



Zingaropoli: racism is banned also for political parties

by Grazia Naletto

The facts: Roma and Muslims, a "danger" for Milan

May 2011. We are in the midst of the campaign for the local elections. Milan is among the cities where citizens will vote. The two candidates for mayor that attract the attention are the outgoing Letizia Moratti (supported by the center-right coalition) and Giuliano Pisapia (supported by the center-left coalition).

2011, we must recall, is the year of the so-called "North Africa Emergency", declared by the then Prime Minister Berlusconi, following the resumption of the arrivals of migrants first from Tunisia and Egypt, then from Libya. The instrumental use of migration and the presence of Roma communities in our country has been going through the national public debate for months. The election campaign for the renewal of local governments is no exception.

The elections held on May 15 and 16, 2011 gave Giuliano Pisapia (48%) the lead while Moratti got 41.6% of the vote. In the two weeks preceding the runoff, the leaders of the center-right would visit the city to try to fill the gap between their coalition and the centre left. On May 21, Umberto Bossi, then secretary of the Northern League, declared: "I will commit myself against Pisapia because he risks transforming Milan into a gipsypolis (zingaropoli)"¹. Similar tones also characterize a statement reported by the newspaper La Repubblica: "Pisapia risks transforming Milan into a gipsypolis. He wants to increase the Roma camps and build the largest center for the Muslim religion in Europe. The league cannot afford to let Milan go unscathed".²

On the same day La Repubblica also published the photo of electoral bills in the streets of Milan by Lega Nord. The text has the same tenor as the statements we mentioned: "MILAN ZINGAROPOLI WITH PISAPIA + CAMPI NOMADI THE BIGGEST MOSQUE IN EUROPE. VOTE LETIZIA MORATTI. LIVE MILAN"³.

Two days later, Prime Minister Berlusconi, in his "Appeal for Milan", published on the Website of the newspaper *Il Giornale* and then, also in video format, on that of his party,

¹ See: Ansa, May 21, 2011, "Bossi, mi impegnerò contro Pisapia. Farò almeno un comizio. Tremonti premier? Non accetterebbe",

http://www.ansa.it/web/notizie/rubriche/topnews/2011/05/21/visualizza_new.html_847027856.html

² See: "Bossi: "Il mio impegno contro Giuliano Pisapia", La Repubblica, May 21, 2011, https://milano.repubblica.it/cronaca/2011/05/21/news/bossi_mi_impegner_contro_giuliano_pisapia-16563791/

³ The images are still available on the Web and can be found googling "zingaropoli".



declared: “Milan cannot, on the eve of Expo 2015, become an Islamic city, a gypsy city full of Roma camps and besieged by foreigners to whom the left also gives the right to vote”.⁴

Roberto Natale, then president of the Italian National Press Federation (FNSI), reacted denouncing the discriminatory nature of these messages: “No to the word Zingaropoli, it is full of contempt. Political controversy is the business of candidates and coalitions. But the poisoning of language is a problem that concerns everyone, including us journalists who handle words for work. (...) Abroad such a blunt use of political language would be branded as "hate speech". Italian public discourse should find the sense of the limit”⁵. A warning which unfortunately remained unheard.

The language used in the election posters led even Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, on a mission to Italy on the same days: “I was shocked by the use made during the election campaign in Milan of xenophobic messages against the Roma, but also against Muslims. Certain posters that I saw posted while I was in Milan certainly do not represent the best face of Italy. The impression is that they are not just words. (...) I think that once the elections are over, we have to think carefully about how certain parties have conducted their campaign”.⁶

The anti-discrimination complaint: no to racist political slogans

On 23 May, the Naga, a historic Milanese anti-racist association that is very active in the area, filed an anti-discrimination appeal pursuant to the combined provisions of Articles 1, 2 and 3 of LD 215/03 and Article 43 of LD 286/1998.⁷

In the appeal, Naga calls for the discriminatory nature of the above statements to be ascertained, believing that “it is neither possible nor legitimate for a political party to use slogans and statements that are manifestly discriminatory against certain communities and social groups - specifically, against a minority protected ex lege (the Roma) - using the very existence of these groups and communities as a factor of social fear, as well as using openly disparaging and derogatory terms such as "gypsypolis”.

In the text of the appeal, the association highlights its legitimacy to take legal action on the basis of Article 5 of Legislative Decree 215/2003 which, in the event of collective and/or widespread discrimination, recognises this right to bodies registered in the Register of Associations and bodies carrying out activities in the field of anti-discrimination held by Unar.⁸

⁴ The text is still here: <https://tv.liberoquotidiano.it/video/libero-tv-copertina/1545945/milano-zingaropoli-no-grazie.html>

⁵ The text is here: <https://www.fnsi.it/roberto-natale-sulle-esternazioni-del-leader-della-legan-no-alla-parola-zingaropoli-e-carica-di-disprezzo>

⁶ Source: sucardrom.blogspot.com

⁷ The text can be found here: <http://www.cronachediordinariorazzismo.org/wp-content/uploads/Ricorso-Zingaropoli.pdf>

⁸ Unar is the National Anti-Racial Discrimination Office.



As for the conduct that is the subject of the complaint, Naga considers that it constitutes harassment within the meaning of s.3 of s. 2 of LD 215/2003 that condemn behaviour “having the purpose or effect of violating the dignity of a person and creating an intimidating, hostile, degrading, humiliating or offensive climate”. The profiles of harassment are specifically identified in the use of the word "gypsy metropolis", in the idea that “an agglomeration, a group of Roma and Sinti constitutes a dangerous and negative fact for the city” and in the idea that a large mosque, “the largest mosque in Europe”, constitutes a negative and dangerous fact in itself for the city. According to the association, this is harassment “both in a subjective sense because it is intended to violate the dignity of members of the Roma and Sinti minority as well as Muslim citizens, and from the social climate point of view “because it is intended and at least in part also has the effect of creating an intimidating, hostile, degrading, humiliating or offensive climate towards the social groups themselves”.

As for the possibility of taking legal action against two members of Parliament, whose opinions are protected by Articles 21 and 68 of the Constitution, Naga points out that the Secretary of the Northern League and the Prime Minister are sued not as parliamentarians, but as private citizens representing a political party.⁹

The association's requests to the judge are four: to order the immediate removal of the posters, to ascertain and declare the discriminatory nature of the reported behaviour, to order the cancellation of the "appeal for Milan" from the Websites and to order the publication of the judge's decision on the websites of the Prime Minister's Office and the Ministry of the Interior for at least one consecutive month and, for at least one week, on the newspapers *Il Giornale*, *Il Corriere della Sera*, *La Repubblica* and *La Stampa*.

The sentence: “Zingaropoli” offensive and humiliating expression

The sentence from May 28, 2012 will partially accept the appeal.¹⁰ First of all, the judge rejects the exception of Naga's lack of legitimacy to act presented by the resistance, recognising this legitimacy as referring to a collective discrimination “not being a subject of discrimination but having to take into account the collectively understood Roma, Xinti and Islamic ethnic groups”.

The arguments in the appeal are only accepted as they relate to the conduct of the two political parties, so the statements of the two parliamentarians are not considered.

⁹ It is important to remember that, according to art. 68 Cost. c.1, “Members of Parliament cannot be called to account for opinions expressed and votes given in the performance of their duties”. The protection extends only as long as the statements of a member of Parliament are expressed “within the scope of his or her functions”. Where, on the other hand, it is possible to demonstrate that the statements and opinions expressed cannot be traced back to the exercise of the parliamentary function, the protection of Art. 68 is not applicable.

¹⁰ The sentence can be found here: http://www.cronachediordinariorazzismo.org/wp-content/uploads/SentenzaNAGA_PdL+LN.pdf



According to the judge, the statements made by Mr Bossi and Mr Berlusconi are not liable to be condemned as such, but it is the use made of them by the parties to which they belong that has been censured. This is on the basis of Article 68 of the Constitution, according to which: “Members of Parliament may not be called to account for opinions expressed or votes cast in the performance of their duties” and therefore the statements made by Members of Parliament are unquestionable.

For this reason, Mr. Bossi's verbal statements are not examined as they were not taken up, published or circulated by his party; on the contrary, the so-called "appeal for Milan" circulated by Mr. Berlusconi is examined as it was published on the website of the Freedom Party. The text of the election posters circulated by the Lega Nord is also examined.

The discriminatory nature of the expressions "MILAN ZINGAROPOLI", contained in the electoral posters of the Northern League, and "Milan cannot, on the eve of Expo 2015, become (...) a gypsy city full of Roma camps", contained in the "Appeal for Milan" published on the website of the People of Freedom, is ascertained and declared.

According to the judge, in fact, “the neologism “gypsypolis”, adopted as a slogan during the election campaign of the two parties, has a clearly derogatory value, since the gypsy ethnic groups (Roma and Sinti) are used as an emblem of negativity and danger to be shunned”. The expression "zingaropoli" thus regains the more detestable and derogatory meaning of the term “gypsy” and refers to it indifferently to the two Roma and Sinti ethnic groups, conveying the negative idea that Roma and Sinti communities constitute a threat as such”. The offensive and humiliating value of this expression, which has the effect of violating the dignity of the Roma and fostering an intimidating climate towards them, is thus recognised.

Moreover, the relevance of Article 21 of the Constitution is excluded with reference to the conduct of the two parties, where the principle of freedom of expression must be balanced by the principle of equality and equal dignity of persons.

On the contrary, the judge did not consider statements and expressions referring to the Muslim community to be offensive, but simply an expression of freedom of opinion.

The publication within 30 days in the daily newspaper *Il Corriere della Sera* of the header and operative part of the sentence by and at the expense of the Lega Nord and the PDL, as well as the payment of court costs by the two parties, were therefore ordered.

As the President of the Naga stated at the time, “For the first time in Italy, a court order condemning political parties for discrimination has been filed”. In 2012, the Naga hoped that it would no longer have to intervene in cases like these. Unfortunately, eight years later, we are forced to acknowledge that the political propaganda of the following years has left wide room for the ostentatious spread of offensive, hostile and violent rhetoric.¹¹

¹¹ For an analysis of hate speech in the public debate see: *Words are stones. Hate speech analysis in public discourse in six European countries*, 2019: <http://www.cronachediordinariorazzismo.org/international-report/?preview=true>



A much larger space than we could have imagined then.