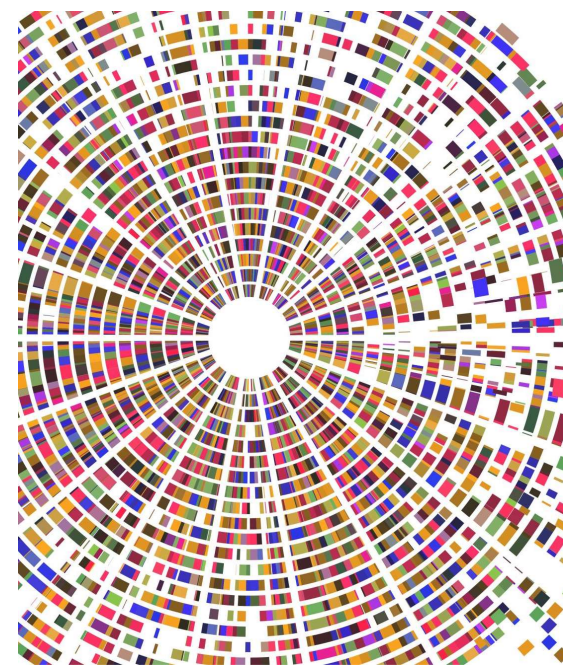


SECOND-GENERATION MINORS IN ITALY  
“THE OTHER” IN EUROPEAN IDENTITY

Sant’Anna Summer School

“Economic, social and cultural rights of migrant children in the European Union”

30 June 2022 - Julia Hasani



# “SELF” & “THE OTHER”

COLLECTIVE IDENTITY FORMATION



# EUROPEAN IDENTITY

*“A variety of others have been and are instrumental in the process of forging European identity” (Iver B. Neumann)*



SECOND-  
GENERATION  
MINORS

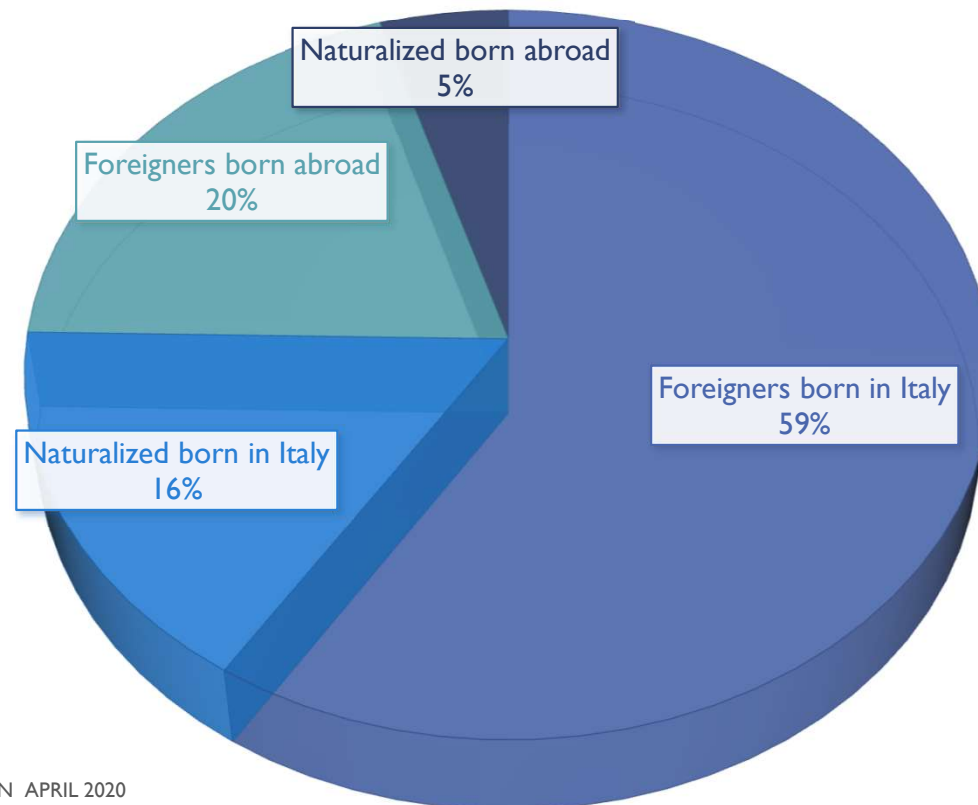
**How does the EU Commission - Migration and Home Affairs define “second-generations”?**

*“A person who was born in and is residing in a country that at least one of their parents previously entered as a migrant”*

**How do second-generation minors in EU consider themselves?**

*“EU citizens without equal rights and opportunities because of their parents migration background”.*

## NEW GENERATIONS: FOREIGN MINORS IN ITALY



SOURCE: OPENPOLIS – UPDATED ON APRIL 2020

## MINORS IN ITALY WITH FOREIGNER PARENTS

<b>Foreign minors born in Italy</b>	777.940
<b>Naturalized minors born in Italy</b>	213.374
<b>Foreign minors born abroad</b>	263.237
<b>Naturalized minors born abroad</b>	61.944

## NEW-GENERATIONS IN ITALY

A.Y. 2019/2020:

around 877.000 school students  
without Italian citizenship

Sources:

*MIUR and Openpolis*

# LEGISLATION FRAMEWORK

# ITALIAN CITIZENS

**Law n. 91, 5 February 1992**

**Article 1:**

1. A citizen by birth is:

- (a) the child of a citizen father or mother;
- (b) who is born in the territory of the Republic if both parents are unknown or stateless, or if the child does not follow the citizenship of the parents according to the law of the State to which they belong.

2. A child of unknown persons found in the territory of the Republic, unless the possession of another nationality is proved. other nationality.



## ACQUISITION OF ITALIAN CITIZENSHIP

- ❖ *A foreign child adopted by an Italian citizen shall acquire the citizenship (Article 3 (1), Law n. 91/1992)*
- ❖ *A foreign national or a stateless person whose father or mother or one of his or her second-degree direct ascendants were citizens by birth, shall become a citizen*
  - a) *if he performs effective military service for the Italian State and declares in advance that he wishes to acquire Italian nationality*
  - b) *if he performs public service for the State, even abroad, and declares his intention to acquire Italian nationality*
  - c) *if, on reaching the age of majority, he has been legally residing in the territory of the Republic for at least two years and declares, within one year of reaching the age of majority, that he wishes to acquire Italian citizenship.*
- ❖ *A foreigner born in Italy who has resided legally in Italy without interruption until reaching the age of majority becomes a citizen if he declares his wish to acquire Italian nationality within one year from the above-mentioned date. (Article 4, (1) (2) Law n. 91/1992)*

# REVOCACTION OF ITALIAN CITIZENSHIP

**Decree-Law No. 113 of 4 October 2018  
converted by Law N. 132 of 1 December 2018**

introduced:

Article 10 bis of Law N. 91 of 5/02/1992:

*“(1) Italian citizenship acquired pursuant to Articles 4, paragraph 2, 5 and 9, shall be revoked in case of final conviction for the offences referred to in Article 407, paragraph 2, letter a), no. 4), of the Code of Criminal Procedure, as well as for the offences referred to in Articles 270-ter and 270-quinquies. 2, of the Penal Code. The revocation of the citizenship is adopted, within three years from the res judicata of the conviction for the offences referred to in the first sentence, with Decree of the President of the Republic, upon proposal of the Minister of the Interior”.*

# CITIZENSHIP REFORM PROJECTS

- 13 October 2015 the Italian Chamber of Deputies approved the citizenship reform bill at first reading with 310 in favour, 66 against and 83 abstentions.
- The text approved was immediately forwarded to the Senate (A.S. 2092), where it has been under consideration by the Assembly since 15 June 2017 after being discussed in the committee.
- 23 March 2018, [Law Proposal C-105](#)
- 29 June 2022, the Italian Chamber of Deputies started the debate on the unified text of the bills A.C. 105 and Abbreviated-A

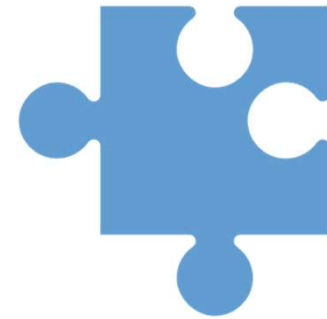
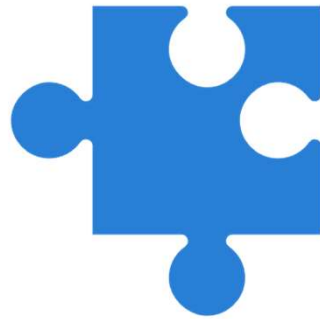
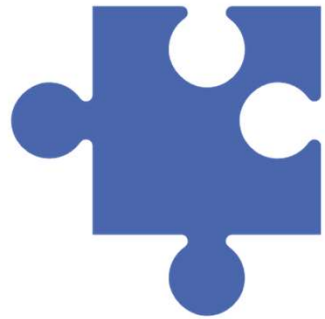


## IUS SCHOLAE

The right to citizenship is acquired by foreign minors:

- born in Italy, or who entered Italy before the age of twelve,
- who have resided legally and without interruption in Italy
- and have regularly attended, in the national territory, for at least five years one or more school cycles at institutions belonging to the national education system or vocational education and training courses suitable for obtaining a vocational qualification,

thereby offering foreign minors the prospect of being part of a community of citizens, fostering their participation in the life of the community itself and removing the disparities in treatment that currently exist with respect to Italian minors who are citizens.



NEW GENERATIONS IN THE MARGINS OR INCLUDED  
IN THE COUNTRY OF ORIGIN AND IN THE HOST COUNTRY?

# REFERENCES

- [Benedict Anderson. Imagined Communities, London, England.; Verso Books, 2016](#)
- [Seyla Benhabib, The Rights of Others, Aliens, Residents and Citizen, Cambridge University Press, 2004.](#)
- [Tiziana Chiappelli "Second generation migrants and school. From educational needs to social inclusion" in Educazione Interculturale – Teorie, Ricerche, Pratiche, Vol. 19, n. 1, 2021.](#)
- [Iver B. Neumann "Uses of the Other: The East in European Identity Formation", 1999.](#)
- [EU Commission: Second-generations and issue Cultural identity or generational conflict, 2011.](#)
- [MIUR "Gli alunni con cittadinanza non italiana A.S. 2019/2020", Settembre 2021](#)
- [OPENPOLIS "L'inclusione delle seconde generazioni e il ruolo della comunità educante", 18 marzo 2022.](#)
- [Convention on the Rights of the Child, adopted by the UN General Assembly on 20 November 1989.](#)
- [General comment n. 21 \(2009\) on the right to take part in cultural life](#)
- [General comment n. 4 \(2016\) on the right to inclusive education](#)
- [Decree-Law No. 113 of 4 October 2018 converted by Law N. 132 of 1 December 2018](#)
- [Law n. 91, 5 February 1992.](#)
- [Law Proposal c-105](#)
- [Treaty on the Functioning of the European Union](#)

THANK YOU!