

Suspended identities. The concept of *Ius soli* among memory, boundary and otherness¹

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Abstract This paper aims to deepen the explosion of the term *Ius Soli* in relation to the current conditions that have placed it at the center of socio-cultural and crisis processes. The idea of the *Ius soli* seems to go both in the cultural universe and in the natural one, creating a knot between what is innate, or inherited, and what is constructed, or not inherited. The media construction further exaggerates the forms of representation, ensuring their circulation and at the same time causing alterations and confusions. We are currently talking about an escape from the other. In such a context, the exclusion is increasingly linked to distortions and to what Barthes calls the myths of communication. The concept of identity, in relation to the *Ius soli*, takes multiple meanings; they turn into political representations, and are brought to the media debate, and into social representations of interpretations, which circulate on social media. On one side, this concept incorporates the idea of national identity, evoking a membership principle, and on the other, it reminds the idea of identity of the subject, with a principle of identification. Some semantic categories, such as those of identity / otherness, foreign / member, and acceptance / refusal, are emblematic of this phenomenon and allows us to understand how specific events represent an ideal opportunity to comprehend the relation amongst memory, identity, and dialectics, which is able to destabilize those aspects apparently unchanging, but actually constantly negotiated.

Keywords: Semiotics, Identity, Memory, *Ius soli*, Citizenship

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0. Introduction

This study addresses the issue of identity with a reflection on the *Ius soli* (“right of the soil”), a juridical expression that, according to the *Treccani Dictionary*, indicates for an individual «the acquisition of the citizenship of a given country as a consequence of the legal fact of being born on its territory, regardless of the citizenship of its parents»². Our intention is to propose a semiotic reading of the concept, with a recognition of some key terms that contribute to its determination, such as those of otherness, boundary, memory and culture. As we will see, the result is a complex, insidious territory that is not only concerned with issues related to the field of law, but that is primarily related to the identity dimension. In the title chosen for our paper, we used the adjective “suspended” to better specify our glance on identity. Indeed, concerning the *Ius Soli* debate, identities are “suspended” between two cultures, between the common desire to be accepted (by the class, by professors, by society) and the concomitant one of not betraying the bonds of loyalty towards one’s own family and one’s own culture of origin.

They are temporally “suspended” between a “before” and an “after” that remain uncertain, resulting in a painful internal fracture and a dangerous external fracture, since possible consequences are the exacerbation of extremisms and the adherence to groups that easily offer and propose a “marked” identity, in place of a “suspended” identity, and then a sense of acceptance and belonging. Interrogation on the *Ius Soli* in terms of identity is therefore central to a semiotic of culture. In this perspective, it is important to reflect on the mechanisms of identity definition that intervene in those symbolic boundaries constructed and renegotiated by the set of social discourses that meet and collide in the *semiosphere* (Lotman 1985), beyond the law, the documents, the somatic traits with which it is customary to justify the presumption of an alterity. If “being between” two cultures can be a resource, at the same time it is precisely through this encounter/clash that conflicts can emerge: journeys, tracks, itineraries, paths that branch off to infinity, which continually generate uncertainties and difficulties.

1. Who is the “Other”? *Ius soli* between identity and alterity

In the current society of knowledge and communication, in the daily practice of existence, the process of constitution of identity is being redesigned through the progressive affirmation of a relational modality with objects, people, information, knowledge, work, where consistency, discontinuity, timely episodocity, precariousness, or fragmentation take over from constancy, duration and continuity (De Simone 2005: 165-166). The search for identity divides and separates, and yet the precariousness of the solitary enterprise of identity building pushes those who undertake it «to look for applets to which to hang all together the individual fears and anxieties and to carry out exorcistic rites with other individuals, equally frightened and anxious» (Bauman 2002: 191). In such a context, a non-traditional identity must continually renegotiate its contents and its boundaries, beyond the inherited coordinates. In our age, in fact, the affirmation of one’s own identity has been increasingly characterized as the attestation of one’s own difference. We have thus often come to the *essentialization* of those traits that distinguish the self from others, or one group from another, and to the contrast between differences. Identity policies become policies of contrasting one difference to another, of the essentialization of differences and identity traits, be they an ethnicity, race or gender. Identity thus becomes not only the place of affirmation of one’s own

² See www.treccani.it/, “Ius soli”. My translation from the Italian dictionary.

subjectivity, but also the place of all conflicts, the starting point for differentiating, and often opposing, oneself to all those who are not ascribable under the same identity sign. Understanding and interpreting how it is still possible to continue to be equal, unequal, distinct, different, other and different is an unavoidable problem, strategically central in a historical phase like the current one, characterized by the construction, the destruction and the continuous conflict of infinite, precarious, confused, multiform identities, differences and diversities.

The discussion on the *Ius Soli*, that in the Italian legislative proposal mainly assumes the form of a *Ius Culturae*, precisely occurred in this context. Present for some time in political discourses, it is with the migration phenomenon that has concerned Italy in the last two years that the term *Ius Soli* has found an increasing diffusion within media discourses, between fears, when not collective psychosis and terminology confusion. Indeed, in the collective imaginary the phenomena of *Ius Soli* and migrations emergency are often superimposed, feeding a passionate state of anxiety, panic, fear, amplified extensively, as Landowski (1989) would say, from the set of media discourses on the topic. The idea of the *Ius Soli*, in fact, seems to go both in the cultural universe and in the natural one, creating a knot between what is innate, or inherited, and what is constructed, or not inherited. Therefore, the point of departure of our paper is the understanding of what is meant by the terms identity and otherness, according with some semiotic studies on the subject, to then highlight how they enter into their relationship with the system of media discourses.

The problem of identity has always been at the centre of the semiotic reflection, but not for this reason the theoretical knots that cross it can be said to have been solved. Identity, like discourse, has been defined in a number of ways and but the very definition of it still remains controversial and the disciplinary perspectives adopted in this regard are often different (D'Andrea, De Simone, Pirni 2004). Structuralist semiotics definition of identity turns away from the belief in an essential identity towards theories in which the concern is with the relation between elements. Indeed, according to Ferdinand de Saussure (1916), a linguistic term cannot be defined “positively”, through the analysis of its contents, but only “negatively”, through the identification of relationships and oppositions with the other terms of the system to which it belongs. Claude Lévi-Strauss (1964), particularly inspired by Ferdinand de Saussure’s semiology, applied the theory of value as an anthropologist by inserting it in the context of the *myth*: all signifying systems, all systems of cultural organization, share the same fundamental structures, based on semantic differences³. Therefore, the value of each element is defined principally through differences from other elements with which it comes into contact, and this statement suits with what was subsequently affirmed by Paul Ricoeur (1990), according to whom “selfhood” is related to “otherness”, and “otherness” belongs to the meaning of “selfhood”⁴.

Putting this relationship into the context of migration, Bauman (2002) argues that for philosophical meditation as for sociological investigation, identity is a crucial question

³ For Lévi-Strauss and for Saussure, structuralist analysis offers a chance to discover the “timeless universal human truths”, using a scientific methodology. For Lévi-Strauss in particular, such universal human truths exist at the level of structure and get meaning because of a primal opposition between contrasting elements.

⁴ More precisely, the self implies a relation between the Same and the Other. This means that individual identity can be viewed as either sameness or selfhood. Ricoeur explains that sameness is not selfhood. While sameness denotes the state of being identical to someone in some quality or characteristic, selfhood refers to the identity belonging to an individual self, and that is not the same as the identity belonging to another individual. The transition from the same toward the Other is dialectically complementary to the transition from the Other toward the Same.

both “as a problem” and “as a task”, being identity a “strongly opposed concept” in today’s society. According to Bauman, whenever we hear this word, we can be sure there is a battle going on. Identity is born only “in the tumult of a battle”, and falls asleep as soon as the noise of the battle dies out. It is therefore inevitable for identity to have a double-edged nature, being it a struggle against dissolution and fragmentation at the same time. For this reason, in the incessant flow of real or virtual contacts, in the continuous movement of information, knowledge, men, women, goods and values that characterize our era, the adherence to the territory of an individual and a group loses its one-sidedness, becomes increasingly ambiguous, and discussed. In many social situations and in different cultural contexts, the relationship between territory and group, between individual and home, becomes ever more evanescent and problematic. In the title of our paper, we speak of “suspended identities” just to highlight the continuous oscillation between different value poles that intervene in the semantic definition of the term: us/them, culture/nature, inclusion/exclusion, right/wrong. We are currently talking about «escape from the Other» (Sibathu 2004) and, in a context of this kind, exclusion is increasingly linked to distortions and, using the words of Barthes (1957), to the *myths* of communication. With their speeches, the mass media recount identities and contribute to the construction – as well as to the continuous questioning and renegotiation – of symbolic boundaries, which do not always coincide with the geographic ones and which increasingly determine the widespread of stereotypes and clichés. Where, in this panorama, is the identity definition of the individual, but above all social, Self and where is that of the Other? The media construction further exaggerates the forms of representation of the Self and the Other, ensuring their circulation and, at the same time, causing alterations and confusions.

Observing the contemporary media context, we see, for example, how the debate on *Ius Soli* is often strategically superimposed on the theme of migration, humanitarian emergency, and on the problem of reception, linked to it. It thus happens that the set of collective perceptions and passions connected to the migration discourse are automatically translated on the *Ius Soli* discourse, establishing the uncritical equation between the approval of the *Ius Soli* and the granting of Italian citizenship to anyone is born in our country, even by chance or by mistake. Hence the feeling of fear, of closure towards what can be defined as a threat to one’s own identity and traditions. This happens, on the other hand, also because the media representations of the migrant are often negative. In 2004 Ribka Sibhatu, talking about crime news, observed how the Italian media tended to associate the image of immigrants with criminal facts, contributing to mark, for each crime committed by a single person, an entire population or group.

In this direction, Ernesto Calvanese, in the book *Media e immigrazione* (2011), highlighted how the media interest in immigration frequently converged towards the non-regularized foreign, the immigrant who breaks the law, and therefore the media discourses established the almost deterministic association between some ethnic groups and the commission of particular crimes. In this historical moment of profound economic-social changes, characterized by widespread and growing feelings of distrust, loss and uncertainty, immigrants constitute, in some ways, symbolic targets of diversity on which to pour, more or less consciously, aggressive instincts of individual or collective nature, and on which to operate political interventions aimed precisely at managing the social control and consensus. In this regard, the surveys conducted between 2008 and 2012 on the main Italian newspapers, presented in the book *Tracciare i confini*, edited by Marco Binotto, Marco Bruno and Valeria Lai, show that the media are configured as an «arena of representation and construction of migratory phenomena». The research findings highlight that the media perform an ideological function of social

control, defining deviant any behaviour or subject that seems to perturb a reputed social order in itself desirable.

This recognition brings us to agree with the Umberto Eco's observations about the cultural and medial construction of the enemy, discussed in the essay *Costruire il nemico* (2011). Through a historical excursus, Eco demonstrates that having an enemy has always been important not only to define our identity but also to measure our system of values and to show our value (*ivi*: 2). The logical consequence is that when the enemy is not there, it is necessary to build it and, in the current communication context, the construction of the Other takes place through the different media discourses, which take on new forms and modes of expression.

Look at the generous flexibility with which the skinheads of Verona would, just to identify themselves as a group, choose anyone not belonging to their group as their enemy. And so we are concerned here not so much with the almost natural phenomenon of identifying an enemy who is threatening us, but with the process of creating and demonizing the enemy (*ibidem*).

The enemies are different from us and behave according to customs that are not ours. The stranger is the different *par excellence*: already in the Roman bas-reliefs, as written by Eco, the barbarians appear as bearded and snub nosed, and the same appellation of barbarians, as it is known, alludes to a defect of language and therefore of thought. However, from the beginning, those who are built as enemies are not only the *different ones*, that threaten us *directly* (as the case of the barbarians would be), but especially *those who do not threaten us directly*, so that their diversity becomes a sign of threat.

With the development of societies, says Eco, the enemies will be not only the *outsiders*, that exhibit their strangeness from afar, but the *insiders*, that are among us, as well as the non-EU immigrants, that behave differently from us or speak badly our language, and are often described as crafty, cheating, cheeky, libidinous. It seems, therefore, that the enemy cannot be avoided, as shown by the historical reconstruction of Eco. The need is also inherent to gentlemen and friends of peace; simply in these cases the image of the enemy moves from a human object to a natural or social force, that in some way threatens us and must be won, be it capitalist exploitation, the environmental pollution, or the hunger of the Third World. Therefore, the question of what identity means becomes not merely that of who we are, but of how we reproduce wider discourses, and whether and how there is space for resistance in discursive practices (Foucault 1969). The following section deals specifically with this issue and analyses more in detail the concept of identity in terms of negotiation in relation to the figure of the foreigner and the debate on the *Ius Soli* legislative proposal.

2. The opposition foreign/member

The meaning of identity gathers many subjects and establishes the presence of the other as a foreign element. When Paul Ricoeur examines the concept of foreigner in *La condition d'étranger* (2006) places it in a reflection about the opposition foreigner/member. More specifically, he determines the connection between the recognition of a national identity and the development of an awareness concerning the recognition of the other. He carries out a pathway of definition of such opposition in comparison to the concepts of nationality and citizen, until to reach the different conceptions of foreign. In such a context, according to the author, this term brings itself in a juridical framework, with reference to the French national identity, and to the Kant's concept of "universal hospitality" (1795). The clearest statement on the national identity view of the foreigner

can be found in what Ricoeur (2006) asserts by saying that: «L'étranger est non seulement celui qui n'est pas des nôtres, mais qui n'est pas autorisé à devenir l'un de nous du seul fait qu'il le souhaite ou le demande» (*ivi*: 181). In the most recent media discourses, the foreigner is just superposed to the *Ius Soli* concept. Such matter, faced from different Italian legislatures, absorbed non-homogeneous arguments over the time. An important aspect in this is that, on the one hand, with regard to the blood tie, the attempt is to maintain the connecting bridges with the country's ground; on the other hand, the principle of territoriality emphasizes the ground as criterion needed so that one can recognize the affiliation to the national community. The predominance of the first one must be sought in the history of Italian emigration, while the second one shall be found in the expression *Ius Soli*.

Therefore, this expression suggests the importance of the land for the solidity of the membership status of a national community. Nevertheless, the concept of foreigner starts to be disclosed into its constitutive elements of the right and ground. At first, we tried to understand the meaning of the "ground", starting from the Italian definition of it, contained in the *Garzanti Linguistica Dictionary*, word "territorio"⁵: among different meanings, the dictionary defines the ground as the *native ground*, the country. The matter could be thus defined by the category affiliation/not affiliation to a historical community: the Country. In addition, amongst other things, the dictionary defines the foreigner⁶ as the one who is (member) of another nation, of another country, of another place of origin, including also here the idea of land. Indeed, from the juridical point of view, the term *Ius Soli* is a right founded on the affiliation to the ground, a part from the ground of origin and citizen of own parents. This relates to the right as faculty ensured under the applicable national law to manifest or put in place a determined willingness or to demand that others act in a particular way or desist from a specific behaviour. It concerns therefore an authorization that comes from a transcendent instance (Greimas, Courtés 1979) equipped with a "to know true" and the power to legitimate (right of the ground), framed by a contractual superstructure. At that level, it is possible to recognize something unsaid, concerning our understanding of our affiliation to a collectivity as members, and that falls back into our representation of the foreigner and of the granted right of the ground. In such sense, a first consideration concerns the fact that the same expression has in itself the idea that the affiliation constituted in this way is something we already have. In addition, going deeper with the opposition difference/identity, this establishes the dynamics own/of others.

3. The memory of the land and the opposition acceptance/refusal

Our understanding of how we belong to the same national community is a shared comprehension, fed by a history which is embodied in our cultural and practical life, a place which helps define the meaning of us, and is supported by history as a place of identity installation: a plot of interconnected relations which summarizes the cultural heritage. Ricoeur said: «Pour compléter le tableau juridique, il faut ajouter que pour ceux qui sont déjà membres, l'appartenance nationale est devenue un état de la personne, comme le nom, la filiation, le sexe, le lieu et la date de naissance» (2006: 181). The memory of the land seems to overlap the unmoving and monumental memory of the state (which comes from above). However, such memory is not in contrast with the

⁵ <https://www.garzantilinguistica.it>

⁶ See the *Garzanti Linguistica Dictionary*, word "straniero", whose etymology is in the French *étranger*, that is from the Latin *extranĕu(m)*, <https://www.garzantilinguistica.it>.

social and cultural memory, which is always present, when someone else is (Ricoeur 1994: 31). In our reflection, someone else does not mean another person, but actually, it is intended as another structure. In contrast with the definition by Lotman, it is part of the culture itself (it is not, therefore, the outcast), it is not extra-systemic. At the same time, it is left out of a systematic description, which exactly describes it as a subject that aims at obtaining a right which, from their point of view, is not theirs (citizenship), by means of what is someone else's (the soil).

It does not follow traditional laws under which the foreigner is placed on the other side of the border, nor those that say that the foreigner bursts into the system and makes it dynamic; it is, rather, part of the system already, incarcerated in it, not normalized. The "other" finds then itself on the border, a place of exchange and hybridization where, in Lotman's terms, identities mix up, where it does not take the status of a member or that of a foreigner. It is headed toward something but it comes from something else, and it pauses in the middle of these two positions, the own and the other people's. In this sense, as mentioned, such expression creates a tie between what is innate (that is, being born on the Italian soil) and what is understood as part of the culture. The first one would move the reflection towards what is understood as a cultured nature, as it is informed by the culture (Greimas, Courtés 1979), the second one is the provenance from elsewhere, and what is not inherited the soil. The identity is revealed, as a matter of fact, also by the condition of those who were born on that territory but does not belong to it national community: its condition is defined by default. Here, the opposition between acceptance and refusal places the foundation for a wider reflection.

4. The concept of citizenship and the second-generation phenomenon in Italy

We cannot understand the systems and processes, which characterize cultures, and how they play a role in defining paths, which create and re-create identities, without considering elements with which it relates, and that contribute, no matter the specific linguistic dimension, to the creation of the *semiosphere*. We are talking about, specifically, those events, which help to confer identities a combination feature, as for example second generations. If we better analyze this phenomenon, which some researches have called cross generation, we can make two observations: first of all, it can be an instrument to organize and preserve the culture inherited from the parents, and, secondly, it can project a generation, which had no previous experience into the Italian culture, into the future. Therefore, if we talk about second generations or new citizens, we do not involve a finite form of life, but we recognize the numerous differences, which characterize this category as opposed to that which is tied to the origin and residence in the foreign country. Therefore, this heterogeneity influences the values, behaviours and interpretations of our culture and of the different cultures in deeper ways. This also implies the overturning of some concepts, which remain trapped in the idea of a mono-culture, mono-ethnic, mono-religious dimension: the notion of citizenship, most of all, is constantly called into question. The efforts to describe a new concept of citizenship tried to re-define national and international frontiers, not only geographical border but cultural borders as well, and started using expressions such as *cultural citizenship* (Turner 1994) and *post-national citizenship* (Soysal 1994). This, however, poses a question: is it possible to create a new idea of identity and identification? According to Ricoeur, the choice to agree on the citizenship, that is, to distinguish those who are foreigners and those who are not, or who are not any more, is already a negotiation of the identity. In these terms, the double citizenship, which unites *Ius Sanguinis* and *Ius Soli*, is the answer to the necessity of a change, which is claimed by our contemporary world. Therefore, the idea of a society focused on preserving its culture is

opposed to a system, which leads to imagine an interruption of that static idea of auto-determination, as per the ethnocentric perspective of Lévi-Strauss (1973).

In this direction, societies must choose between preserving their culture or imagining a course on the side of those who make up today's society, for example by favouring migrants of second generation as opposed to Italian citizens residing abroad, who only marginally belong to the society from which they come. The research of such an identity must be then replaced by an identity built on a relational outlook, in which the other is integral part of the identity (Lévi-Strauss 1977). In this, there is a connection with the Lotman's ideas of translation (1985). According to the Russian semiotician, the translation process is a gesture that affects both ways and that, starting by listening to the other, leads to a mutual transformation. This change is extreme in migrants of second generation who were born on Italian soil and who are awaiting for the chance to apply for citizenship. They satisfy the requirement of the capability of being translated not only in regards to the linguistic universe, as they are bilingual, but also for cultural codes, those for example that say that translations happens on the border of two cultures, but also within their own tradition (Sedda 2006). In part, past researches, which were conducted on the construction of identity in second-generation women immigrants tended to, examine the issue from the study of the autobiographical story, from which they measured translation matters and the creolisation of identity. It is not beneficial to limit, within the Italian context, the debate of the implications of the *Ius Soli*. The subjects and theoretical matters cover several fields of knowledge and produce a variety of texts, which are not only scientific, but cultural expressions as well. For example, we can take the meaningful contribution of the internet, in most recent years, or the instances where these events affect associative organizations, which create connections among collective memory, individual memory and creativity. We are dealing with areas of valorisation of national and international collective memory, which also act as a resistance to overlapping and forgetfulness: the attention of the media toward the *Ius Soli* has very often been tied to migrants, summarized into a generic idea that it is *a problem that needs to be solved*.

5. Conclusion

From this first analysis, we can see that the concept of identity takes on multiple meanings in relation to the *Ius soli*. These meanings turn into political representations, enter in the media debate and circulate on social media, feeding social representations of interpretations. On one side, the concept of identity incorporates the idea of national identity, evoking a *principle of membership*; on the other side, it incorporates the idea of identity of the subject, evoking a *principle of identification*. In this paper we have tried to describe this complex interaction following a semiotic perspective, oriented to a dialogue with the philosophical field. Indeed, our perspective of investigation, differently from other neighbouring disciplines such sociology, is interested in the meaning of the interaction among the different social discourses that meet in the *semiosphere*. Maintaining a descriptive method, the role of the semiotic analysis is to decode the messages coming from the mass media, to understand their deep meanings and to make the public aware of them, according with the Roland Barthes's theory mentioned earlier. The semiotic approach focuses the attention on signs and symbols as significant parts of communications. Our analysis, therefore, is not intended to provide value judgments on the *Ius Soli* issue or to find empirical solutions. The goal is to stimulate a reflection on the topic, reconstructing the semantic field around it.

Nevertheless, these are only the first reflections on the theme on which we have started to work this past year. We would like to examine in depth this subject matter, analyzing

how we reached a public reconstruction of the expression *Ius Soli* within state authorities and in the cultural practices of the media. This is not a complete study, it is rather a wider reflection which we will develop in a common project in order to study the *Ius Soli* and to then proceed beyond, toward a more careful and aware reflection on the “intercultural communication of the digital era” as a structure of social and cultural memory. The comprehension management of the factors, which could obstruct or favour the intercultural dialogue should be re-examined with a careful approach to the reasons of the dialogue, but also from a point of view of sociology, linguistics, anthropology, social psychology and philosophy. New sceneries are described by millions of individuals who, in their daily lives were, until a few decades ago, complete strangers, and are now put one in front of the other in a “world which is everywhere and nowhere at the same time,” a world where “everyone goes everywhere.” Such study allows us to understand how specific events represent an ideal opportunity to comprehend the relation amongst memory, identity, and dialectics, which is able to destabilize those aspects, which are apparently unchanging, but actually constantly negotiated.

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