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Polizia all'italiana: Preventative Policing and Forced Residence in Italy, 1863-1914

Résumé/Abstract

Throughout the history of Liberal Italy (1861-1922), legal experts waged an ongoing battle over the legality of domicilio coatto (forced residence), a system of police-administered deportation that functioned outside the rules and procedures of ordinary criminal justice. From 1863 onward, police officials each year summarily exiled hundreds of offenders and suspects to Italy's vast network of internment colonies, most of them on islands off the mainland coast. Deportees faced sentences up to five years – even if they had committed no crime; and they could not seek redress in the regular law courts. Such illiberal methods of preventative policing in a liberal state stirred heated juridical debate: critics charged that forced residence contradicted the underlying values and civil guarantees of the constitutional monarchy, while advocates defended it as an indispensable social protection against dangerous persons. Despite repeated efforts to reform or even abolish domicilio coatto, the contentious measure enjoyed a long life: not only did it remain a permanent feature of the Liberal regime, but it also provided the blueprint for the Fascist institution of confino di polizia, introduced into law in 1926. My paper is not the first to examine the origins, evolution and survival of domicilio coatto, but it proposes to do so in new ways. Whereas previous scholarship has explored forced residence mainly as an exceptional measure used against political enemies and during episodes of acute social crisis, my paper will focus on domicilio coatto as a routine instrument of preventative policing against common offenders. By reconstructing juridical debates and legislative proposals on forced residence, it will also challenge longstanding assumptions about Liberal attitudes toward the institution's legality, effectiveness and desirability.