and society, see the debate in *il manifesto* (Bianchi 2010; De Rita 2010; De Rita and Recalcati 2011; Dominijanni 2010a, 2010b; Recalcati 2010b).
8. Cf. <http://noinonsiamocomplici.noblogs.org/>.
9. See <http://fortresseurope.blogspot.com/2011/02/cie-milano-assolto-lispettore-accusato.html>, [http://noinonsiamocomplici.noblogs.org/files/2011/03/glossier\\_per\\_web\\_aggiornato.pdf](http://noinonsiamocomplici.noblogs.org/files/2011/03/glossier_per_web_aggiornato.pdf)

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