

Legal Responses to Mass Migration:

From the Nineteenth Century to World War II

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Chapter 16

Exceptionality and common features of migration law in the age of mass migration

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Chapter 16

EXCEPTIONALITY AND COMMON FEATURES OF MIGRATION LAW IN THE AGE OF MASS MIGRATION *

Michele Pifferi

ABSTRACT: This chapter suggests that the tensions and arguments underlying migration law at the turn of the 20th century were mainly driven by two key ideas: the priority of state sovereignty over individual freedom and the extraordinariness of mass mobility. Common features of the development of migration law in the age of mass migration in different Western countries will be explored, including: the exceptionality of migration law and its derogation from constitutional rules; the administrativisation of migration law; the criminalisation of migrants; and the key role played by racial identities in the building of border control regulations.

SUMMARY: 1. Migration and law in a historical perspective. – 2. State sovereignty vs. individual freedom. – 3. Individual migration vs. mass migration. – 4. Exceptions to constitutional rules. – 5. The administrativisation of migration law. – 6. The criminalisation of migrants. – 7. Racialising migration. – 8. Conclusion: What was the real aim of migration law exceptionalism?

1. Migration and law in a historical perspective

The legal regulation of migration, at least in the Western world, is strictly interwoven with the formation of modern states in the 16th and 17th centuries, the definition of their borders, and the resulting juridical divide between citizens and foreigners.¹ From the mid 19th century to the 1930s, the

* This chapter arises out of and has benefitted from a Leverhulme visiting professorship at the Centre for Criminology, Faculty of Law, University of Oxford. Its content has been discussed at the Oxford Legal History Seminar and at the Bracton Centre for Legal History Research, University of Exeter in 2022: I thank all the participants for their comments. I am grateful to Mary Bosworth and Stephen Skinner for commenting on an earlier draft.

¹ See, e.g., Mavroudi E., Nagel C. (2016), *Global Migration. Patterns, Processes, and Politics*, London-New York, Routledge, 28-30; Benton L. (2010), *A Search for Sovereignty. Law and Geography in European Empires, 1400-1900*, Cambridge-New York, Cambridge University Press, ch. 6 279 ff.; for a critical account of the relationship be-

level of cross border mobility and its impact on socio-economic conditions became a key political issue in many countries, both sending and receiving ones.² As concerns grew about social problems, the legal system was expected to provide solutions. Even though the rules governing departures and entries were not included in Ravenstein's 1885 push-and-pull laws of migration, among which the economic factors were considered as the main cause of mobility,³ migration law nonetheless played an important role in driving individual choices and shaping conditions and consequences of migration waves.

As the chapters of this volume have shown, a diachronic and comparative approach unveils an original power asymmetry between the migrant and the state. Historically, migration law has been characterised by deep contradictions: it mirrors inclusive or exclusionist political orientations and, by regulating the individual freedom to cross borders, it also aims to ensure public order, internal security and citizens' welfare. Parallel to economic policies determined by labour supply and demand trends, as well as by international mobility of workforce driven by conditions of economic backwardness or development and cycles of expansion or contraction, legal mechanisms have contributed to representing migration as an acquisition or a detriment, to making it perceived by public opinion as a risk or an opportunity. The idea that migrants' choices and expectations might be limited by reason of the prominence of the public interest have become mainstreamed.

This chapter will comparatively explore how the freedom of mobility was regulated in some Western and Latin American countries (i.e., Italy, Germany, the United States, the United Kingdom, and Argentina) between the late-19th and early-20th centuries, as well as whether and to what extent it was effectively recognised. Two interpretive keys will be adopted to shed light on the tensions inherent in the history of migration law, namely the contrast between individual liberty and state sovereignty and the juxtaposition between individual migration and mass migration. In so doing, the chapter suggests that some common features can be identified in how countries of departure and destination governed mobility – features which are all embedded in the idea of the special character of migration law. Indeed, the 'exceptionalism' of immigration law was not a peculiarity of the

tween mobility, law and nation-state, see Kmak M. (2023), *Law, Migration, and Human Mobility. Mobile Law*, London, Routledge.

² See, e.g., Gozzini G. (2006), *The global system of international migrations, 1900 and 2000: a comparative approach*, "Journal of Global History", 1, 321-341.

³ Ravenstein E.G. (1885), *The Laws of Migration*, "Journal of the Statistical Society of London", 48, 167-235.

United States.⁴ As we shall see, migration law was theorised and applied as a field subject to peculiar rules departing from the ordinary principles of the legal system. The reasons, of course, were different: countries of departure, such as Italy for instance, implemented a special para-judicial court to provide emigrants quicker and more case-specific justice (see the chapters by Vinci and Di Stefano). As Tomaso Perassi – professor of international law and public law – put it, the singularity of emigration law “was born under the exclusive impulse of facts and experience (...) historically motivated by actual social need”.⁵ The Poles’ mass expulsion from Prussia in 1885 was admittedly considered as an exception to international law, yet justified by the specific danger posed by the Polish question.⁶

By considering migration such a peculiar subject as to deserve and require exceptional rules, it will be argued that legal discourse was not simply describing the singularity of mass migration as a social phenomenon, but was strategically paving the way to exemptions from the ordinary rights to which citizens were entitled. The recurring characteristics of migration law that will be highlighted in the chapter are (1) the derogations from (and the violation of) constitutional rules regularly applied to citizens; (2) the administrativisation of migration law; (3) the criminalisation of migrants; and (4) the racialisation of legal mechanisms and legal reasonings targeting aliens.

2. State sovereignty vs. individual freedom

The tension between state sovereignty over border control and individual freedom of movement lies at the basis of the contradictory references often made to the natural right of migration. An example thereof can be seen in the debate in parliament and among legal scholars on the passing of the two Italian laws on emigration in 1888 and 1901. Some scholars considered the right to migrate “a human right (...) that the State does not confer, but simply recognises as belonging to the citizen,”⁷ namely an inherent and in-

⁴ See, among others, Rubenstein D.S., Gulasekaram P. (2017), *Immigration exceptionalism*, “Northwestern University Law Review”, 111(3), 583-654; the subject is discussed in Malpassi’s chapter in this volume.

⁵ Perassi T. (1921), *I lineamenti del diritto italiano dell’emigrazione*, “Bollettino della emigrazione”, 3, 137.

⁶ See Fitzpatrick M.P. (2015), *Purging the Empire. Mass Expulsions in Germany, 1871–1914*, Oxford, Oxford University Press, 111-112.

⁷ Contuzzi F.P. (1895-1898), *Emigrazione*, in *Digesto italiano*, X, Torino, Unione Tipografica Editrice Torinese, 346-400 (369).

alienable right that human beings possess regardless of any previous attribution by positive law. Others maintain, by contrast, that there is a natural right of emigration but soon after point out that there may be possible limitations to its exercise,⁸ or, more openly, argue that a citizen has a right to leave the country only as a consequence of the state's self-limitation, as a reflected and derivative right, which can always be revoked and restrained by the legislator.⁹

Art. 1 of both the pieces of legislation, basically unaltered,¹⁰ reveals the impossibility of reconciling the two opposing views in the ambiguous formula “[e]migration is free, notwithstanding the obligations imposed on citizens by the law”. At the very moment in which the freedom of mobility is sanctioned, it is also constrained by limitations such as military obligations, bureaucratic requirements, and government policies. As Rocco de Zerbi – the drafter of the 1888 Law – put it, the rationale of Art. 1 is grounded on the idea that “every freedom is restrained by necessity” and that “the right of the homeland has precedence over the right of the individual”.¹¹ Even those who uphold the freedom to leave the home country never entirely exclude the scope for public intervention, as “granting freedom of emigration does not mean removing all interference by the state over it”.¹²

In 1893 the US Supreme Court issued its decision in the landmark deportation case *Fong Yue Ting v. United States*.¹³ In delivering the majority ruling, Justice Horace Gray held deportation to be constitutional as a legitimate expression of the federal government's plenary power:¹⁴ like the power of exclusion, upheld in the 1889 *Chinese Exclusion Case*,¹⁵ the con-

⁸ De Zerbi R. (1887-88), Relazione al d.d.l. Crispi, in Atti Parlamentari. Camera dei Deputati. Legislatura XVI, II sess. 1887-88, Documenti – Disegni di legge e relazioni, no. 85-A, Relazione della Commissione. Sulla emigrazione, 7-8.

⁹ Raggi L. (1903), *L'emigrazione italiana nei suoi rapporti con il diritto*, Città di Castello, Lapi, 45-50.

¹⁰ Art. 1, L. 30 December 1888, no. 5866; Art. 1, L. 31 January 1901, no. 23.

¹¹ Atti Parlamentari. Camera dei Deputati. Legisl. XVI, II sess., Discussioni. Tornata del 7 dic. 1888, 5827.

¹² Ellena V. (1876), *Della emigrazione e delle sue leggi*, Estratto dall'Archivio di Statistica, Roma, Tipografia Elzeviriana, 50.

¹³ See Hernandez, K.L. (2017), *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771-1965*, Chapel Hill, University of North Carolina Press, 76 ff.; Neuman G.L. (1996), *Strangers to the Constitution. Immigrants, Borers, and Fundamental Law*, Princeton, Princeton University Press, esp. 119-125.

¹⁴ See, e.g., Legomsky S.H. (1984), *Immigration Law and the Principle of Plenary Congressional Power*, “The Supreme Court Review”, 255-307.

¹⁵ See Henkin L. (1987), *The Constitution and United States Sovereignty: A Century of 'Chinese Exclusion' and Its Progeny*, “Harvard Law Review”, 100(4), 853-886.

gressional power of expulsion was considered “absolute and unqualified”.¹⁶ Moreover, the Court declared deportation proceedings as an administrative process subject neither to due process protections nor to judicial review. The decision was in accordance with the prevailing international law doctrine of the time,¹⁷ and rested on a paradoxical use of the idea and language of natural rights in reference to the state’s power to control borders rather than individual freedom of mobility: “the right to exclude or to expel all aliens, or any class of aliens, absolutely or upon certain conditions, in war or in peace is an inherent and inalienable right of every sovereign and independent nation, essential to its safety, its independence, and its welfare”.¹⁸

Parallel to this state-centric approach, opposing humanitarian and cosmopolitan interpretations of mobility rights survived, particularly in legal philosophy and international law. The duty of hospitality has recently attracted scholarly attention as a fundamental principle upon which a radically different history of migration law – from Francisco de Vitoria to the Law of Nations – could have been built and written.¹⁹ As alternative and revolutionary as the concept of hospitality may be, especially in terms of its potential to deconstruct and critically challenge the contemporary architecture of border control,²⁰ it should not be overlooked that it was (and maybe still is) typically disregarded by rulers, policymakers, and legislators. Though the concepts of hospitality and the right of abode reflect a desired freedom of movement independent of the privileges of citizenship rights, their history is mostly that of the road not taken. Even when some more liberal and enlightened jurists within the Institute of International Law took a stand against the racialisation of migration policies and the legitimacy of the mass expulsions which became widespread in the 1880s, they were forced to

¹⁶ *Fong Yue Ting v. United States*, 149 US 707 (1893).

¹⁷ See, e.g., Phillimore R. (1854), *Commentaries upon International Law*, Philadelphia, T. & J.W. Johnson, vol. I, 192-193: “It is received a maxim of International Law, that the Government of a State may prohibit the entrance of strangers into the country, and may therefore regulate the condition under which they shall be allowed to remain in it, or may require and compel their departure from it”.

¹⁸ 149 US 711 (1893).

¹⁹ See, in particular, Chetail V. (2016), *Sovereignty and Migration in the Doctrine of the Law of Nations: An Intellectual History of Hospitality from Vitoria to Vattel*, “The European Journal of International Law”, 27(4), 901-922; Augusti E. (2022), *Migrare come abitare. Una storia del diritto internazionale in Europa tra XVI e XIX secolo*, Torino, Giappichelli; see also Augusti’s chapter in this volume.

²⁰ See, e.g., Di Cesare D. (2017), *Stranieri residenti. Una filosofia della migrazione*, Torino, Bollati Boringhieri; Derrida J. (2001), *On Cosmopolitanism and Forgiveness*, London, Routledge.

recognise the supreme authority of the state in matters of emigration and immigration.²¹

3. Individual migration vs. mass migration

The migration of individual persons was, theoretically, less problematic, whereas mass mobility was perceived as a threat for the receiving community. The quantitative distinction was a classic topic that had already been sketched out by Hugo Grotius in the 17th century. Drawing off water from a river is different from diverting a stream: while citizens as individuals are allowed to leave the country (*discessio singulorum*), albeit under certain conditions, the departure of a large group of people (*generatim*) should not be permitted, as it would endanger the very existence of a community.²² Though this distinction was later criticised by other jurists,²³ it openly revealed the difficulty of conceiving (and the menace posed by) mass mobility across modern states' borders.

Similarly, at the end of the 19th century, Ferdinando Laghi conceived the alien's right of abode in the Italian legal system as a natural and civil right included among the rights that Art. 3 of the 1865 Civil Code granted to all foreigners, regardless of the principle of reciprocity.²⁴ His view, however, was based on the situation of the Kingdom of Italy at that time: it was a country of large-scale emigration and very low immigration and, above all, it was the destination of individual arrivals and certainly not of mass entries. Laghi, indeed, argues that one of the four grounds for lawful expulsion is "the invasion of foreigners, who, due to their numerosity, their special economic moral or political conditions, would cause much damage to the host state".²⁵ Therefore, while one individual would enjoy the civil

²¹ See Rygiel P. (2021), *L'ordre des circulations? L'Institut de Droit international et la régulation des migrations (1870-1920)*, Paris, Éditions de la Sorbonne, 181-218.

²² Grotius H. (1646), *De iure belli ac pacis libri tres*, Amsterdam, apud Iohannem Blaeu, 157-158.

²³ See, e.g., Pufendorf S. (1688), *De iure naturae et gentium libri octo*, Amsterdam, apud Andream ab Hoogenhuysen [ed. Carnegie Institution of Washington, Oxford, Clarendon Press, 1934] 919; Barbeyrac J. (1724), H. Grotius, *Le droit de la guerre et de la paix*, nouvelle traduction par J. Barbeyrac, Amsterdam, Pierre de Coup, 307 nt. 5.

²⁴ Laghi F. (1888), *Il diritto internazionale privato nei suoi rapporti colle leggi territoriali*, I, Bologna, Zanichelli, 285. Similarly, see also Bianchi F. (1881), *Un quesito sull'art. 3 del Codice civile italiano*, Siena, Bargellini, 9-11; Cipelli B. (1875), *Questione: Se lo straniero possa prendere residenza...*, "La Legge. Monitore giudiziario ed amministrativo del Regno d'Italia", 247-253.

²⁵ Laghi (1888), *Il diritto internazionale*, 312.

right of residence, mass immigration could be prohibited due to the prevailing need to ensure the welfare of the state, which would be threatened by “an invasion of foreigners greater than the economic capacity of the country” and by the arrival of groups of people who have “habits in sharp contrast with our civilisation, our moral religious and political sentiments”.²⁶

As we shall see, the legal discourse at the end of the 19th century presented migrants as a wave, a collective body that by invading the receiving country endangered its institutions, social cohesion, and racial identity.²⁷ Human beings were identified through stereotypes based on different nationalities and divided into racial, religious, and anthropological categories which made them more vulnerable in relation to mechanisms of exclusion and discrimination.

Within the framework defined by these two binary oppositions – individual freedom vs. state sovereignty and individual vs. mass migration – in different countries and socio-economic contexts migration law developed along similar lines, both theoretically and practically. Exceptional solutions were designed by judges and jurists for the purpose of governing the mobility of millions of people. In what follows I shall briefly explore these recurring characteristics of migration law by providing some comparative examples.

4. Exceptions to constitutional rules

The 1891 US Immigration Act sanctioned the administrative detention of would-be immigrants. Inspection officers could go on board vessels to verify nationality, place of last residence, destination, and the requirements for the admissibility of arriving aliens, or they were allowed to order “a temporary removal of such aliens for examination at a designated time and place, and then and there detain them until a thorough inspection is made. But such removal shall not be considered a landing during the pendency of such examination”.²⁸ Rather than on board, examinations could be made

²⁶ *Ibidem*.

²⁷ See, e.g., Warne F.J. (1913), *The Immigrant Invasion*, New York, Dodd, Mead & Co.; White A. (1888), *The Invasion of Pauper Foreigners*, “The Nineteenth Century”, 23, 414-422; Wilkins W.H. (1892), *The Alien Invasion*, London, Methuen & Co.; evocative of this cultural approach in the United States is the cartoon of L. Dalrymple, *The High Tide of Immigration – A National Menace*, published in “Judge” on August 22, 1903.

²⁸ *Immigration Act*, March 3, 1891, Sect. 8.

in specific immigrant inspection and processing stations, but detained immigrants had to be treated “as if [they] never had been removed from the steamship”.²⁹ Section 8 of the Act introduced the entry fiction, a legal fiction whose purpose was to exclude the migrants detained in prison-like conditions in Ellis Island (since 1892) and Angel Island (since 1910) – pending their admission, exclusion or deportation – from the constitutional protections granted by the 5th and 14th Amendments to all persons within the jurisdiction of the United States. Considering the immigrants physically restrained within US borders as if they were legally not there actually put them in a kind of limbo, an extra-legal place exempted from constitutional norms.³⁰ The fiction implied that custody in immigration centres was not comparable to incarceration and consequently could be imposed, without granting due process or a jury trial, by an administrative body, whose decision was not subject to judicial review. As a result, detained immigrants were not entitled to file a habeas corpus petition.

The constitutionality of the entry fiction provision was doubtful and called into question. In the cases *In re Jung Ah Lung* and *In re Jung Ah Hon*, for instance, Justice Ogden Hoffman, district judge of the District Court of California, claimed that the denial of the immigrant’s right to disembark actually turned the steamship on which he was forced to stay pending repatriation into a prison-house and, therefore, it could not but be considered a restriction of his liberty in violation of the Constitution. Hence it appeared that the Court could not dismiss the immigrant’s petition for habeas corpus, as any abrogation of such right, “which has always been considered among English-speaking peoples the most sacred monument of personal freedom, must be unmistakably declared by congress before any court could venture to withhold its benefits from any human being, no matter what race or color”.³¹ If, then, the Chinese, as well as every other human being who was on the domestic soil of the United States, were entitled to habeas corpus rights, asking the Court to be bound in its investigation to the decision of an administrative officer “would be an anomaly wholly without precedent, if not a flagrant absurdity”.³²

²⁹ *Nishimura Ekiu v. United States*, 142 US 651(1892), 661.

³⁰ See Wilsher D. (2012), *Immigration Detention: Law, History, Politics*, Cambridge, Cambridge University Press; Park J.S.W. (2008), *On Being Here and Not Here. Noncitizen Status in American Immigration Law*, in Buff R. I. (ed.), *Immigrants Rights in the Shadows of Citizenship*, New York-London, New York University Press, 26-39.

³¹ 25 Federal Reporter 141 (D. Cal. 1885), 143.

³² *Ibidem*. See Fritz C.G. (1988), *A Nineteenth Century ‘Habeas Corpus Mill’: The Chinese Before the Federal Courts in California*, “The American Journal of Legal History”, 32, 347-372; Salyer L.E. (1991), ‘*Laws Hars as Tigers*’: *Enforcement of the Chinese*

As recounted by Malpassi in his own chapter in this volume, in 1905 Oliver Wendell Holmes delivered the majority opinion in *United States v. Ju Toy*. In upholding the entry fiction, the Supreme Court ruled that the decisions of executive officers in matters of immigration were final and conclusive, and that the writ of habeas corpus should be dismissed unless the immigration officers and – upon appeal – the Secretary of Commerce and Labor failed to grant a proper hearing, abused their discretion, or acted in any unlawful or improper way upon the case presented to them for determination. Even assuming that “to deny entrance to a citizen is to deprive him of liberty, we nevertheless are of opinion that with regard to him due process of law does not require judicial trial” and, in any case, as affirmed in *Nishimura Ekiu v. US*, the immigration officer’s decision “is due process of law”.³³

The 1905 Aliens Act was the first law to restrict the entry of ‘undesirable aliens’ into the UK.³⁴ It provided for the possibility of aliens’ administrative expulsion subsequent to their legal entry and their custody in prison facilities pending their deportation. It was broadly censured during the parliamentary debate. Though expulsion was presented by the PM Henry Campbell-Bannerman as “a matter of administration and not of justice”, to other MPs (e.g., Allan Heywoodits Bright and Winston Churchill) the implications for fundamental rights were clear, as was the risk of betraying traditional rule of law principles.³⁵ The opponents of the bill deemed it inconsistent that expulsion and banishment, which were among the severest punishments historically provided for under common law, were imposed for behaviours that were not prosecutable as criminal offences.³⁶ Inspec-

Exclusion Laws, 1891-1924, in Chan S. (ed.), *Entry Denied. Exclusions and the Chinese Community in America, 1882-1943*, Philadelphia, Temple University Press, 57-93; Pifferi M. (2017), *Controllo dei confini e politiche di esclusione tra Otto e Novecento*, in Augusti E., Morone A. M., Pifferi M. (eds.), *Il controllo dello straniero. I “campi” dall’ottocento ad oggi*, Roma, Viella, esp. 91-97.

³³ *United States v. Ju Toy*, 198 US 253 (1905), 263. See the comment in Post L.F. (1916), *Administrative Decision in Connection with Immigration*, “The American Political Science Review”, 10, 251-261. Predictably, the decision raised criticisms: according to Dickinson J. (1927), *Administrative justice and the supremacy of the law in the United States*, Cambridge, Harvard University Press, 293, *Ju Toy* ruling, “if consistently applied, would obviously open a dangerous door to executive oppression”.

³⁴ See Henriques H.S.Q. (1906), *The Law of Aliens and Naturalization Including the Text of the Aliens Act 1905*, London, Butterworth & Co.; Fahrmeir A. (2000), *Citizens and Aliens. Foreigners and the Law in Britain and the German States, 1789-1870*, New York-Oxford, Berghahn Books, 193-196.

³⁵ The lively discussion in the House of Commons can be seen, e.g., in “Hansard” HC Deb 3 July 1905 vol 148 cc. 847-76.

³⁶ Sibley N.W., Elias A. (1906), *The Aliens Act and the Right of Asylum*, London, William Clowes & Sons, 69.

tion operations and decisions were all delegated to administrative officers; however, a proceeding leading to detention, even without any crime having been committed, could hardly be considered as ‘merely administrative’. For critics, expulsion (and the ensuing detention) was certainly “an act of administration” which “clearly infringe[d] the principle of the Common Law and Magna Carta”: detained aliens, therefore, should be granted the writ of habeas corpus.³⁷

Despite resistance to it, the Act was passed and had a symbolic meaning in British history, not only because it marked the end of the traditional open-door policy,³⁸ but also insofar as it inaugurated a regime of deliberate uncertainty in the rejection and expulsion system.³⁹ The blurred boundaries between judicial and administrative prerogatives; administrative sanctions and punishments; rule of law protections, right of asylum and diminished legal position before administrative orders, were, as has been observed, an intentional outcome of the 1905 Act. Indeed, its flexibility and the variety of stated goals were designed to reconcile the conflicting expectations driven by restrictionist fears, on the one hand, and free-market needs, on the other hand.⁴⁰

5. The administrativisation of migration law

Bypassing fundamental rights went hand-in-hand with assigning migration law, its normative limits and jurisdictional competence to the sphere of administrative law. In the period considered in this chapter, the prevailing rationale in many countries consisted in denying the migrant the legal right to cross borders, a right which, if recognised, would have entailed the right of action before an ordinary court in case of alleged unlawful curtailment or violation. By contrast, courts often resorted to the idea of the inherently administrative character of expulsion orders and proceedings to confirm the highly discretionary and unappealable content thereof. In 1893, for instance, the Italian Court of Cassation stated that deportation orders were “left to the cautious will and discretion of political power” and, therefore, they were not “judicially reviewable without overstepping the boundaries

³⁷ *Ivi*, 71.

³⁸ See Panayi P. (2010), *An Immigration History of Britain. Multicultural Racism Since 1800*, Harlow, Pearson Education Limited, 213.

³⁹ See Bashford A., McAdam J. (2014), *The Right to Asylum: Britain's 1905 Aliens Act and the Evolution of Refugee Law*, “Law and History Review”, 32, 309-350.

⁴⁰ Wray H. (2006), *The Aliens Act 1905 and the Immigration Dilemma*, “Journal of Law and Society”, 33, 302-323.

of their jurisdiction and usurping the attributions of political power”.⁴¹ At that time administrative law was conceived as the legal space of unbalanced positions, within which the individual claim of freedom of movement was always subordinated to overriding general interests of public order assessed by the executive branch.

Besides the administrative detention of migrants mentioned above,⁴² another example of such an approach can be seen in the Italian debate on the right of abode. At the beginning of the 20th century, Oreste Ranelletti, a leading administrative law professor, clearly maintained that “the right of the foreigner is subordinate and dependent on the requirements of the public interest (...), and, accordingly, a discretionary power of the authority is recognised for the appreciation of what the protection of public order requires”.⁴³ A foreigner’s claim with regard to residency was not a legal right but rather fell within the category of the “weaker rights” that he defined as “legitimate interests”, namely an interest whose recognition is subordinated to the satisfaction of a general interest and whose protection by the law is, therefore, “only occasional, indirect and mediated”.⁴⁴

Administrative constraints likewise affected the freedom of emigration of national citizens. Sidney Sonnino, MP and later Prime Minister, criticised the excess of formalities and bureaucratic requirements which, under the 1888 Law of Emigration, needed to be fulfilled in order to lawfully exercise the freedom of movement. They were redundant administrative requirements leading – he argued – to a growth of illegal emigration. The need to obtain a licence from the Ministry of War, the repatriation provid-

⁴¹ Court of Cassation, II, 13 October 1893, “La Legge. Monitore giudiziario ed amministrativo del Regno d’Italia”, 1894, 96.

⁴² For its thematisation, also in a historical perspective, see Wilsher D. (2012), *Immigration Detention*; Bosworth M. (2014), *Inside Immigration Detention*, Oxford, Oxford University Press; Campesi G. (2013), *La detenzione amministrativa degli stranieri. Storia, diritto, politica*, Roma, Carocci.

⁴³ Ranelletti O. (1904), *La polizia di sicurezza*, in Orlando V.E. (ed.), *Primo trattato completo di Diritto amministrativo*, vol. IV, pt. I, Milano, Società Editrice Libreria, 1006; see also Esperson P. (1896), *Espulsione degli stranieri secondo la legislazione italiana e le legislazioni straniere*, “Rivista Penale”, XLIII, 5-21 (17). For a comment see Savino M. (2012), *Le libertà degli altri. La regolazione amministrativa dei flussi migratori*, Milano, Giuffrè, 89-92.

⁴⁴ Treves G. (1959), *Judicial review in Italian administrative law*, “The University of Chicago Law Review”, 26, 419-435, esp. 422-424, explaining the difference between legal rights and legitimate interests, an offspring of the Italian legal scholarship at the turn of century which is still applied by courts; see also Sordi B. (1985), *Giustizia e amministrazione nell’Italia liberale. La formazione della nozione di interesse legittimo*, Milano, Giuffrè; Miele G., Cotzi G., Falconi D. (1954), *Italian Administrative Law*, “The International and Comparative Law Quarterly”, 3(3), 421-453.

ed for those who left without having fulfilled all the bureaucratic obligations, and the many prohibitions on shipping companies' agents acting as intermediaries did nothing to protect emigrants but, on the contrary, increased the number of regulatory transgressions with "artificial offences, created to the detriment of harmless people who have no intention to commit a crime".⁴⁵ The proliferation of procedures ostensibly designed to protect would-be emigrants turned out to hinder their departure, leading them to search for quicker and cheaper illegal expedients. The subsequent 1901 Emigration Law, by establishing a General Emigration Commission and other administrative bodies, conferring broader suspensive power over emigration to the ministries of foreign affairs and the interior, and imposing the passport obligation,⁴⁶ emphasised the invasive control of the public administration over the right to emigrate even more.⁴⁷

As already mentioned, US deportation proceedings provide a further corroboration of the administrativisation of migration law as a means of enhancing political discretion in controlling borders. By targeting immigrants who had already legally established their residence or abode in the country, the deportation proceedings infringed upon the fundamental rights, liberty, property and family relations of domiciled aliens; nonetheless, they were entrusted to authorities of an administrative rather than judicial character, whose procedures did not provide the same guarantees as those of ordinary courts. In 1931, the National Commission on Law Observance and Enforcement, chaired by George W. Wickersham, published a critical report on the enforcement of deportation law pointing out its "oppression, unfairness, and hardship".⁴⁸ The report incorporated and

⁴⁵ Atti Parlamentari. Camera dei Deputati. Legislatura XVI, II sess., Discussioni. Tornata del 6 dic. 1888, 5797.

⁴⁶ More broadly, on the invention of passport as a document required to travel abroad, see Torpey, J. (2000), *The Invention of the Passport. Surveillance, Citizenship and the State*, Cambridge University Press, Cambridge; Lucassen, L. (2001), *A Many-Headed Monster: the Evolution of the Passport System in the Netherlands and Germany in the Long Nineteenth Century*, in Torpey J., Caplan J. (eds.), *Documenting Individual Identity: The Development of State Practices in the Modern World*, Princeton, Princeton University Press, 235-255.

⁴⁷ See Malnate N. (1899), *Il progetto di legge della Commissione parlamentare sull'emigrazione*, Pistoia, G. Flori. On how the increasing administrative controls over emigration actually distorted the emigrants' care-oriented purpose of the 1901 social law, see Di Giacomo G. (2020), *Dalla tutela alla disciplina dei migranti: la libertà di emigrazione alla prova della Grande Guerra*, "Italian Review of Legal History", 6, 111-143.

⁴⁸ National Commission on Law Observance and Enforcement (1931), *The Enforcement of Deportation Laws*, in *Report on the Enforcement of the Deportation Laws in the United States*, Washington, US Government Printing Office, 1-8, at 5.

amply relied on the study on the same subject carried out by Reuben Oppenheimer, a Harvard Law School graduate and member of the Baltimore bar. Oppenheimer's report unveiled all the inconsistencies and constitutional violations of deportation proceedings and clearly concluded that, due to their lack of guarantees and unfairness, they were the last vestige of medieval inquisitorial procedure in the American legal system.⁴⁹ "Decisions with respect to deportation – he put it – mark out, within the limits possible under habeas corpus proceedings, the periphery beyond which neither Congress nor an executive branch of the Government can act without violating due process of law".⁵⁰

6. The criminalisation of migrants

The compelling belief, often ungrounded but politically profitable, that any increase in immigration corresponded to a parallel growth of criminality brought about the categorisation of migrants as dangerous and criminal persons. This occurred in different historical contexts on a recurrent basis. Francesco Rotondo's chapter in this volume provides an illuminating example of such an approach in reference to the changing patterns of Argentinian immigration policies.

With regard to the United States, since the 1880s concerns about immigrant criminality had been one of the most effective arguments in support of anti-immigration policies, extensively used by the press and politicians. One fourth of the American prison population – restrictionists maintained – were European alien criminals, that is, immigrants who should not have been admitted and whose prison costs were paid by honest American citizens. Therefore, all the aliens who, by committing crimes, proved to be neither desirable nor assimilable, had to be deported. Moreover, investigative border controls had to be strengthened in the sending countries as well, in order to both reject those who were already criminals and prevent them from leaving.⁵¹ The Congress, to save the nation from the threat of unrestrained immigration and the landing of the "scum of the earth",⁵² had the

⁴⁹Oppenheimer R. (1931), *The Administration of the Deportation Laws of the United States. Report to the National Commission on Law Observance and Enforcement*, in *Report on the Enforcement of the Deportation Laws*, esp. 137-143.

⁵⁰*Ivi*, 45.

⁵¹Lewiston A. (1910), *The Alien Peril. Shall We Go on Crowding Our Prisons with Foreign-Born Convicts? Deportation as a Remedy*, "The Metropolitan Magazine", 32, 279-292.

⁵²*Ivi*, 290.

duty to “enforce a discrimination as to who shall be admitted into social and political fellowship”.⁵³

There were, however, also analyses “contrary to the popular impressions, and contrary to the apparent showing of the census on a superficial view”.⁵⁴ Both the 1910 report of the Dillingham Commission on Immigration and Crime⁵⁵ and studies commissioned by the American Institute of Criminal Law and Criminology painted a very different picture of the situation from that cunningly manipulated by restrictionists. At the very beginning, the Dillingham Commission’s report stated that “no satisfactory evidence has yet been produced to show that immigration has resulted in an increase in crime disproportionate to the increase in adult population”;⁵⁶ on the contrary, collected data proved that immigrants were “less prone to commit crime than are native Americans”.⁵⁷ A higher crime rate could be found in the second generation of immigrants compared to the children of natives, so a broader juvenile delinquency was found among aliens.⁵⁸ The Commission clarified that if immigration had manifestly caused a significant increase in personal crimes and crimes against the public order, crimes against property were mostly committed by Americans.⁵⁹

The American Institute of Criminal Law and Criminology appointed a committee, chaired by Kate Holladay Claghorn, to study immigrant criminality in the light of a sociological evaluation of data gathered through medico-psychiatric examinations. Such a methodological approach relied on the Institute’s dedication to criminology as an interdisciplinary science

⁵³ Boies H.M. (1893), *Prisoners and Paupers. A Study of the Abnormal Increase of Criminals, and the Public Burden of Pauperism in the United States; the Causes and Remedies*, New York, G.P. Putnam’s Sons, 49.

⁵⁴ Hart H.H. (1896), *Immigration and Crime*, “The American Journal of Sociology”, 2, 370. Hart’s article, openly critical of F.W. Hewes’s “Delinquents” published on 7 March, 1896 in *The Outlook*, showed that immigrants committed proportionally less crimes than natives.

⁵⁵ Zeidel R.F. (2004), *Immigrants, Progressives, and Exclusion Politics. The Dillingham Commission, 1900-1927*, DeKalb, Northern Illinois University Press; Benton-Cohen K. (2018), *Inventing the Immigration Problem. The Dillingham Commission and Its Legacy*, Cambridge-London, Harvard University Press.

⁵⁶ *Reports of the United States Immigration Commission (1907-1910)*, v. 36, *Immigration and Crime*, (Senate Document no. 750, 61st Cong., 3rd sess.), Washington, Government Printing Office, 1911, 1.

⁵⁷ *Ibidem*.

⁵⁸ The second generation, however, was inclined to commit offences different from those committed by their parents and more similar to the ones committed by natives (*ivi*, 14).

⁵⁹ *Ivi*, 2.

aimed at gaining a better understanding of the social causes of crime and, despite the lack of reliable information on migrants' personal and socio-economic background, the committee came up with some interesting findings: foreign-born citizens not only showed a lower tendency to reoffend than natives, but were also much less prone to break the law; many revealed a "deviation from average normal mentality" and should have not been permitted entry due to mental abnormalities; the vast majority did not apply for naturalisation, showing a lack of interest in acquiring citizenship status; a lower cultural level corresponded to crimes of passion committed mostly by accidental offenders (this is also the case with Italians) while those with a higher level of education committed crimes against property and were more often recidivists (Germans for example, as well as natives).⁶⁰ Analysed from this different perspective, the simplistic causal relationship between immigration and crime vanished, replaced by a more critical understanding of the peculiar quality (rather than quantity) of aliens' offences.⁶¹

Starting from the last decades of the 19th century, many receiving countries criminalised the simple fact of illegal entry, e.g., by imposing punishment on those who crossed borders without permission or in violation of any immigration rule.⁶² Countries of departure, too, introduced minor offences for those who left (or attempted to) without authorisation. These legal strategies greatly contributed to strengthening the interconnection of migration control and criminal law, fuelled by the absurd paradox that "border crossers were criminals, though, circularly, their crime was crossing the border".⁶³ Moreover, and perhaps even more effectively, though, the criminalisation of migrants consisted in the application to them of legal

⁶⁰ Claghorn K.H. (1917-1918), *Crime and Immigration*, "Journal of the American Institute of Criminal Law and Criminology", 8, 688-690.

⁶¹ I have elaborated more on this point in Pifferi M. (2009), *La doppia negazione dello ius migrandi tra Otto e Novecento*, in Giolo O., Pifferi M. (eds.), *Diritto contro. Meccanismi giuridici di esclusione dello straniero*, Torino, Giappichelli, 64-72.

⁶² On the criminalisation of unregistered/undocumented immigrants by the 1892 Geary Act in the United States, see Hernandez (2017), *City of Inmates*, 72 ff.; more broadly Chomsky A. (2014), *Undocumented. How Immigration Became Illegal*, Boston, Beacon Press; Ngai M.M. (2004), *Impossible Subjects: Illegal Aliens and the Making of Modern America*, Princeton-Oxford, Princeton University Press. The British 1905 Aliens Act, Art. 1(5), provided that "Any immigrant who lands, or any master of a ship who allows an immigrant to be landed, in contravention to this section shall be guilty of an offence."

⁶³ Chacón J.M. (2022), *Criminal Law & Migration Control: Recent History & Future Possibilities*, "Dædalus, the Journal of the American Academy of Arts & Sciences", 151 (1), 121-134, (125); see also De Koster M., Reinke H. (2017), *Migration as Crime, Migration and Crime*, "Crime, History & Societies", 21(2), 63-76.

narratives, institutions, and techniques that typically belonged to the penal archipelago and whose foundation rested on the simple fact of their being a migrant, regardless of the commission of any crime. The examples of carceral-like immigrant detention centres and banishment-like deportation orders, both targeting non-offender aliens, are perhaps the most paradigmatic. The use of criminological concepts and categories to legitimise the classification of Italian immigrants in Argentina as potentially dangerous political offenders, as well as the many American cartoons grotesquely depicting the landing of hordes of would-be criminals from foreign countries, strengthened the popular belief that migrants were (actual or potential) criminals. The overlap between these two identities were clearly felt by the immigrants themselves. We only have to read the inscriptions left by the Chinese held on Angel Island on the wood of their barracks to understand how unfair they perceived their condition of being imprisoned without having committed any crime.⁶⁴ The discrepancy between the formal administrative nature attributed by law to the detention of migrants, on the one hand, and the migrants' own perception of the punitive nature of their custody, on the other hand, has historical roots dating back to the late 19th century and still lingers on in contemporary immigration centres.⁶⁵ Immigrants were not (just as they are not nowadays) detained for the commission of an offence, but they were (and still are) in actual fact imprisoned; outside the remit of criminal law, they could not (and still cannot) even rely on the guarantees offered by criminal law to citizens.⁶⁶ Despite the lack of any scholarly conceptualisation or critical questioning by means of heuristic tools such as the contemporary notions of "cimmigration",⁶⁷ "criminology of mobility",⁶⁸ or "crimes of mobility",⁶⁹ the penal and para-penal control of migration was already in place more than one century ago.

⁶⁴ See Lai H.M., Lim G., Yung J. (eds.) (2014), *Island. Poetry and History of Chinese Immigrants on Angel Island 1910-1940*, 2nd ed., Seattle-London, University of Washington Press, 72, 74, 82, 88, 92.

⁶⁵ See Bosworth M. (2013), *Can Immigration Detention Centres be Legitimate? Understanding Confinement in a Global World*, in Franko Aas K., Bowsorth M. (eds.), *The Borders of Punishment. Migration, Citizenship and Social Exclusion*, Oxford, Oxford University Press, 149-165.

⁶⁶ For an account of the contemporary situation, see Zedner L. (2013), *Is the Criminal Law Only for Citizens? A Problem at the Borders of Punishment*, in Franko Aas, Bowsorth (eds.), *The Borders of Punishment*, 40-57.

⁶⁷ See Stumpf J. (2006), *The cimmigration crisis: immigrants, crime & sovereign power*, "American University Law Review", 56(2), 367-419.

⁶⁸ See Pickering S., Bosworth M., Franko Aas K. (2015), *The criminology of mobility*, in Pickering S., Ham J. (eds.), *The Routledge Handbook on Crime and International Migration*, London-New York, Routledge, 382-395; Bosworth M. (2016), *Bor-*

7. Racialising migration

In 1885-86 approximately 32000 Russian and Austro-Hungarian Poles were expelled by Prussia irrespective of whether they had engaged in any personal conduct (e.g., criminal or politically dangerous activities) that could justify such a measure. It was the first case of mass expulsion that aroused concern within the League of Nations and criticism among the members of the International Law Institute.⁷⁰ Indeed, although international law recognised expulsion as a legitimate measure that could be adopted by any state by virtue of its sovereignty, it was conceived as legitimate only insofar as it was a measure targeting specific individuals on the basis of their illegal behaviour. Prussian mass expulsion was justified by the right to defend political security, but it was fundamentally driven by biopolitical policies and the fear that the ‘Polish element’ and ‘Slavic flood’ could overrun the pure German nationality. Grounded on the idea of racial superiority, and despite its dubious constitutionality, mass expulsion “offered the opportunity of complementing the recent introduction of a state policy of overseas colonialism with a form of inner colonialism”.⁷¹

The role played by racial discrimination in the formation of American citizenship and in shaping immigration policies has been widely investigated. The 1882 Chinese Exclusion Act and the later laws introducing the literacy test (1917), the quota system (1921), and the National Origins Act (1924), formed a socio-political project of invention of the pure American race, which explicitly aimed at excluding immigration not of undesirable individuals but of entire groups identified as inferior and unassimilable on the basis of anthropological and racial characteristics.⁷² The juridical narrative assumed, in this framework, an almost submissive, heteronomous role of reception of certainties and values legitimised outside the circuit of the law. The making of ‘good Americanism’ was mainly driven by scientific

der Criminologies: How migration is changing criminal justice, in Bosworth M., Hoyle C., Zedner L. (eds.), *Changing Contours of Criminal Justice*, Oxford, Oxford University Press, 213-226.

⁶⁹ See Aliverti A. (2013), *Crimes of mobility: criminal law and the regulation of immigration*, London, Routledge.

⁷⁰ See Rygiel (2021), *L'ordre des circulations?*, 198-207.

⁷¹ Fitzpatrick (2015), *Purging the Empire*, 93-122, quotation at 121; see also Lucassen L. (2005), *The Immigrant Threat. The Integration of Old and New Migrants in Western Europe since 1850*, Urbana-Chicago, University of Illinois Press, 50-74.

⁷² See, e.g., Higham J. (2002), *Strangers in the Land. Patterns of American Nativism, 1860-1925*, New Brunswick-London, Rutgers University Press, 131-157; Lorini A. (1999), *Rituals of race. American public culture and the search for racial democracy*, Charlottesville-London, University Press of Virginia.

knowledge, that is, anthropology, eugenics, biometrics, criminology, craniometry, and the study of evolutionary factors – all disciplines that seemed to ground social hierarchies on unquestionable truths, since they artificially based the typological differences justifying racial discrimination on undisputable (and therefore not morally debatable) pseudo-scientific data.⁷³ It is worth noting that the legal culture not only failed to oppose the clearly racist and illiberal drift of nationalist and WASP movements on constitutional grounds, but also went along with these orientations by transforming restrictionist tendencies and ethnic discrimination into legal rules and bending without resistance to the demands to ‘juridicise’ supposedly scientific inequalities. By adopting the racial formation paradigm,⁷⁴ immigration law revealed the inconsistencies of American liberalism⁷⁵ and emerged as a “dynamic site where ideas about race, immigration, citizenship, and nation were recast”.⁷⁶ The racialised formation of American national identity rested on the belief in racial hierarchy and the risk of the American race of being ‘swallowed up’ by the inferior race of immigrants,⁷⁷ and on the artificial

⁷³ See, e.g., Fairchild A.L. (2003), *Science at the Border. Immigrant medical Inspection and the Shaping of the Modern Industrial Labor Force*, Baltimore-London, The Johns Hopkins University Press; Blumenthal S.L. (2022), *Positivism’s humbugs: Criminology and its cranks in progressive America*, in Pifferi M. (ed.), *The Limits of Criminological Positivism. The Movement for Criminal Law Reform in the West, 1870-1940*, London-New York, Routledge, 196-230.

⁷⁴ Omi M., Winant H. (1994), *Racial formation in the United States. From the 1960s to the 1990s*, 2nd ed., New York-London, Routledge: racial formation is defined as a “sociohistorical process by which racial categories are created, inhabited, transformed, and destroyed” and as “a process of historically situated projects in which human bodies and social structures are represented and organized”. The idea of racial formation is linked “to the evolution of hegemony, the way in which society is organized and ruled” (at 55-56).

⁷⁵ See King D. (1999), *In the name of liberalism. Illiberal social policy in the United States and Britain*, Oxford, Oxford University Press, ch. 4, 97-134.

⁷⁶ Lee E. (2003), *At America’s gates. Chinese immigration during the exclusion era, 1882-1943*, Chapel Hill-London, The University of North Carolina Press, p. 7. See also Calavita K. (2000), *The Paradoxes of Race, Class, Identity, and ‘Passing’: Enforcing the Chinese Exclusion Acts, 1882-1910*, “Law & Social Inquiry”, 25, 1-40; Tichenor D.J. (2002), *Dividing Lines. The politics of immigration control in America*, Princeton, Princeton University Press, esp. 87-113.

⁷⁷ See Boies H.M. (1893), *Prisoners and Paupers. A Study of the Abnormal Increase of Criminals, and the Public Burden of Pauperism in the United States; the Causes and Remedies*, New York, G.P. Putnam’s Sons; Ross E.A. (1901), *The Causes of Race Superiority*, “The Annals of the American Academy of Political and Social Science”, 18, 67-89; Id. (1914), *The Old World in the New. The Significance of Past and Present Immigration to the American People*, New York, The Century Co.; Thompson W.S. (1917), *Race Suicide in the United States*, “The Scientific Monthly”, 5, 22-35; 154-165; 258-269.

creation of a particularly flexible and selective concept of whiteness,⁷⁸ which was applied by the courts relying on “the popular sense of the word” rather than on uncertain scientific meanings.⁷⁹

While mass migration shaped racialised processes of nation building in receiving countries, it also contributed to remodel the notion and the legal implications of national identity and citizenship in sending countries, e.g., by adopting *jus sanguinis* instead of *ius soli* as the criterion for the acquisition of citizenship, or by creating emigrant information bureaus to channel emigrants toward colonial territories.⁸⁰ The drafters of the 1888 Italian law on emigration rhetorically presented mass emigration as a means to strengthen Italian national identity also outside the territorial borders, as a process through which, in spite of inevitable departures and remoteness, the sense of belonging to the homeland is lent new vigour, and citizenship is not only not lost but rather strengthened.⁸¹ For a newly established nation like Italy, with vast areas still underdeveloped and a government incapable of offering short-term prospects for economic growth, emigration became not only a “safety valve for society”⁸² to decrease demographic pressure and levels of unemployment and poverty, but also an instrument

⁷⁸ See Jacobson M.F. (1998), *Whiteness of a Different Color. European Immigrants and the Alchemy of Race*, Cambridge-London, Harvard University Press; see also Fouka V., Mazumder S., Tabellini M. (2022), *From Immigrants to Americans: Race and Assimilation during the Great Migration*, “The Review of Economic Studies”, 89(2), 811–842, on how the assimilation of white immigrants was facilitated by black inflows from the US South after 1910 and how the perception of racial threats changed the comprehensiveness of the notion of whiteness.

⁷⁹ *U.S. v. Bhagat Singh Thind*, 261 US 204 (1923), 208-209. Similarly, see also *In re Saito* (Circuit Court, D. Massachusetts) 62 F. 126 (1894), 127-128; *In re Ah Yup* (Circuit Court, D. California), 1 F. Cas. 223 (1878), 223-224; *Takao Ozawa v. U.S.*, 260 US 178 (1922). On the legal exploitation of the notion of race with regard to immigration law, see Haney-Lopez I.F. (2006), *White by law: the legal construction of race*, New York-London, New York University Press; Pifferi M. (2012), *Ius peregrinandi e contraddizioni dell'età liberale. Qualche riflessione sulla 'falsa' libertà di migrare in Italia e negli Stati Uniti*, in Meccarelli M., Palchetti P., Sotis C. (eds.), *Ius peregrinandi: il fenomeno migratorio tra diritti fondamentali, esercizio della sovranità e regimi dell'esclusione*, Macerata, EUM, 263-273.

⁸⁰ See Gabaccia D.R., Hoerder D., Walaszek A. (2007), *Emigration and nation building during the mass migrations from Europe*, in Green N.L., Weil F. (eds.), *Citizenship and Those Who Leave. The Politics of Emigration and Expatriation*, Urbana and Chicago, University of Illinois Press, 63-90.

⁸¹ See Gabaccia D.R. (2000), *Italy's Many Diasporas*, Seattle, University of Washington Press.

⁸² These are Enrico Ferri's words in *Atti Parlamentari, Camera dei Deputati, Legislatura XVI, II sess., tornata del 5 dicembre 1888, Discussioni*, Roma, Tipografia della Camera dei Deputati, 1888, 5760.

of peaceful colonisation⁸³ and of expansion of a de-territorialised homeland, an Italianess abroad.⁸⁴

8. Conclusion: What was the real aim of migration law exceptionalism?

This chapter has suggested that many legal systems, when confronted with mass migration, introduced extraordinary measures to try to govern the numbers of arrivals and control their nation's borders. Sending and receiving countries adopted similar regulations or, at least, rules based on an analogous rationale, which emphasised state sovereignty over cross-border mobility. By comparing different countries, this chapter has identified four common features of migration law in the age of mass migration and has suggested that many of the current legal contradictions and loopholes in migration law have roots in late 19th century solutions and narratives.

All this leaves unanswered questions about the reasoning underpinning the special character of migration law and the wide tolerance towards it manifested by both courts and legal scholars, as well as questions about the real effectiveness of those exceptional measures. Then, as now, migration policies of receiving countries facing huge numbers of arrivals were basically driven by fear.⁸⁵ Fear of race suicide, fear of criminality, fear for the institutions and values of the receiving countries, fear of social dumping or unemployment among natives, fear of social conflicts, fear of losing welfare privileges, fear of anarchism, etc.: these sentiments bolstered demands for greater state control of mobility and borders among public opinion and politicians and fostered the coalescence of restrictionist interests.⁸⁶ Yet, such fears were mostly groundless and misleading. There was a gap be-

⁸³ Crispi F (1888), D.d.L. presentato dal Presidente del Consiglio, Ministro dell'Interno (Crispi). Sulla Emigrazione, in Atti Parlamentari, Camera dei Deputati, Legislatura XVI, II sess., seduta del 15 dicembre 1887, Documenti – Disegni di legge e relazioni, no. 85, Roma, Tipografia della Camera dei Deputati, 9.

⁸⁴ Cazzetta G. (2014), *Patria senza territorio? Emigrazione e retorica dello stato-nazione*, in AA.VV., *Studi in onore di Luigi Costato*, III, *I multiformi profili del giuridico*, Napoli, Jovene, 145-161.

⁸⁵ See, e.g., Ceretti A., Cornelli R. (2013), *Oltre la paura. Cinque riflessioni su criminalità, società e politica*, Milano, Feltrinelli; and Alesina A., Miano A., Stantcheva S. (2023), *Immigration and Redistribution*, "The Review of Economic Studies", 90 (1), 1-39 on the economic impact of the perception of immigrants.

⁸⁶ See Lucassen (2005), *The Immigrant Threat*; Pifferi M. (2019), *Paure dello straniero e controllo dei confini. Una prospettiva storico-giuridica*, "Quaderno di storia del penale e della giustizia", 1, 179-197.

tween the perceived negative impact of immigration and the real data that made the exceptional anti-immigration measures desirable and unquestioned, even though statistics and studies proved they were unnecessary and unjustified. As already mentioned, the Dillingham commission's report confuted the popular belief that more immigration corresponded to more criminality; nevertheless, securitarian arguments continued to be used to legitimise restrictive regulations. Tabellini has demonstrated that immigration in the United States between 1910 and 1920 increased natives' employment and occupational standing, and fostered industrial production and capital utilisation but, despite these economic benefits, it triggered hostile political reactions and anti-immigration laws which were motivated by cultural, rather than economic, considerations.⁸⁷ In a similar vein, Fitzpatrick's study shows that the expulsion of Poles was triggered by nationalistic sentiments instead of real economic concerns.

Baseless prejudices often brought about stricter borders control laws, whose effectiveness was in any case very limited. One need only consider the very low percentage of undesirable aliens actually rejected from the United States, or the very flexible and narrow judicial application of the 1905 Aliens Act in the United Kingdom. Mass migration was always considered problematic, dangerous, and destabilising: the fear it generated became the fuel of a political debate feeding on those anxieties and insecurities, as baseless as they might be. The law thrived on this contradiction: measures taken to restore security had to appear effective, though they might not be. Often inconsistent with the constitutional cluster of guarantees and freedoms, border control laws required fear to legitimise their derogatory, exceptional character, and the legal counterbalances to securitarian policies were in the past too weak, as they appear to be today.

⁸⁷ Tabellini M. (2020), *Gifts of the Immigrants, Woes of the Natives: Lessons from the Age of Mass Migration*, "The Review of Economic Studies", 87(1), 454-486.



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REFERENCES

- Abbate G. (2013), *Modelli di colonizzazione. Il dibattito in Italia dal 1864 al 1890*, “Le Carte e La Storia”, 1, 91-110.
- Abbott E. (1924), *Federal Immigration Policies, 1864-1924*, “The University Journal of Business”, 2 (2), 133-156.
- Abellán J.L. (ed.) (1976), *El exilio español de 1939*, I, *La emigración española*, Llorens Vicente, Madrid, Taurus.
- Agosti H.P. (1958), *Ingenieros ciudadano de la juventud*, Buenos Aires, Hemisferio.
- Aguirre Herráinz P. (2019), *Ya no hay vuelta atrás. El retorno desde el exilio republicano español (1939-1975)*, Madrid, Centro de Estudios Políticos y Constitucionales.
- Albera D., Corti P. (eds.) (2000), *La montagna mediterranea: una fabbrica d'uomini? Mobilità e migrazioni in una prospettiva comparata (secoli XV-XX)*, Cavalleremaggiore, Gribaudo.
- Alencastro L.F. (1988), *Proletários e escravos. Imigrantes portugueses e cativos africanos no Rio de Janeiro, 1850-1872*, “Novos Estudos”, 21, 30-56.
- Alesina A., Miano A., Stantcheva S. (2023), *Immigration and Redistribution*, “The Review of Economic Studies”, 90 (1), 1-39.
- Alessio G. (1901), *Atti parlamentari, Camera dei deputati, XXI Legislatura 1900, I sessione, Discussioni, tornata del 15 marzo, 1901*, 2503-2540.
- Alexander A. (2015), *A short history of international humanitarian law*, “European Journal of International Law”, 26, 109-138.
- Aliverti A. (2013), *Crimes of mobility: criminal law and the regulation of immigration*, London, Routledge.
- Alston P. (2012/2013), *Does the past matter? On the origins of human rights*, “Harvard Law Review”, 126, 2043-2081.
- Alted A. (2005), *La voz de los vencidos. El exilio republicano de 1939*, Madrid, Aguilar.
- Alvim Z.M.F. (1986), *Brava gente! Os italianos em São Paulo, 1870-1920*, São Paulo, Brasileira.
- Alvim Z.M.F. (1991), *Proletari anche nel commercio: italiani a San Paolo*, in Ostuni M.R. (ed.), *Studi sull'emigrazione. Un'analisi comparata*, Milano, Electa.
- Alvim Z.M.F. (2001), *Imigrantes: a vida privada dos pobres do campo*, in Novais F.A., Sevcenko N. (eds.), *História da vida privada no Brasil*, vol. III, São Paulo, Companhia das Letras.
- Aly-Belfadel A. (1899), *recensione a Proceso Etchegaray-Informe médico legal presentado por los doctores D. Cabred, L. Ayrragaray, A. Lagard*, “Archivio di psichiatria e antropologia criminale per servire allo studio dell'uomo alienato e delinquente”, XX, 611-612.
- Aly-Belfadel A. (1900), *recensione a Ricardo del Campo, La mostruosidad en la delinquencia*, “Archivio di psichiatria e antropologia criminale per servire allo studio dell'uomo alienato e delinquente”, XXI, 136.

- Aly-Belfadel A. (1902), *recensione* a José Ingenieros, *Peligros de la legislación penal contemporánea*, “Archivio di psichiatria e antropologia criminale per servire allo studio dell'uomo alienato e delinquente”, XXIII, 329-330.
- Amans C. (2013), *I giuristi italiani, il positivismo e la sua recezione nel diritto penale argentino*, in Masi Doria C., Cascione C. (eds.), *Tra Italia e Argentina. Tradizione romanistica e culture dei giuristi*, Napoli, Satura Editrice, 137-174.
- Ames Brown L. (1916), *Prohibition's Legislative Efforts*, “North American Review”, 204 (731), 589-593
- Amil A., Miceli C.M., Rojas Breu G. (2009), *Criterios psicológicos en registros formales de documentación: las historias criminológicas de la penitenciaría nacional*, I Congreso Internacional de Investigación y Práctica Profesional en Psicología XVI Jornadas de Investigación, Quinto Encuentro de Investigadores en Psicología del MERCOSUR, Buenos Aires, Facultad de Psicología – Universidad de Buenos Aires, 392-395, <https://www.aacademica.org/000-020/92>.
- Amorosa P. (2019), *Rewriting the history of the law of nations: how James Brown Scott made Francisco de Vitoria the founder of international law*, Oxford, Oxford University Press.
- Amorosi V. (2020), *Storie di giuristi e di emigranti tra Italia e Francia. Il diritto internazionale del lavoro di primo Novecento*, Napoli, Edizioni scientifiche italiane.
- Andersen L.M.F. (2013), *The Politics of Prohibition: American Governance and the Prohibition Party, 1869-1933*, New York, Cambridge University Press.
- Anghie A. (1990), *Vitoria and the Colonial Origin of International Law*, in Darian-Smith E., Fitzpatrick P. (eds.), *Laws of the Postcolonial*, Ann Arbor, University of Michigan Press, 89-107.
- Anghie A. (1996), *Francisco de Vitoria and the colonial origins of international law*, “Social and Legal Studies”, 5, 321-336.
- Anghie A. (2004), *Imperialism, Sovereignty and the Making of International Law*, Cambridge, Cambridge University Press.
- Annino A. (1974), *La politica migratoria dello Stato postunitario. Origini e controversie della legge 31 gennaio 1901*, “Il Ponte”, 30 (11/12), 1229-1268.
- Antonelli P. (1891), *Nell'Africa italiana*, “Nuova Antologia”, third series, 34 (13), July, 53-77.
- Aquarone A. (1989), *La ricerca di una politica coloniale. Speranze e delusioni fra politica e economia*, in Id., *Dopo Adua: Politica e amministrazione coloniale*, Roma, Ministero per i beni culturali e ambientali, 39-74.
- Archibugi D. (1993), *Immanuel Kant e il diritto cosmopolitico*, “Teoria politica”, 9 (2), 95-116.
- Ardila R. (2000), *Ingenieros, José (1877-1925)*, in Kasdin A.E. (ed.), *Encyclopedia of Psychology*, vol. 4, Washington D.C.-Oxford-New York, Oxford University Press, 299.
- Arendt H. (1943), *We Refugees*, “Menorah Journal”, 31, 69-77.
- Armus D. (1984), *Enfermedad, ambiente urbano e higiene social. Rosario entre fines del siglo XIX y comienzos del XX*, in Id. (ed.), *Sectores populares y vida urbana*, Buenos Aires, CLACSO.
- Armus D. (1985), *Mirando a los italianos. Algunas imágenes esbozadas por la elite en tiempos de la inmigración masiva*, in Devoto F., Rosoli G. (eds.), *La inmigración italiana en la Argentina*, Buenos Aires, Editorial Biblos, 94-104.
- Armus D. (2007), *La ciudad impura. Salud, tuberculosis y cultura en Buenos Aires, 1870-1950*, Buenos Aires, Edhasa.
- Armus D. (ed.) (1990), *Mundo urbano y cultura popular. Estudios de Historia Social Argentina*, Buenos Aires, CLACSO.
- Aron R. (1970), *Pace e Guerra tra le nazioni*, Milano, Edizioni di Comunità.

- Asbury H. (2008), *The Gangs of New York: An Informal History of the Underworld*, New York, Vintage.
- Ascari M. (2006), *L'emigrazione girovaga parmense a metà Ottocento (merciai, orsanti, organettisti)*, Centro Studi Valle del Ceno, Quaderno 13, Bardi.
- Ash M.G., Söllner A. (eds.) (1996), *Forced Migration and Scientific Change: Émigré German-Speaking Scientists and Scholars after 1933*, Cambridge, Cambridge University Press.
- Atti del I congresso Nazionale di Emigrazione Transoceanica (9-13 Giugno) Napoli, a cura del Segretariato di Emigrazione di Napoli* (1907), Napoli, Tip. Lit. Pelosi Pietro.
- Atzeri L. (2019), de Zulueta F. (1878-1958), *An Oxford Roman Lawyer between Totalitarianisms*, in Tuori K., Björklund H. (eds.), *Roman Law and the Idea of Europe: Europe's Legacy in the Modern World*, London-New York, Bloomsbury Publishing, 53-71.
- Augé M. (2007), *Tra i confini. Città, luoghi, integrazioni*, Milano, Mondadori.
- Augusti E. (2017), *Protezione, sicurezza, assistenza, solidarietà. Pratiche internazionali di controllo dello straniero in Europa tra Otto e Novecento*, in Augusti E., Morone A.M., Pifferi M. (eds.), *Il controllo dello straniero. I "campi" dall'Ottocento a oggi*, Roma, Viella, 53-80.
- Augusti E. (2022), *Migrare come abitare. Una storia del diritto internazionale in Europa tra XVI e XIX secolo*, Torino, Giappichelli.
- Azaña M. (2000), *Diarios completos*, Barcelona, Crítica.
- Babini V.P., Cotti M., Minuz F., Tagliavini A. (eds.) (1982), *Tra sapere e potere. La psichiatria italiana nella seconda metà dell'Ottocento*, Bologna, Mulino.
- Baccelli L. (2008), *Guerra e diritti. Vittoria, Las Casas e la conquista dell'America*, "Quaderni fiorentini per la storia del pensiero giuridico moderno", 37, 67-101.
- Bade K.J. (2001), *L'Europa in movimento: le migrazioni dal Settecento a oggi*, Roma, Laterza.
- Bader-Zaar, B. (2003), *Foreigners and the Law in Nineteenth-Century Austria: Juridical Concepts and Legal Rights in the Light of the Development of Citizenship*, in Fahrmeir A., Faron O., Weil P. (eds.), *Migration Control in the North Atlantic World: The Evolution of State Practices in Europe and the United States from the French Revolution to the Inter-War Period*, New York, Berghahn Books, 138-152.
- Bagú S. (1936), *Vida de José Ingenieros*, Buenos Aires, Claridad.
- Bahamonde Magro A., Cervera Gil J. (2000), *Así terminó la guerra de España*, Madrid, Marcial Pons Historia.
- Baiamonte J.V. Jr. (1992), 'Who Killa de Chief Revisited: The Hennessy Assassination and Its Aftermath, 1890-1991', "Louisiana History", 33 (2), 117-146.
- Baily S.L. (1999), *Immigrants in the Lands of the Promises: Italians in Buenos Aires and New York City, 1870 to 1914*, Ithaca, Cornell University Press.
- Balbi D. (1905), *I sindacati industriali e commerciali e l'azione dello Stato: per un ordinamento legislativo dei sindacati industriali e commerciali*, Brescia, G. Cittadini.
- Balibar È. (2004), *Noi cittadini d'Europa? Le frontiere, lo Stato, il popolo*, Roma, Manifestolibri.
- Balibar È. (2019), *Il fantasma del corpo estraneo. Per un diritto internazionale dell'ospitalità*, Roma, Lit.
- Ballarini F. (1878), *Di una legge per l'emigrazione: ricordo agli emigrati*, Roma, Tipografia del Senato.
- Ballestrero M.V. (1978), *Tre proposte ottocentesche per la disciplina legale del lavoro dei fanciulli*, "Materiali per una storia della cultura giuridica", 8 (2), 217-272.
- Barone G. (2013), voce *Nitti, Francesco Saverio*, in *Dizionario Biografico degli Italiani*, 78, https://www.treccani.it/enciclopedia/francesco-saverio-nitti_%28Dizionario-Biografico%29/.

- Barrow T. (1967), *Trade and Empire. The British Customs Service in Colonial America, 1660-1775*, Cambridge, Harvard University Press.
- Bartocci E., Cotesta V. (eds.) (1999), *L'identità italiana. Emigrazione, immigrazione, conflitti etnici*, Roma, EL.
- Bashford A., McAdam J. (2014), *The Right to Asylum: Britain's 1905 Aliens Act and the Evolution of Refugee Law*, "Law and History Review", 32, 309-350.
- Basso G. (1903), *I cantoni francesi della Svizzera e le loro colonie italiane*, "Bollettino dell'emigrazione", 11, 39-50.
- Beatson J., Zimmermann R. (eds.) (2004), *Jurists Uprooted: German-speaking Émigré Lawyers in Twentieth-century Britain*, Oxford, Oxford University Press.
- Becker P. (2010), *Governance of Migration in the Habsburg Monarchy and the Republic of Austria*, in Arnold P.E. (ed.), *National Approaches to the Administration of International Migration*, Amsterdam, IOS Press, 32-52.
- Belbey J. (1950), *Antonio Ballvé, un precursor del moderno tratamiento de los delincuentes*, "Archivos de Medicina Legal", XIX, 51-72.
- Bell D. (1953), *Crime as an American Way of Life*, "The Antioch Review", 13 (2), 131-154.
- Bell D. (2001), *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties*, Cambridge, Harvard University Press.
- Belmartino S., Bloch C., Persello A.V., Carnini M.I. (1988), *Corporación médica y poder en salud. Argentina, 1920-1945*, Buenos Aires, OPS.
- Beneyto J.M., Román Vaca C. (eds.) (2015), *New Perspectives on Francisco de Vitoria: Does International Law lie at the heart of the origin of the modern world?*, Madrid, Fundación Universitaria San Pablo CEU.
- Benhabib S. (2006), *I diritti degli altri. Stranieri, residenti, cittadini*, Milano, Raffaello Cortina Editore.
- Benhabib S. (2018), *Exile, Statelessness, and Migration: Playing Chess with History from Hannah Arendt to Isaiah Berlin*, Princeton, Princeton University Press.
- Benton L. (2010), *A Search for Sovereignty. Law and Geography in European Empires, 1400-1900*, Cambridge-New York, Cambridge University Press
- Benton-Cohen K. (2018), *Inventing the Immigration Problem. The Dillingham Commission and Its Legacy*, Cambridge-London, Harvard University Press.
- Berle A.A. Jr. (1916-1917), *The Expansion of American Administrative Law*, "Harvard Law Review", 30 (5), 430-448.
- Bermann G. (1926), *José Ingenieros, el Civilizador, el Filósofo, el Moralista: Lo que le debe Nuestra Generación*, Buenos Aires, M. Gleizer Editor.
- Bernardy A.A. (1913), *Italia Randagia attraverso gli Stati Uniti*, Torino, Fratelli Bocca.
- Bernstein D.E. (2003), *Lochner's Legacy's Legacy*, "Texas Law Review", 82 (1), 1-64.
- Berré A. (2016), *Tra rimozione storica e trasposizione letteraria: Lombroso come personaggio in alcuni romanzi contemporanei*, "Altre Modernità", 15, 38-55, riviste.unimi.it/index.php/AMonline/article/viewFile/7173/6970.
- Bertinelli R. (1983), *La presenza italiana in Cina dal 1900 al 1905*, "Rivista degli studi orientali", 57, 185-229.
- Bertinelli R. (1984), *Note sulla presenza economica italiana in Cina dal 1900 al 1902*, in *Atti della Accademia Nazionale dei Lincei, Rendiconti della Classe di Scienze Morali, Storiche e Filologiche*, XXXIX, 5-6, Roma, Bardi, 198-214.
- Bertonha J.F. (2001), *Emigrazione e politica estera: la "diplomazia sovversiva" di Mussolini e la questione degli italiani all'estero, 1922-1945*, "Altreitalie", 23, 39-61.
- Bessner D. (2018), *Democracy in Exile: Hans Speier and the Rise of the Defense Intellectual*, Ithaca-London, Cornell University Press.
- Bethge E., Ronald C.D.J. (eds.) (1974), *An der Schwelle zum gespaltenen Europa: der*

- Briefwechsel zwischen George Bell u. Gerhard Leibholz, 1939-1951*, Stuttgart, Kreuz-Verlag.
- Bevilacqua P. (2001), *Società rurale e emigrazione*, in Id., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, *Partenze*, Roma, Donzelli, 95-112.
- Bevilacqua P., De Clementi A., Franzina E. (eds.) (2001), *Storia dell'emigrazione italiana*, 2 voll., Roma, Donzelli.
- Bezza B. (1983), *Gli italiani fuori d'Italia. Gli emigrati italiani nei movimenti operai dei paesi d'adozione, 1880-1940*, Milano, Franco Angeli.
- Bhatia V. K., Candlin C. N., Engberg J. (eds.), *Legal Discourse across Cultures and Systems*, Hong Kong, Hong Kong University Press.
- Biagini H. (ed.) (1985), *El movimiento positivista argentino*, Buenos Aires, Editorial del Belgrano.
- Bianchi B. (2000), *Ragazzi per il mondo. L'emigrazione minorile dall'Unità alla Prima Guerra Mondiale*, in Id., Lotto A. (eds.), *Lavoro ed emigrazione minorile dall'Unità alla Grande Guerra*, Venezia, Ateneo Veneto.
- Bianchi B. (2001), *Lavoro ed emigrazione femminile 1880-1914*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, *Partenze*, Roma, Donzelli, 257-274.
- Bianchi B. (2001), *Percorsi dell'emigrazione minorile*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, *Partenze*, Roma, Donzelli.
- Bianchi B., Lotto A. (eds.) (2000), *Lavoro ed emigrazione minorile dall'Unità alla Grande Guerra*, Venezia, Ateneo Veneto.
- Bianchi F. (1881), *Un quesito sull'art. 3 del Codice civile italiano*, Siena, Bargellini.
- Birks P. (2004), *Roman Law in Twentieth-century Britain*, in Beatson J., Zimmermann R. (eds.) (2004), *Jurists Uprooted: German-speaking Émigré Lawyers in Twentieth-century Britain*, Oxford, Oxford University Press, 249-268.
- Bissolati L. (1900), *Atti parlamentari, Camera dei deputati, XXI Legislatura 1900, I sessione, Discussioni, tornata del 1° dicembre, 1900*, 783-834.
- Blackey R.G., Gettings B. (1980), *Racketeer Influenced and Corrupt Organizations (RICO): Basic Concepts – Criminal and Civil Remedies*, "Temple Law Quarterly", 53, 1009-1048.
- Blengino V. (1990), *Oltre l'Oceano*, Roma, Edizioni Associate.
- Blengino V. (2005), *La Babele nella pampa*, Parma, Diabasis.
- Blumenthal S.L. (2022), *Positivism's humbugs: Criminology and its cranks in progressive America*, in Pifferi M. (ed.), *The Limits of Criminological Positivism. The Movement for Criminal Law Reform in the West, 1870-1940*, London-New York, Routledge, 196-230.
- Bluntschli J.C. (1895), *Le droit international codifié*, Paris, Guillaumin.
- Boccardo G. (1857), *Dizionario dell'economia politica e del commercio*, Torino, Sebastiano Franco e Figli e Comp. Editori.
- Boccardo G. (1864), *Le colonie e l'Italia*, Torino, Tipografia scolastica di Seb. Franco e figli.
- Boccardo G. (1874), *L'emigrazione e le colonie*, "Nuova Antologia", 27 (11), November, 621-650.
- Bodenheimer R. (2016), *Edgar and Brigitte: A German Jewish Passage to America*, Tuscaloosa, University Alabama Press.
- Bodio L. (1894), *Sulle condizioni della emigrazione italiana e sulle istituzioni di patronato degli emigranti*, Roma, Tipografia nazionale G. Bertero.
- Boies H.M. (1893), *Prisoners and Paupers. A Study of the Abnormal Increase of Criminals, and the Public Burden of Pauperism in the United States; the Causes and Remedies*, New York, G.P. Putnam's Sons.

- Bonifazi C. (2013), *L'Italia delle migrazioni*, Bologna, Il Mulino.
- Borges J.L. (1972), *Sobre el culto de Hernández*, in VV.AA., *Martin Fierro/72*, Buenos Aires, Insituto salesiano de artes graficas, 42-43.
- Borges M.J., Hsu M.Y. (eds.) (2023), *The Cambridge History of Global Migrations*, 2 vols., Cambridge, Cambridge University Press.
- Boson V.H.C. (2016), *Pluralismo normativo e relações laborais na época moderna: para uma compreensão a partir da noção extensa de família*, Master's diss., Minas Gerais, Universidade Federal de Minas Gerais.
- Bosworth M. (2013), *Can Immigration Detention Centres be Legitimate? Understanding Confinement in a Global World*, in Franko Aas K., Bowsorth M. (eds.), *The Borders of Punishment. Migration, Citizenship and Social Exclusion*, Oxford, Oxford University Press, 149-165.
- Bosworth M. (2014), *Inside Immigration Detention*, Oxford, Oxford University Press.
- Bosworth M. (2016), *Border Criminologies: How migration is changing criminal justice*, in Bosworth M., Hoyle C., Zedner L. (eds.), *Changing Contours of Criminal Justice*, Oxford, Oxford University Press, 213-226.
- Botein B. (1979), *The Hennessy Case: An Episode in Anti-Italian Nativism*, "Louisiana History", 20 (3), 261-279.
- Bottoni A. (1877), *Bombay*, "Nuova Antologia", second series, 5 (5), May, 147-189.
- Bottoni A. (1878), *I nostri commerci coll'estremo Oriente*, "Rivista Europea-Rivista internazionale", 10 (2), November, 257-292.
- Branchi G. (1872), *Il sistema coloniale inglese studiato da un italiano in Australia*, "Nuova Antologia", 29 (1), January, 147-169.
- Breunung L., Walther M. (2012), *Die Emigration deutscher Rechtswissenschaftler ab 1933*, vol. 1, Gottingen, De Gruyter Saur.
- Brown A.L. (1916), *Prohibition's Legislative Efforts*, "North American Review", 204 (731), 589-593.
- Browning A. (1966), *English historical documents*, vol. 8, 1660-1714, London, Eyre & Spottiswoode, 533-537.
- Brunialti A. (1879), *L'Inghilterra nell'Africa australe*, "Nuova Antologia", second series, 14 (7), April, 486-520.
- Brunialti A. (1882), *Assab. La prima colonia italiana*, "Nuova Antologia", second series, 34 (13), July, 124-146.
- Brunialti A. (1883), *La questione dei possedimenti coloniali. La Gran Bretagna*, "Nuova Antologia", second series, 40 (16), 651-666.
- Brunialti A. (1883), *La questione dei possedimenti coloniali. Le nuove potenze coloniali e gli interessi italiani*, "Nuova Antologia", second series, 41 (18), 305-326.
- Brunialti A. (1897), *Le colonie degli italiani*, Torino, Unione Tipografico-Editrice.
- Brutti M., Somma A. (eds.) (2018), *Diritto: Storia e comparazione: nuovi propositi per un binomio antico*, Frankfurt am Main, Max Planck Institute for European Legal History.
- Bulferetti L. (1975), *Cesare Lombroso*, Torino, Utet.
- Bull H. (2005), *La società anarchica. L'ordine nella politica mondiale [1977]*, Milano, Vita e pensiero.
- Burke P. (2017), *Exiles and Expatriates in the History of Knowledge 1500-2000*, Waltham, Brandeis University Press.
- Burrow J.W. (1992), *Holmes in His Intellectual Milieu*, in Gordon R.W. (ed.), *The Legacy of Oliver Wendell Holmes, Jr*, Edinburgh, Edinburgh University Press, 17-30.
- Buttafuoco A. (1988), *Le Mariuccine. Storia di una istituzione laica. L'Asilo Mariuccia*, Milano, Franco Angeli.

- Caestecker F. (2000), *Alien policy in Belgium, 1840-1940: the Creation of Guest Workers, Refugees and Illegal Aliens*, New York, Berghahn Books.
- Cafiero U. (1901), *La tratta dei fanciulli italiani*, "La Riforma sociale", 11, 568-591.
- Caimari L. (2009), *La ricezione dell'antropologia criminale nel mondo – L'America latina*, in Montaldo S., Tappero P. (eds.), *Cesare Lombroso cento anni dopo*, Torino, Utet, 193-202.
- Calamandrei P. (1968), *Il significato costituzionale delle giurisdizioni di equità*, in Capelletti M. (ed.), *Opere giuridiche*, vol. III, *Presentazione di C. Mortati*, Napoli, Morano, 3-51.
- Calavita K. (1981), *United States Immigration Law and the Control of American Labor*, "Contemporary Crises", 5(4), 341-368.
- Calavita K. (2000), *The Paradoxes of Race, Class, Identity, and 'Passing': Enforcing the Chinese Exclusion Acts, 1882-1910*, "Law & Social Inquiry", 25, 1-40.
- Cambi F., Ulivieri S. (1988), *Storia dell'infanzia nell'età liberale*, Firenze, La Nuova Italia.
- Camera di Commercio e Industria di Napoli. Ufficio statistica (1911), *Rilievi statistici sul Movimento del Porto di Napoli 1901-1910*, Napoli, Tip. Pasquale Buccico.
- Campesi G. (2013), *La detenzione amministrativa degli stranieri. Storia, diritto, politica*, Roma, Carocci.
- Camurri R. (2014), *The Exile Experience Reconsidered: A Comparative Perspective in European Cultural Migration during the Interwar Period*, "Transatlantica", 1, <http://journals.openedition.org/transatlantica/6920>.
- Canetti E. (1981), *Massa e potere* [1960], Milano, Adelphi.
- Cannistraro P.V., Rosoli G.F. (1979), *Emigrazione, Chiesa e fascismo: lo scioglimento dell'Opera Bonomelli*, Roma, Studium.
- Canosa R. (1991), *Storia della criminalità in Italia 1845-1945*, Torino, Einaudi.
- Cappellini P., Cazzetta G. (eds.) (2023), *Pluralismo giuridico. Itinerari contemporanei*, Milano, Giuffrè.
- Capps P., Rivers J. (2010), *Kant's Concept of International Law*, "Legal Theory", 16 (4), 229-257.
- Caravale M. (1983), voce *Contuzzi, Francesco Paolo*, in *Dizionario Biografico degli Italiani*, 28, [https://www.treccani.it/enciclopedia/francesco-paolo-contuzzi_\(Dizionario-Biografico\)/](https://www.treccani.it/enciclopedia/francesco-paolo-contuzzi_(Dizionario-Biografico)/).
- Carpi L. (1878), *Statistica dell'emigrazione italiana nel 1874-76*, Roma, Tipografia del popolo romano.
- Carrera A. (2019), *The ius migrandi in the legal doctrine of Emer de Vattel*, "Revista De Investigación De La Cátedra Internacional Conjunta Inocencio III", 1(8), 19-44.
- Carta M. (ed.) (2009), *Immigrazione, frontiere esterne e diritti umani. Profili internazionali, europei ed interni*, Roma, Teseo Editore.
- Casanova L. (1858), *Del Diritto Internazionale. Lezioni del prof. Ludovico Casanova adunate dall'avv. Cesare Casabella*, Genova, Stabilimento Tipografico Ludovico Lavagnino.
- Cassola C. (1905), *Sindacati industriali (cartelli, pools, trusts)*, Bari, Gius. LaTerza & Figli.
- Castillo Gomez A., Sierra Blas V. (eds.) (2007), *El legado de Mnemosyne: las escrituras del yo a través del tiempo*, Gijón, Ediciones Trea.
- Catellani E. (1885), *Le colonie e la conferenza di Berlino*, Torino, Unione Tipografico-Editrice.
- Catellani E. (1912), *La penetrazione straniera in Estremo Oriente. Sue forme giuridiche ed economiche*, Firenze, Barbera.
- Catellani E. (1935), *La dottrina italiana del diritto internazionale nel secolo XIX*, Roma, Anonima Romana Editoriale.
- Cavallar G. (2002), *The Rights of Strangers: Theories of International Hospitality, the Global Community, and Political Justice since Vitoria*, Aldershot, Ashgate.

- Cavallar G. (2008), *Vitoria, Grotius, Putendorf, Wolff and Vattel: Accomplices of European Colonialism and Exploitation or True Cosmopolitans?*, "Journal of the History of International Law", 10, 181-209.
- Cazemajou J. (ed.) (1986), *L'immigration européenne aux États-Unis: 1880-1910*, Bordeaux, Presses Universitaires.
- Cazzetta G. (2004-2005), *Predestinazione geografica e colonie degli europei. Il contributo di Attilio Brunialti*, "Quaderni fiorentini", 33-34, 115-168.
- Cazzetta G. (2014), *Patria senza territorio? Emigrazione e retorica dello Stato-Nazione*, in VV.AA., *Studi in onore di Luigi Costato*, III. *I multiformi profili del giuridico*, Napoli, Jovene, 145-161.
- Cazzetta G. (2018), *Codice civile e identità giuridica nazionale. Percorsi e appunti per una storia delle codificazioni moderne*, Torino, Giappichelli.
- Ceretti A., Cornelli R. (2013), *Oltre la paura. Cinque riflessioni su criminalità, società e politica*, Milano, Feltrinelli.
- Cerruti G.E. (1872), *La questione delle colonie considerata in rapporto alle attuali condizioni dell'Italia*, Torino, Stamperia Gazzetta del Popolo.
- Cerruti G.E. (1874), *La Melanesia-Polinese*, "Nuova Antologia", 25 (2), February, 466-474.
- Cerruti L. (1861-1862), *Cenni statistici sull'industria e sul commercio nel distretto consolare di Parigi*, "Bollettino Consolare", 582-585
- Cesari C. (1937), *La concessione italiana di Tien Tsin*, Roma, Istituto coloniale fascista.
- Cetti L. (1984), *Donne italiane a New York e il lavoro a domicilio (1910-1925)*, "Movimento Operaio e Socialista", 3 (VII), 291-303.
- Chacón J.M. (2022), *Criminal Law & Migration Control: Recent History & Future Possibilities*, "Dædalus, the Journal of the American Academy of Arts & Sciences", 151 (1), 121-134.
- Chalhoub S. (2003), *Machado de Assis, historiador*, São Paulo, Companhia das Letras.
- Chan S. (ed.) (1991), *Entry Denied: Exclusion and the Chinese Community in America, 1882-1943*, Philadelphia, Temple University Press.
- Chandler DuPont A. Jr (1990), *Scale and Scope: The dynamics of Industrial Capitalism*, Cambridge, Harvard University Press.
- Chetail V. (2016), *Sovereignty and Migration in the Doctrine of the Law of Nations: An Intellectual History of Hospitality from Vitoria to Vattel*, "The European Journal of International Law", 27 (4), 901-922.
- Chetail V. (2019), *International Migration Law*, Oxford, Oxford University Press.
- Chiovenda G. (1965), *Principii di diritto processuale civile. Le azioni. Il processo di cognizione*, III ed., Napoli, Jovene.
- Chomsky A. (2014), *Undocumented. How Immigration Became Illegal*, Boston, Beacon Press.
- Cimbali E. (1897), *Dello stato presente del diritto internazionale e dei suoi futuri progressi*, Roma, Fratelli Bocca.
- Cipelli B. (1875), *Questione: Se lo straniero possa prendere residenza...*, "La Legge. Monitoro giudiziario ed amministrativo del Regno d'Italia", 15, 247-253.
- Ciuffoletti Z. (1978), *Sfruttamento della manodopera infantile italiana in Francia alla fine del secolo XIX*, in Duroselle J.B., Serra E. (eds.), *L'emigrazione italiana in Francia prima del 1914*, Milano, Franco Angeli.
- Ciuffoletti Z., Dell'Innocenti M. (1978), *L'emigrazione nella storia d'Italia (1868-1975), Storia e documenti*, Firenze, Vallecchi.
- Claghorn K.H. (1917-1918), *Crime and Immigration*, "Journal of the American Institute of Criminal Law and Criminology", 8, 688-690.
- Clapham A. (2013), *Human Rights Obligations of Non-state Actors*, Cheltenham, Edward Elgar Publishing.

- Clark N.H. (1976), *Deliver Us from Evil: An Interpretation of American Prohibition*, New York-London, Norton & Company.
- Coco O. (2017), *Colonialismo europeo in Estremo Oriente. L'esperienza delle concessioni territoriali in Cina*, Roma, Edizioni nuova cultura.
- Coco O. (2020), *Sino-Italian relations told through the archive's papers of the Banca Italiana per la Cina (1919–1943)*, "Journal of Modern Italian Studies", 25 (3), 318-346.
- Colao F. (2001), *L'idea di nazione nei giuristi italiani tra Otto e Novecento*, "Quaderni Fiorentini", 30, 255-360.
- Colin M. (1990), *L'émigration des enfants italiens en France aux XIX^e et XX^e siècles entre la littérature et l'histoire*, in Vegliante J.C. (ed.), *Gli italiani all'estero, autres passages*, Paris, Sorbonne Nouvelle.
- Collins L. (2004), *F.A. Mann (1907-1991)*, in Beatson J., Zimmermann R. (eds.), *Jurists Uprooted: German-speaking Émigré Lawyers in Twentieth-century Britain*, Oxford, Oxford University Press, 381-440.
- Colucci M., Nani M. (eds.) (2015), *Lavoro mobile. Migranti, organizzazioni, conflitti (XVIII-XX secolo)*, Palermo, New digital frontiers.
- Commissariato Generale dell'Emigrazione (1925), *L'emigrazione italiana. Il Commissariato Generale dell'Emigrazione (origini funzioni attività)*, no. 2, Roma, Società anonima italiana industrie grafiche.
- Confalonieri A. (1979), *Banca e industria in Italia (1894-1906)*, vol. 2, *Il sistema bancario tra le due crisi*, Bologna, Il Mulino.
- Consorzio per la difesa dell'emigrazione temporanea in Europa (1905), *Relazione del lavoro del 1° semestre 1905*, Milano, Tipografia degli Operai.
- Consorzio per la difesa dell'emigrazione temporanea in Europa (1907), *Relazione del 2° semestre 1905 e dell'anno 1906*, Milano, Tipografia degli Operai.
- Consorzio per la tutela dell'emigrazione temporanea in Europa (1905), *Guida dell'emigrante italiano in Francia*, Milano, Tipografia degli Operai.
- Contuzzi F.P. (1882), *Del nuovo indirizzo scientifico e pratico del Diritto internazionale. Poluzione al corso d'insegnamento pronunziata nella R. Università di Macerata nel dì 13 Novembre 1881*, Napoli, Stabilimento Tipografico A. Perrotti.
- Contuzzi F.P. (1895-1898), voce *Emigrazione*, in *Digesto italiano*, X, Torino, Unione Tipografico Editrice Torinese, 346-400.
- Contuzzi F.P. (1907), *I Congresso di Emigrazione Transoceanica, La protezione internazionale degli emigranti, Proposte presentate all'ufficio di presidenza nella tornata del 13 giugno 1907*, Napoli, R. Tipografia Francesco Giannini & figli.
- Cook Wheeler W. (1907), *What Is the Police Power?*, "Columbia Law Review", 7 (5), 322-336.
- Coppini R.P. (2017), *L'inchiesta Jacini*, in Manica G. (ed.), *Le inchieste agrarie in età liberale. Atti del convegno*, I Georgofili, Quaderni, I, Firenze, Edizioni Polistampa, 41-59.
- Corradini A.M. (2013), *L'omicidio di Joe Petrosino. Misteri e rivelazioni*, Acireale, Bionanno.
- Corti P., Sanfilippo M. (eds.) (2009), *Storia d'Italia, Annali 24: Migrazioni*, Torino, Einaudi.
- Corti P., Sanfilippo M. (2012), *L'Italia e le migrazioni*, Roma-Bari, Laterza.
- Cosattini G. (1904), *L'emigrazione temporanea del Friuli*, "Bollettino dell'emigrazione", 3, 4-104.
- Cosmacini G. (1980), *Problemi medico-biologici e concezione materialistica*, Annali della Storia d'Italia, 3, Torino, Einaudi, 815-867.
- Cosmo G. (1954), *Italian emigration movements up to 1940*, "Banca Nazionale del Lavoro Quarterly Review", 28/29, 70-86.

- Costa P. (2002), *Civitas. Storia della cittadinanza in Europa*, 3, *La civiltà liberale*, Bari, Laterza.
- Costa P. (2004-2005), *Il fardello della civilizzazione. Metamorfosi della sovranità nella giuscolonialistica italiana*, “Quaderni fiorentini”, 33-34, 169-257.
- Costa P. (2021), *Il ‘pluralismo’ politico-giuridico: una mappa storico-concettuale*, “Quaderni fiorentini per la storia del pensiero giuridico moderno”, 50, 1, 29-118.
- Covell C. (1998), *Kant and the Law of Peace. A Study in the Philosophy of International Law and International Relations*, London, Macmillan Press.
- Crawford S., Ulmschneider K., Elsner J. (2017), *Ark of Civilization: Refugee Scholars and Oxford University, 1930-1945*, Oxford, Oxford University Press.
- Creasy E.S. (1876), *First Platform of International Law*, London, John Van Voorst.
- Creazzo G. (2007), *El positivismo criminológico italiano en la Argentina*, Buenos Aires, Edae.
- Crispi F. (1888), *D.d.L. presentato dal Presidente del Consiglio, Ministro dell'Interno (Crispi). Sulla Emigrazione*, in *Atti Parlamentari, Camera dei Deputati, Legislatura XVI, II sess., seduta del 15 dicembre 1887*, Documenti – Disegni di legge e relazioni, no. 85, Roma, Tipografia della Camera dei Deputati.
- Critchley D. (2009), *The Origin of Organized Crime in America: The New York City Mafia, 1891-1931*, New York, Routledge.
- Cufino L. (1907), *Il primo Congresso di Emigrazione transoceanica*, “La Rassegna italiana industriale, agraria, commerciale, finanziaria, politica, letteraria, artistica”, 15 (6), 67-77.
- Czitrom D. (1991), *Underworlds and Underdogs: Big Tim Sullivan and Metropolitan Politics in New York, 1889-1913*, “Journal of American History”, 78 (2), 536-558.
- D’Amato G. (1908), *The ‘Black Hand’ Myth*, “North American Review”, 187 (629), 543-549.
- d’Aquino T. (2000), *In Octo Libros Politicorum Aristotelis Expositio*, L. 1, lectio I, no. 37, Bologna, Marietti.
- Dal Lago A. (2012), *Non-persone. L’esclusione dei migranti in una società globale*, Milano, Feltrinelli.
- Dal Pane L. (1958), *Storia del lavoro in Italia dagli inizi del secolo XVIII al 1815*, Milano, Giuffrè.
- Dalla Corte G. (1996), *Discusión sobre la influencia de la corriente criminológica positivista en el discurso penal argentino*, “Gimbernat: revista catalana d’història de la medicina i de la ciència”, 26, 157-169.
- Daniele V. (2021), *L’emigrazione italiana dall’Unità ad oggi. Un quadro d’insieme*, in Sinesi L. (ed.), *Emigrazioni e immigrazioni. Una sfida della storia e della contemporaneità*, Pisa, Pacini Giuridica, 51-74.
- Daniels R. (2004), *Guarding the Golden Door: American Immigration Policy and Immigrants since 1882*, New York, Hill and Wang.
- Darwin J. (2010), *The Empire Project. The Rise and Fall of the British World System 1830-1970*, Cambridge, Cambridge University Press.
- Dash M. (2009), *Satan’s Circus: Murder, Vice, Police Corruption and New York’s Trial of the Century*, London, Granta Books.
- Dash M. (2009), *The First Family: Terror, Extortion, Revenge, Murder, and the Birth of the American Mafia*, New York, Random House.
- Davatz T. (1980), *Memórias de um colono no Brasil*, São Paulo, Ed. da USP.
- Davis J.A. (1989), *Legge e ordine: autorità e conflitti nell’Italia dell’800*, Milano, FrancoAngeli.
- De Angeli A. (2010), *Italian Land Auctions in Tianjin: Italian Colonialism in Early Twentieth-Century China*, “Journal of Modern Italian Studies”, 15 (4), 557-572.

- De Bernardi A. (ed.) (1982), *Follia, psichiatria e società*, Milano, FrancoAngeli.
- De Ceglia F.P., De Cristofaro E., Montaldo S. (eds.) (2023), *Lombroso e il Sud*, Roma, Donzelli.
- De Clementi A. (1999), *Di qua e di là dell'oceano. Emigrazione e mercati nel Meridione (1860-1930)*, Roma, Carocci Editore.
- De Clementi A. (2009), *La "grande emigrazione": dalle origini alla chiusura degli sbocchi americani*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, Partenze, Roma, Donzelli.
- De Courten L. (1978), *L'amministrazione coloniale del Benadir. Dalle compagnie commerciali alla gestione statale (1899-1914)*, "Storia contemporanea", 9, 115-154.
- De Courten L. (1989), *La politica mercantile italiana nella politica di espansione (1860-1914)*, Roma, Bulzoni Editore.
- De Courten L. (2005), *Le regie truppe in Estremo Oriente. 1900-1901*, Roma, Stato Maggiore dell'Esercito.
- De Cristofaro E. (2023), *La mafia negli studi lombrosiani*, in De Ceglia F.P., De Cristofaro E., Montaldo S. (eds.), *Lombroso e il Sud*, Roma, Donzelli, 177-202.
- De Fort E. (1995), *Scuola e analfabetismo nell'Italia del '900*, Bologna, Il Mulino.
- De Leo G. (ed.) (1989), *Lo psicologo criminologo: la psicologia clinica nella giustizia penale*, Milano, Giuffrè.
- De Michelis G. (1903), *L'emigrazione italiana nella Svizzera*, "Bollettino dell'emigrazione", 12, 3-152.
- De Michelis G. (1905), *Rapporto del R. Addetto per l'emigrazione*, "Bollettino dell'emigrazione", 18, 3-17.
- De Michelis G. (1908), *Regio Ufficio della Emigrazione italiana nella Svizzera. L'opera compiuta dall'aprile del 1907 all'aprile del 1908*, "Bollettino dell'emigrazione", 10, 51-92.
- De Michelis G. (1926), *L'emigrazione italiana negli anni 1924 e 1925, Relazione sui servizi dell'emigrazione presentata al Commissario generale*, Roma, Stabilimento cromo-tipografico ditta C. Colombo.
- De Michelis G. (1927), *La tutela giuridica dell'emigrante italiano. Raccolta della giurisprudenza della Commissione centrale presso il Commissariato generale dell'emigrazione con note di diritto emigratorio*, Roma, Tip. Camera dei Deputati.
- De Napoli O. (2014), *Tra progresso del diritto e turn to empire. Il percorso dei giuristi italiani di fronte al colonialismo da Mancini all'età giolittiana*, "Italia contemporanea", 274, April, 7-41.
- De Vitoria F. (1967), *Relectio de Indis [1538]*, Madrid, Consejo Superior de Investigación Científica (CSIC).
- De Vitoria F. (1996), *Relectio De Indis. La questione degli Indios*, ed. by A. Lamacchia, Bari, Levante.
- De Zerbi R. (1887-1888), *Relazione al d.d.l. Crispi*, in *Atti Parlamentari. Camera dei Deputati. Legislatura XVI, II sess. 1887-88, Documenti – Disegni di legge e relazioni, no. 85-A, Relazione della Commissione. Sulla emigrazione*, 7-8.
- Del Brutto B. (2000), *José Ingenieros, de La Montaña a la sociología de la simulación*, in González H. (ed.), *Historia Crítica de la Sociología Argentina: Los Raros, Los Clásicos, Los Científicos, Los Discrepantes*, Buenos Aires, Colihue, 141-160.
- Del Olmo R. (1981), *América latina y su criminología*, México D.F., Siglo Veintiuno Editores.
- Del Olmo R. (1992), *Criminología argentina. Apuntes para su reconstrucción histórica*, Buenos Aires, Depalma.
- Denitto A.L. (2017), *Le Inchieste Bonfadini e Franchetti-Sonnino. La Sicilia e la costruzione dello Stato Nazionale*, in Manica G. (ed.), *Le inchieste agrarie in età liberale. Atti del convegno*, I Georgofili, Quaderni, I, Firenze, Edizioni Polistampa, 25-40.

- Derrida J. (1997), *Cosmopoliti di tutti i paesi, ancora uno sforzo!*, Napoli, Cronopio.
- Derrida J. (2001), *On Cosmopolitanism and Forgiveness*, London, Routledge.
- Devoto F. (2001), In *Argentina*, in Bevilacqua P., De Clementi P., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. II, *Arrivi*, Roma, Donzelli.
- Di Bello G., Nuti V. (2001), *Soli per il mondo. Bambini e bambine emigranti tra Otto e Novecento*, Milano, Unicopli.
- Di Cesare D. (2017), *Stranieri residenti. Una filosofia della migrazione*, Torino, Bollati Boringhieri.
- Di Fiore L., Meriggi M. (eds.) (2013), *Movimenti e confini. Spazi mobili dell'Italia preunitaria*, Roma, Viella.
- Di Giacomo G. (2020), *Dalla tutela alla disciplina dei migranti: la libertà di emigrazione alla prova della Grande Guerra*, "Italian Review of Legal History", 6, 111-143.
- di Lorenzo G.C. (1986), *Presentazione*, in Santoni P. (ed.), *Inventario del fondo "Commissione centrale arbitrale per l'emigrazione" (1915-1929)*, Roma, Istituto Poligrafico e Zecca dello Stato, 9-12.
- Di Maio A. (1998), *Il concetto di comunicazione. Saggio di lessicografia filosofica e teologica sul tema di "comunicare" in Tommaso d'Aquino*, Roma, Editrice Pontificia Università Gregoriana.
- Di Meo A. (2018-2019), *Cittadinanza e legislazione civica nella concessione italiana di Tianjin (1902-1947)*, "Aiónos, Miscellanea di studi storici", 22, 203-221.
- Di Oppenheim E. (1902), *L'immigrazione italiana nelle provincie tedesche del Reno e della Westfalia*, "Bollettino dell'emigrazione", 10, 3-15.
- Di Stefano A.M. (2018), *"Sicilia amara": profili dell'emigrazione siciliana tra XIX e XX secolo*, in Mazzone S. (ed.), *Narrare le migrazioni tra diritto, politica, economia*, Acireale-Roma, Gruppo Editoriale Bonanno, 115-129.
- Di Stefano A.M. (2019), *Legislazioni statali, pronunce giudiziarie e iniziative diplomatiche per la tutela dei migranti italiani negli Stati Uniti tra la fine dell'Ottocento e l'inizio del Novecento: una ricerca in corso*, "Historia et ius", 16, 1-42, http://www.historiaetius.eu/uploads/5/9/4/8/5948821/di_stefano_16.pdf.
- Di Stefano A.M. (2020), *"Non potete impedirla, dovete regolarla". Giustizia ed emigrazione in Italia: l'esperienza delle commissioni arbitrali provinciali per l'emigrazione (1901-1913)*, Roma, Historia et ius.
- Di Stefano A.M. (2021), *"Una vera valvola di sicurezza per la pace sociale". Gli interventi del legislatore italiano in materia di emigrazione tra XIX e XX secolo*, in Sinisi L. (ed.), *Emigrazioni e immigrazioni. Una sfida della storia e della contemporaneità*, Pisa, Pacini Giuridica, 31-50.
- Díaz Araujo E. (1998), *José Ingenieros*, Buenos Aires, Ciudad Argentina Editorial de Ciencia y Cultura.
- Dickinson J. (1927), *Administrative justice and the supremacy of the law in the United States*, Cambridge, Harvard University Press.
- Donati S. (2014), *Citizenship and Identity Issues in the Italian Concession of Tientsin (1902-1922)*, in Eisenberg J., Rodogno D. (eds.), *Ideas and Identities. A Festschrift for Andre Liebich*, Bern, Peter Lang, 43-62.
- Donovan J.M. (2022), *The French judicial and political origins of Raymond Saleilles' individualization of punishment*, in Pifferi M. (ed.), *The limits of criminological positivism. The movement for criminal law reform in the west, 1870-1940*, Abingdon, Routledge, 74-92.
- Dorado Montero P. (1999), *El derecho protector de los criminales*, Pamplona, Jimenez Gil Editor.
- Dore G. (1964), *La democrazia italiana e l'emigrazione in America*, Brescia, Morcelliana.
- Drago L.M. (1921), *Los hombres de presa*, II ed., Buenos Aires, La cultura argentina.

- Dreyfus-Armand G. (2000), *El exilio de los republicanos españoles en Francia*, Barcelona, Crítica.
- Duichin M. (2017), *Alla pace del cimitero: la recezione settecentesca di “Zum ewigen Frieden” e le fonti nascoste di un topos kantiano*, “Diciottesimo Secolo”, II, 45-75.
- Duroselle J.B Serra E. (eds.) (1978), *L'emigrazione italiana in Francia prima del 1914*, Milano, FrancoAngeli.
- Duve T. (2016), *¿Del absolutismo ilustrado al liberalismo reformista? La recepción del Código Penal Bávaro de 1813 de P.J.A. von Feuerbach en Argentina y el debate sobre la reforma del derecho penal hasta 1921*, “Revista de Historia del Derecho”, 27, 125-152.
- Duve T. (2016), *Global Legal History – A Methodological Approach*, “Max Planck Institute for European Legal History Research Paper Series”, 4, 1-22.
- Duve T. (2020), *What is global legal history?*, “Comparative Legal History”, 8 (2), 73-115.
- Duve T. (2022), *Legal History as a History of the Translation of Knowledge of Normativity*, “Max Planck Institute for European Legal History Research Paper Series”, 16, 2-12.
- Duve T., Herzog T. (eds.) (2014), *The Cambridge History of Latin American Law in Global Perspective*, Cambridge, Cambridge University Press.
- Edgcomb G.S. (1993), *From Swastika to Jim Crow: Refugee Scholars at Black Colleges*, Malabar, Krieger Publishing Company.
- Einaudi L. (1901), *Il salvataggio di ottanta piccoli martiri*, “La Stampa”, October 10.
- Einaudi L. (1901), *Un traffico infame di carne umana. Dolorose risultanze di un'inchiesta*, “La Stampa”, May 26.
- Einaudi L. (1909), *I nuovi metodi di protezione alla marina*, “Corriere della Sera”, October 29.
- Ellena V. (1876), *Della emigrazione e delle sue leggi*, Estratto dall'Archivio di Statistica, Roma, Tipografia Elzeviriana.
- Ely J.W. Jr. (2007), *The Guardian of Every Other Right: A Constitutional History of Property Rights*, New York, Oxford University Press.
- Engerman S. (1998), *Introduction*, in Engerman S. (ed.), *Terms of labor. Slavery, serfdom and free labor*, Berkeley, University of California Press, 1-24.
- Epstein E.J. (1977), *Agency of Fear: Opiates and Political Power in America*, New York, Putnam.
- Ermacora M. (1999), *La scuola del lavoro. Lavoro ed emigrazione in Friuli (1900-1914)*, Udine, Ermi.
- Ernst D.R. (2016), *Tocqueville's Nightmare: The Administrative State Emerges in America, 1900-1940*, New York, Oxford University Press.
- Espada Lima H. (2006), *Trabalho e lei para os libertos na ilha de Santa Catarina no século XIX: arranjos e contratos entre autonomia e a domesticidade*, “Cad. AEL”, 14 (26), 137-175.
- Espada Lima H. (2009), *Freedom, precariousness, and the Law: Freed Persons Contracting out their Labour in 19th-Century Brazil*, “International Review of Social History”, 54, 391-416.
- Espada Lima H. (2013), *Unpayable Debts: Reinventing Bonded Labour through Legal Freedom in Nineteenth-Century Brazil*, in Stanziani A., Campbell G. (eds.), *Debt and Slavery in the Mediterranean and Atlantic Worlds*, London, Pickering & Chatto, 123-132.
- Espada Lima H. (2021), *Enslaved and Free Workers and the Growth of the Working Class in Brazil*, “Oxford Research Encyclopedia of Latin American History”, 1-28.
- Esperson P. (1896), *Espulsione degli stranieri secondo la legislazione italiana e le legislazioni straniere*, “Rivista Penale”, XLIII, 5-21.
- Espinosa F. (2009), *La columna de la muerte*, Barcelona, Crítica.

- Fahrmeir, A. (2000), *Citizens and Aliens: Foreigners and the Law in Britain and the German States 1789-1870*, New York, Berghahn Books.
- Fairchild A.L. (2003), *Science at the Border. Immigrant medical Inspection and the Shaping of the Modern Industrial Labor Force*, Baltimore-London, The Johns Hopkins University Press.
- Famà Stahle P. (2016), *The Italian Emigration of Modern Times. Relations between Italy and the United States concerning Emigration Policy, Diplomacy and Anti-Immigrant Sentiment, 1870-1927*, Cambridge, Cambridge Scholars Publishing.
- Family J.E. (2022), *Immigration Law Exceptionalism and the Administrative Procedure Act*, “Widener University Commonwealth Law School Legal Studies Research Paper Series”, paper 22-06, 1-27.
- Fermi L. (1968), *Illustrious Immigrants: The Intellectual Migration from Europe 1930-1941*, Chicago, University of Chicago Press.
- Ferrajoli L. (1993), *Cittadinanza e diritti fondamentali*, “Teoria politica”, 9 (3), 63-76.
- Ferrajoli L. (2018), *Manifesto per l'uguaglianza*, Bari-Roma, Laterza.
- Ferrari M.E. (1983), *I mercanti di fanciulli nelle campagne e la tratta dei minori, una realtà sociale fra '800 e '900*, “Movimento Operaio e Socialista”, 1 (VI), 87-108.
- Ferrari R. (1913), *The Police, the Gambler, and the Judge in New York City*, “Journal of the American Institute of Criminal Law and Criminology”, 3 (5), 678-682.
- Ferrás G. (2006), *Extranjero, raza y simulación en el pensamiento de José Ingenieros*, “Co-herencia”, 3/4, 139-163, <https://www.redalyc.org/articulo.oa?id=77430405>.
- Ferri E. (1884), *I nuovi orizzonti del diritto e della procedura penale. Seconda edizione interamente rifatta*, Bologna, Nicola Zanichelli.
- Fiaschetti M. (1930), *You Gotta Be Tough: The Adventures of Detective Fiaschetti of the Italian Squad*, New York, Doubleday, Doran & Company.
- Fine S. (1955), *Anarchism and the Assassination of McKinley*, “American Historical Review”, 60 (4), 777-799.
- Fiocchi Malaspina E. (2017), *L'eterno ritorno del Droit des gens di Emer de Vattel (secc. XVIII- XIX). L'impatto sulla cultura giuridica in prospettiva globale*, Frankfurt am Main, Max Planck Institute for European Legal History.
- Fitzmaurice A. (2018), *Context in the History of International Law*, “Journal of the History of International Law”, 20, 5-30.
- Fitzpatrick M.P. (2015), *Purging the Empire. Mass Expulsions in Germany, 1871-1914*, Oxford, Oxford University Press.
- Florenzano G. (1874), *L'emigrazione italiana in America comparata alle altre emigrazioni europee*, Napoli, F. Giannini.
- Flynn W.J. (1919), *The Barrel Mystery*, New York, The James A. McCann Company.
- Foljanty L. (2015), *Legal Transfers as Processes of Cultural Translation: On the Consequences of a Metaphor*, “Kritische Vierteljahresschrift für Gesetzgebung und Rechtswissenschaft”, 2, 89-107.
- Fornasin A. (1988), *Ambulanti, artigiani e mercanti. L'emigrazione dalla Carnia in età moderna*, Venezia, Cierre Ed.
- Fortunati M. (2007), *Il ministro e lo spazzacamino. Osservazioni sul progetto di legge sul lavoro dei fanciulli del 1879*, “Materiali per una storia della cultura giuridica”, 37 (1), 213-224.
- Fosdick R.B. (1921), *American Police System*, New York, The Century Co.
- Foucault M. (1976), *Sorvegliare e punire*, Torino, Einaudi.
- Fouka V., Mazumder S., Tabellini M. (2022), *From Immigrants to Americans: Race and Assimilation during the Great Migration*, “The Review of Economic Studies”, 89 (2), 811-842.
- Franchetti L., Sonnino S. (1925), *La Sicilia nel 1876*, Firenze, Vallecchi.

- Franzina E. (1979), *Merica! Merica! Emigrazione e colonizzazione nelle lettere dei contadini veneti in America Latina, 1876-1902*, Milano, Feltrinelli.
- Franzina E. (1995), *Gli italiani al Nuovo Mondo. L'emigrazione italiana in America 1492-1942*, Milano, Mondadori.
- Franzina E. (1996), *Dall'Arcadia in America. Attività letteraria ed emigrazione transoceanica in Italia, 1850-1940*, Torino, Fondazione Giovanni Agnelli.
- Franzina E. (1999), *Identità regionale ed emigrazione all'estero*, in Bartocci E., Cotesta V. (eds.), *L'identità italiana. Emigrazione, immigrazione, conflitti etnici*, Roma, EL, 29-46.
- Franzina E. (2000), *Introduzione* a Bianchi B., Lotto A., *Lavoro ed emigrazione minorile dall'Unità alla Grande Guerra*, Venezia, Ateneo Veneto.
- Freda D. (2014), *La regolamentazione dell'emigrazione in Italia tra Otto e Novecento: una ricerca in corso*, "Historia et ius", 6, 1-20, http://www.historiaetius.eu/uploads/5/9/4/8/5948821/freda_6.pdf.
- Freda D. (2015), "Trafficienti di carne umana". *Gli agenti di emigranti all'alba del XX secolo*, "Historia et ius", 8, 1-23, http://www.historiaetius.eu/uploads/5/9/4/8/5948821/freda_8.pdf.
- Freda D. (2017), *Governare i migranti. La legge sulla emigrazione del 1901 e la giurisprudenza del tribunale di Napoli*, Torino, Giappichelli.
- Freda D. (2018), "Clandestini": *il commercio dell'emigrazione in età liberale*, "Forum historiae iuris", 12, <https://forhistiur.net/2018-12-freda/?l=it>.
- Freda D. (2019), *La legislazione sulle migrazioni italiane fino al 1901*, "Studi Emigrazione", 215, 379-391.
- Freund E. (1904), *The Police Power. Public Policy and Constitutional Rights*, Chicago, Callaghan & Company.
- Frigessi D. (2003), *Cesare Lombroso*, Torino, Einaudi.
- Frigessi D., Riso M. (1982), *A mezza parete. Emigrazione, nostalgia, malattia mentale*, Torino, Einaudi.
- Fritz C.G. (1988), *A Nineteenth Century 'Habeas Corpus Mill': The Chinese Before the Federal Courts in California*, "The American Journal of Legal History", 32, 347-372.
- Fronda R. (1891), *La pazzia negli emigranti. Nota preventiva*, "Il manicomio moderno. Giornale di psichiatria", 1, 14-18.
- Fusinato G. (1892), *Annessione*, in "Enciclopedia giuridica italiana", I, 2, Milano, Società Editrice Libreria, 2055-2143.
- Gabaccia D.R. (2000), *Italy's Many Diasporas*, Seattle, University of Washington Press.
- Gabaccia D.R. (2009), *L'Italia fuori d'Italia*, in Corti P., Sanfilippo M. (eds.), *Storia d'Italia, Annali 24: Migrazioni*, Torino, Einaudi, 225-248.
- Gabaccia D.R., Hoerder D., Walaszek (2007), *Emigration and nation building during the mass migrations from Europe*, in Green N.L., Weil F. (eds.), *Citizenship and Those Who Leave. The Politics of Emigration and Expatriation*, Urbana-Chicago, University of Illinois Press, 63-90.
- Gaetani di Castelmola O. (1882), *Del principio di non intervento in Diritto internazionale*, "Rivista Europea-Rivista Internazionale", 28 (1), April, 32-89.
- Gagliardi A. (2016), *La mancata "valorizzazione" dell'impero. Le colonie italiane in Africa orientale e l'economia dell'Italia fascista*, "Storicamente", 12 (3), 1-34.
- Galeano D. (2016), *La ley de la policía: edictos y poder contravencional. Ciudad de Buenos Aires, siglo XIX*, "Revista Historia y justicia", IV, 12-43.
- Gallego J.A., Pazos A. (eds.) (2010), *Archivo Gomá. Documentos de la guerra civil*, vol. 13, Madrid, Consejo Superior de Investigaciones Científicas.

- Gallo Gonzáles D. (2018), *¡Recuerda! Scribo, ergo sum (-us). La escritura del yo de los exiliados políticos de la guerra civil en la Argelia colonial*, Madrid, Iberoamericana.
- Gallo S. (2015), *Il Commissariato per le migrazioni e la colonizzazione interna (1930-1940). Per una storia della politica migratoria del fascismo*, Foligno, Editoriale Umbra.
- Gambi L. (ed.) (1991), *Col bastone e la bisaccia per le strade d'Europa. Migrazioni stagionali di mestiere nell'arco alpino nei secoli XVI-XVIII*, Bellinzona, Arti Grafiche Salvioni.
- García-Gallo de Diego A. (1944), *Los orígenes de la administración territorial de las Indias*, Rivadeneyra, Consejo superior de investigaciones Científicas Instituto Franciscano de Vitoria.
- Garelli Della Morea G.E. (1891), *L'Illegittimità della conquista fra i popoli civili*, Torino, Carlo Clausen.
- Gargurevich E. (1994), *La Reacción anti-inmigrante en la literatura argentina de los ochenta*, "Revista de Crítica Literaria Latinoamericana", XX, 91-107.
- Garnier L. (2009), *Les congrès internationaux d'Anthropologie criminelle (1885- 1911)*, "Criminocorpus. Archives d'anthropologie criminelle and related subjects", <http://criminocorpus.hypotheses.org/4369>.
- Garnier L. (2010), *Les Congrès d'anthropologie criminelle et la naissance d'un patrimoine pénal*, "Criminocorpus. Archives d'anthropologie criminelle and related subjects", <http://criminocorpus.hypotheses.org/4393>.
- Garofalo R. (1885), *La criminología: estudio sobre el delito y sobre la teoría de la represión*, translated by Dorado Montero P. (1990), Madrid, La España moderna.
- Garofalo R. (1888), *recensione* a Luis M. Del Drago, *El procedimiento criminal en la provincia de Buenos Aires*, B. A., 1887, "Archivio di psichiatria e antropologia criminale per servire allo studio dell'uomo alienato e delinquente", IX, 113.
- Gaspar Celaya D. (2019), *Resistencia, deportación y políticas de la memoria. Españoles en Francia (1940-1945)*, "Hispania Nova", 1, 66-99.
- Gebara A. (1986), *O mercado de trabalho livre no Brasil (1871-1888)*, São Paulo, Brasiliense.
- Geertz C. (1987), *Interpretazione di culture*, Bologna, Il Mulino.
- Gerber D.A. (2011), *American Immigration: a very short introduction*, Oxford, Oxford University Press.
- Giacanelli F. (1980), *Un nuovo quadro professionale della borghesia nel secolo diciannovesimo: il personaggio dello psichiatra tra filantropia medica e controllo sociale*, "Rivista sperimentale di freniatria e medicina legale", CIV (IV), 915-928.
- Giacanelli F. (2000), *Il medico, l'alienista*, in Frigessi D., Giacanelli F., Mangoni L. (eds.), *Cesare Lombroso. Delitto, genio, follia: scritti scelti*, II ed., Torino, Bollati Boringhieri, 5-43.
- Giaro T. (2020), *Victims and Supporters of Nazism vis-à-vis Europe's Legal Tradition. A New Episode in the History of the Third Reich?*, "Forum Prawnicze" 62 (6), 67-86.
- Giglioli E.H. (1876), *Odoardo Beccari ed i suoi viaggi*, "Nuova Antologia", second series, 3 (10), October, 333-363.
- Gillon De Robaulx, A. (1905), *La immigrazione nel Belgio*, "Bollettino dell'emigrazione", 6, 67-69.
- Gilmore G. (1977), *The Ages of American Law*, New Haven, Yale University Press.
- Gilmore G. (1999), *Some Reflections on Oliver Wendell Holmes, Jr.*, "The Green Bag", second series, 2 (4), 379-394.
- Giolo O., Pifferi M. (2008), *Integration or Exclusion: Migrants in the European Union and United States. An Historical Philosophical Approach*, "Jean Monnet Working Paper New York", 17, 1-54 <https://jeanmonnetprogram.org/paper/integration-or-exclusion-migrants-in-the-european-union-and-united-states-an-historical-philosophical-approach/>.

- Giolo O., Pifferi M. (2009), *Diritto contro. Meccanismi giuridici di esclusione dello straniero*, Torino, Giappichelli.
- Giorcelli C., Cattarulla C., Scacchi A. (eds.) (1998), *Città reali e immaginarie nel continente americano*, Roma, Edizioni associate.
- Gold S.J., Nawyn S.J. (eds.) (2013), *Routledge international handbook of migration studies*, London, Routledge.
- Gong G. (1984), *The standard of "Civilization" in International Society*, Oxford, Clarendon Press.
- González Calleja E., Cobo Romero F., Martínez Rus A., Sánchez Pérez F. (2015), *La Segunda República española*, Barcelona, Pasado & Presente.
- Gordon R.W. (1982), *Holmes' Common Law as Legal and Social Science*, "Hofstra Law Review", 10 (3), 719-746.
- Gordon R.W. (1992), *Introduction*, in Id. (ed.), *The Legacy of Oliver Wendell Holmes, Jr*, Edinburgh, Edinburgh University Press, 1-15.
- Gorrini G. (1897), *I primi tentativi e le prime ricerche di una colonia*, in Brunialti A., *Le colonie degli italiani*, Torino, Unione tipografico-editrice, 521-545.
- Gozzini G. (2006), *The global system of international migrations, 1900 and 2000: a comparative approach*, "Journal of Global History", 1, 321-341.
- Graham H. (2006), *La república española en guerra. 1936-1939*, Barcelona, Debate.
- Graham K. (2002), *The Refugee Jurist and American Law Schools, 1933-1941*, "American Journal of Comparative Law", 50 (4), 777-818.
- Graham O. (2001), *Regulating Immigration in the National Interest*, Oxford, Rowman & Littlefield Publishers Inc.
- Grassi F. (1980), *Le origini dell'imperialismo italiano. Il caso somalo 1896-1915*, Lecce, Milella.
- Grassi F. (1986), *Introduzione*, in Santoni P. (ed.), *Inventario del fondo "Commissione centrale arbitrale per l'emigrazione" (1915-1929)*, Roma, Istituto Poligrafico e Zecca dello Stato, 17-27.
- Greco O. (2020), *Migration trauma and psychiatry in the early twentieth century*, "Journal of Modern Italian Studies", 25 (5), 620-644.
- Greenberg U. (2015), *The Weimar Century: German Émigrés and the Ideological Foundations of the Cold War*, Princeton, Princeton University Press, 76-119.
- Grey T.C. (1989), *Holmes and Legal Pragmatism*, "Stanford Law Review", 41 (4), 787-870.
- Grispo F. (ed.) (1986), *La struttura e il funzionamento degli organi preposti all'emigrazione (1901-1919)*, Roma, Istituto Poligrafico e Zecca dello Stato.
- Grosselli R. (1991), *Da schiavi bianchi a coloni. Un progetto per le fazendas*, Trento, Provincia autonoma di Trento.
- Grossi V. (1894), *Emigrazione italiana all'estero, specialmente al Brasile*, Roma, Tipografia De Gennaro.
- Grossi V. (1905), *Storia della legislazione sull'emigrazione in Italia nell'ultimo trentennio*, in Orlando V.E. (ed.), *Primo trattato completo di diritto amministrativo italiano*, vol. IV, p. II, Milano, Società Editrice Libreria, 172-209.
- Grotius H. (1646), *De iure belli ac pacis libri tres*, Amsterdam, apud Iohannem Blaeu.
- Grotius H. (1724), *Le droit de la guerre et de la paix* [1625], translated by Barbeyrac J., Amsterdam, Pierre de Coup.
- Grotius H. (2005), *De iure belli ac pacis* [1625], Indianapolis, Liberty Fund.
- Grozio U. (2007), *Mare liberum* [1609], Napoli, Liguori.
- Guerzoni G. (1868), *La tratta dei fanciulli. Pagine del problema sociale in Italia*, Firenze, Polizzi.
- Guha R. (1997), *Dominance without Hegemony. History and Power in Colonial India*, Cambridge-London, Harvard University Press.

- Gungwu W. (ed.) (1997), *Global History and Migrations*, New York, Routledge.
- Gusejnova D. (2016), *European Elites and Ideas of Empire, 1917-1957*, Cambridge, Cambridge University Press, <https://library.oapen.org/handle/20.500.12657/37519>.
- Haggenmacher P. (1988), *La place de Francisco de Vitoria parmi les fondateurs du droit international*, in Truyol Serra A., Mechoulan H., Haggenmacher P., Ortiz Arce A., Marino P., Verhoeven J. (eds.), *Actualité de la pensée juridique de Francisco de Vitoria*, Brussels, Bruylant.
- Hall Prescott F. (1896), *Italian Immigration*, "North American Review", 163 (2), 252-254.
- Haney-Lopez I.F. (2006), *White by law: the legal construction of race*, New York-London, New York University Press.
- Hart H.H. (1896), *Immigration and Crime*, "The American Journal of Sociology", 2, 370.
- Heidegger M. (2020), *Essere e tempo* [1927], Milano, Mondadori.
- Heilbut A. (1983), *Exiled in Paradise: German Refugee Artists and Intellectuals in America, from the 1930s to the Present*, New York, Viking Press.
- Henkin L. (1987), *The Constitution and United States Sovereignty: A Century of 'Chinese Exclusion' and Its Progeny*, "Harvard Law Review", 100 (4), 853-886.
- Henriques H.S.Q. (1906), *The Law of Aliens and Naturalization Including the Text of the Aliens Act 1905*, London, Butterworth & Co.
- Hernández de Miguel C. (2019), *Los campos de concentración de Franco. Sometimiento, torturas y muertes tras las alambradas*, Barcelona, Ediciones B.
- Hernandez K.L. (2017), *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771-1965*, Chapel Hill, University of North Carolina Press.
- Hespanha A.M. (2013), "Particularidades de Método de uma História Mundial do Direito", in Sordi B. (ed.), *Storia e Diritto. Esperienze a confronto. Atti dell'Incontro Internazionale di Studi in Occasione dei 40 anni dei Quaderni Fiorentini, Firenze 18-19 ottobre 2012*, Milano, Giuffrè Editore, 483-491.
- Higham J. (2002), *Strangers in the Land. Patterns of American Nativism, 1860-1925*, New Brunswick-London, Rutgers University Press.
- Hobbes T. (2011), *Leviatano* [1651], Milano, BUR Rizzoli.
- Hobsbawm E.J. (1955), *The Economics of the Gangster*, "The Quarterly Review", 604, 243-256.
- Holmes F.G. (1928), *What Is a Racketeer?*, "Brooklyn Daily Eagle", October 7, 10F.
- Holmes O.W. jr (1897), *The Path of the Law*, "Harvard Law Review", 10 (8), 457-478.
- Horwitz Morton J. (1992), *The Place of Justice Holmes in American Legal Thought*, in Gordon R.W. (ed.), *The Legacy of Oliver Wendell Holmes, Jr*, Edinburgh, Edinburgh University Press, 31-71.
- Ianni F.A.J., Reuss-Ianni E. (1972), *A Family Business: Kinship and Social Control in Organized Crime*, New York, Oxford University Press.
- Ingenieros J. (1905), *Italia en la ciencia, en la vida, y en el arte*, Valencia, F. Sempere y Compañía Editores.
- Iordache Cârstea L. (2019), *Españoles tras las alambradas*, "Hispania Nova. Primera Revista De Historia Contemporánea on-Line En Castellano. Segunda Época", 1, 19-65.
- Istituto centrale di statistica (1958), *Sommario di statistiche storiche italiane 1861-1955*, Roma, Istituto Poligrafico dello Stato.
- Ittersum M.J. van (2006), *Profit and Principle: Hugo Grotius, Natural Rights Theories and the Rise of Dutch Power in the East Indies 1595-1605*, Leiden, Brill.
- Jacini S. (1885), *Relazione finale sui risultati dell'Inchiesta*, in *Atti della Giunta per la Inchiesta agraria e sulle condizioni della classe agricola*, vol. XV, Roma, Forzani e C. Tipografi del Senato.

- Jacobson M.F. (1998), *Whiteness of a Different Color. European Immigrants and the Alchemy of Race*, Cambridge-London, Harvard University Press.
- Jamieson A. (1997), *Le organizzazioni mafiose*, in Violante L. (ed.), *Storia d'Italia. La criminalità*, XII, Torino, Einaudi, 461-492.
- Jay M. (1985), *Permanent Exiles: Essays on the Intellectual Migration from Germany to America*, New York, Columbia University Press.
- Jeffreys-Jones R. (2007), *The FBI: A History*, New Haven-London, Yale University Press.
- Jennings R.W., Newman F.C., Louisell D.W., Riensfeld S.A., Blyberg A., Lobe J. (1974), *In Memoriam: Albert A. Ebrenzweig (1906-74)*, "California Law Review", 62 (4), 1069-1083.
- Jiménez de Asúa L. (1922), *El estado peligroso. Nueva fórmula para el tratamiento penal y preventivo*, Madrid, Imprenta de Juan Pueyo.
- Jiménez de Asúa L. (1927), *Evolución de política y derecho penal. Carta al maestro Enrique Ferri*, "La Prensa", March 14, 14.
- Jiménez de Asúa L. (1936), *The agony of Spain. Socialist appeal to British democracy. Spanish envoys tell the facts*, London, The Labour Party.
- Jiménez de Asúa L. (1951), *Comentario a una sentencia en viceversa*, "Revista de derecho penal", II, 226-235.
- Jouannet E. (1998), *Emer de Vattel et l'émergence doctrinale du droit international classique*, Paris, Pedone.
- Kalifa D. (2005), *Crime et culture au XIXe siècle*, Paris, Perrin.
- Kaluszynski M. (1989), *Les Congrès internationaux d'anthropologie criminelle (1885-1914)*, "Cahiers Georges Sorel", 7, 59-70.
- Kaluszynski M. (2001), *Republican Identity: Bertillonage as Government Technique*, in Caplan, J., Torpey J. (eds.), *Documenting Individual Identity: The Development of State Practices in the Modern World*, Princeton, Princeton University Press, 123-138.
- Kaluszynski M. (2020), *The hybrid construction of an European form of penal thinking. From Italian positivism to the birth of French criminology. Reception, resistance and appropriation*, "GLOSSAE. European Journal of Legal History", 17, 278-302.
- Kant I. (1956), *Sopra il detto comune: "Questo può essere giusto in teoria, ma non vale per la pratica"* [1793], in Id., *Scritti politici e di filosofia della storia e del diritto*, Torino, Utet, 259-260.
- Kant I. (1991), *Per la pace perpetua* [1795], Milano, Feltrinelli.
- Kant I. (2005), *Primi principi metafisici della dottrina del diritto* [1797], Roma-Bari, Laterza.
- Kefauver E. (1953), *Il gangsterismo in America*, Torino, Einaudi.
- Kessner T. (1977), *The Golden Door: Italian and Jewish Migrant Mobility in New York City, 1880-1915*, New York, Oxford University Press.
- Kettler D. (2011), *The Liquidation of Exile: Studies in the Intellectual Emigration of the 1930s*, London-New York, Anthem Press.
- Kibbe Turner G. (1909), *Tammany's Control of New York by Professional Criminals*, "McClure's Magazine", 33 (2), 124.
- King D. (1999), *In the name of liberalism. Illiberal social policy in the United States and Britain*, Oxford, Oxford University Press.
- Kisch G. (1975), *Die Lebensweg eines Rechtshistorikers*, Sigmaringen, Jan Thorbecke Verlag.
- Kisch G. (ed.) (1970), *Paul Koschaker, Gelehrter, Mensch, Freund. Briefe aus den Jahren 1940 bis 1951*, Basel, Helbing & Lichtenhahn.

- Kleingeld P. (2012), *Kant and Cosmopolitanism: The Philosophical Ideal of a World Citizenship*, Cambridge, Cambridge University Press.
- Kmak M. (2019), *The Impact of Exile on Law and Legal Science 1934-64*, in Tuori K., Björklund H. (eds.), *Roman Law and the Idea of Europe: Europe's Legacy in the Modern World*, London-New York, Bloomsbury Publishing, 15-34.
- Kmak M. (2023), *Law, Migration, and Human Mobility. Mobile Law*, London, Routledge.
- Kmak M., Björklund H. (eds.) (2022), *Refugees and Knowledge Production: Europe's Past and Present*, New York, Routledge.
- Kmak M., Farzamfar M. (2022), *Personal and academic narratives of exiled and displaced scholars*, in Kmak M., Björklund H. (eds.), *Refugees and Knowledge Production: Europe's Past and Present*, New York, Routledge, 109-127.
- Kneeland G. J. (1917), *Commercialized Prostitution in New York City*, intr. by J. D. Rockefeller, New York, The Century Co.
- Kobler J. (1993), *Ardent Spirits: The Rise and Fall of Prohibition*, Cambridge, Da Capo Press.
- Kohn Loncarica A.G., Agüero A.L. (1985), *El contexto medico*, in Biagini, *El movimiento positivista*, Buenos Aires, Editorial del Belgrano, 119-140.
- Koskenniemi M. (2001), *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960*, Cambridge, Cambridge University Press.
- Koskenniemi M. (2004), *Hersch Lauterpacht 1897-1960*, in Beatson J., Zimmermann R. (eds.) (2004), *Jurists Uprooted: German-speaking Émigré Lawyers in Twentieth-century Britain*, Oxford, Oxford University Press, 601-662.
- Koskenniemi M. (2013), *International law and the emergence of mercantile capitalism: Grotius to Smith*, in Dupuy P.M., Chetail V. (eds.), *The Roots of International Law*, Leiden, Nijhoff, 3-37.
- Koskenniemi M. (2014), *Vitoria and Us: Thoughts on Critical Histories of International Law*, "Rechtsgeschichte", 22, 119-138.
- Kurtz M.L. (1983), *Organized Crime in Louisiana History: Myth and Reality*, "Louisiana History", 24 (4), 355-376.
- Labanca N. (2002), *Nelle colonie*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. II, *Arrivi*, Donzelli, Roma, 193-204.
- Labanca N. (2002), *Oltremare. Storia dell'espansione coloniale italiana*, Bologna, Il Mulino.
- Lacapra D. (2001), *Writing History, Writing Trauma*, Baltimore, Johns Hopkins University Press.
- Lacassagne A. (1894), *Discours d'ouverture, IIème Congrès du patronage des libérés*, Lyon, Storck.
- Lacché L. (ed.) (2009), *"Ius gentium ius communicationis ius belli". Alberico Gentili e gli orizzonti della modernità. Atti del Convegno di Macerata in occasione delle celebrazioni del quarto centenario della morte di Alberico Gentili (1552-1608)*, Macerata, 6-7 Dicembre 2007, Milano, Giuffrè.
- Lacché L., Stronati M. (eds.) (2014), *Questione criminale e identità nazionale in Italia tra Otto e Novecento*, Macerata, EUM.
- Laghi F. (1888), *Il diritto internazionale privato nei suoi rapporti colle leggi territoriali*, vol. I, Bologna, Zanichelli.
- Lai H.M., Lim G., Yung J. (eds.) (2014), *Island. Poetry and History of Chinese Immigrants on Angel Island 1910-1940*, 2nd ed., Seattle-London, University of Washington Press.
- Lamounier M.L. (1988), *Da escravidão ao trabalho livre: a lei de locação de serviços de 1879*, Campinas, Papirus.

- Lamounier M.L. (1995), *Between Slavery & Free Labour. Early Experiments with Free Labour & Patterns of Slave Emancipation in Brazil & Cuba*, in Turner M. (ed.), *From Chattel Slaves to Wage Slaves: The Dynamics of Labour Bargaining in the Americas*, London, James Currey, 185-200.
- Landis J.M. (1937), *Significance of Administrative Commissions in the Growth of the Law*, "Indiana Law Journal", 12 (6), 471-481.
- Landis J.M. (1938), *Administrative Policies and the Courts*, "Yale Law Journal", 47 (4), 519-537.
- Langum D.J. (1994), *Crossing Over the Line: Legislating Morality and the Mann Act*, Chicago, University of Chicago Press.
- Lardner J., Reppetto T. (2000), *NYPD: A City and Its Police*, New York, Henry Holt and Company.
- Latini C. (2006), "L'araba fenice". *Specialità delle giurisdizioni ed equità giudiziale nella riflessione dottrinale italiana tra Otto e Novecento*, "Quaderni fiorentini per la storia del pensiero giuridico moderno", 35, 595-721.
- Lawrence T.J. (1895), *The Principles of International Law*, London, Rothman.
- Lebrecht V. (1906), *I minorenni italiani nella Croazia*, "Bollettino dell'emigrazione", 1, 3-14.
- Lee E. (2003), *At America's gates. Chinese immigration during the exclusion era, 1882-1943*, Chapel Hill-London, The University of North Carolina Press.
- Leff L. (2019), *Well Worth Saving: American Universities' Life-and-Death Decisions on Refugees from Nazi Europe*, New Haven, Yale University Press.
- Legomsky S.H. (1984), *Immigration Law and the Principle of Plenary Congressional Power*, "The Supreme Court Review", 255-307.
- Leibholz G. (1965), *The Foundations of Justice and Law in the Light of the Present European Crisis*, in Id., *Justice and Law*, Leyden, A.W. Sythoff.
- Leiva A. D. (2007), *Influencia del positivismo italiano en la instalación del sistema penal argentino (s. XIX y XX)*, in Cassi A.A., Sciumè A. (eds.), *Dalla civitas maxima al totus orbis. Diritto comune europeo e ordo iuris "globale" tra età moderna e contemporanea*, Rubettino, Soveria Mannelli, 13-29.
- LeMay M., Barkan E.R. (1999), *U.S. Immigration and Naturalization Laws and Issues. A Documentary History*, Westport, Greenwood.
- Lepore A. (2020), *L'evoluzione del divario tra il Nord e il Sud dal dopoguerra a oggi*, "Estudios Históricos", 23, 1-63, <https://estudioshistoricos.org/23/eh2308a.pdf>.
- Lesaffer R. (2006), *International Law and its history: the story of an unrequited love*, in Craven M., Fitzmaurice M., Vogiatzi M. (eds.), *Time, History and International Law*, Leiden, Nijhoff, 27-41.
- Lewiston A. (1910), *The Alien Peril. Shall We Go on Crowding Our Prisons with Foreign-Born Convicts? Deportation as a Remedy*, "The Metropolitan Magazine", 32, 279-292.
- Libertini M. (2017), *Economia e politica nel diritto antitrust*, in Malaguti M.C., Oglio L., Vanoni S. (eds.), *Politiche antitrust, ieri, oggi e domani*, Torino, Giappichelli, 1-39.
- Loeffler J. (2018), *Rooted Cosmopolitans. Jews and Human Rights in the Twentieth Century*, New Haven, Yale University Press.
- Lombroso C. (1876), *L'uomo delinquente studiato in rapporto alla antropologia, alla medicina legale ed alle discipline carcerarie*, I ed., Milano, Hoepli.
- Lombroso C. (1890), *Sulla diffusione della antropologia criminale*, in Drago L. M., *I criminali nati*, Torino, Bocca, V-XXXIX.
- Lombroso C. (1894), *Gli anarchici*, Torino, Bocca, I. ed.
- Lombroso C. (1895), *Gli anarchici*, Torino, Bocca, II ed.
- Lombroso C. (2012), *L'uomo bianco e l'uomo di colore: letture sull'origine e la varietà delle razze umane*, ed. by Rodler L., Bologna, Archetipolibri.

- Lombroso Ferrero G. (1908), *Nell'America meridionale (Brasile – Uruguay – Argentina), Note e impressioni*, Milano, Treves.
- Loomis S.C. (1919), *The Legal and Constitutional Aspects of the Proposed Prohibition Amendment to the Federal Constitution*, "Scientific Monthly", 8 (4), 335-350.
- Lorini A. (1999), *Rituals of race. American public culture and the search for racial democracy*, Charlottesville-London, University Press of Virginia.
- Loudet O. (1971), *Historia de la psiquiatría argentina*, Buenos Aires, Troquel.
- Lucassen L. (2001), *A Many-Headed Monster: the Evolution of the Passport System in the Netherlands and Germany in the Long Nineteenth Century*, in Torpey J., Caplan J. (eds.), *Documenting Individual Identity: The Development of State Practices in the Modern World*, Princeton, Princeton University Press, 235-255.
- Lucassen L. (2003), *Revolutionaries into Beggars: Alien Policies in the Netherlands 1814-1914*, in Fahrmeir A., Faron O., Weil P. (eds.) *Migration Control in the North Atlantic World: The Evolution of State Practices in Europe and the United States from the French Revolution to the Inter-War Period*, New York-Oxford, Berghahn Books, 178-194.
- Lucassen L. (2005), *The Immigrant Threat. The Integration of Old and New Migrants in Western Europe since 1850*, Urbana-Chicago, University of Illinois Press.
- Lucassen J., Lucassen L. (eds) (2014), *Globalising Migration History. The Eurasian Experience (16th-21st Centuries)*, Leiden, Brill.
- Luconi S., Pretelli M. (2008), *L'immigrazione negli Stati Uniti*, Bologna, Il Mulino.
- Lupo S. (2008), *Quando la mafia trovò l'America. Storia di un intreccio intercontinentale, 1888-2008*, Torino, Einaudi.
- Lutter M., Stiefel C.E., Hoefflich M.H. (1993), *Der Einfluß deutscher Emigranten auf die Rechtsentwicklung in den USA und in Deutschland, Vorträge und Referate des Bonner Symposiums im September 1991*, Tübingen, Mohr Siebeck GmbH & Co. KG.
- Luzzati L. (1900), *Atti parlamentari, Camera dei deputati, XXI Legislatura 1900, I sessione, Discussioni, tornata del 1° dicembre, 1900*, 783-834.
- Lynch D.T. (1932), *Criminals and Politicians*, New York, The MacMillan Company.
- Maas P. (1968), *The Valachi Papers*, New York, Putnam's Sons.
- Magnasco O. (1887), *Sistema de derecho penal actual*, Buenos Aires, Sud-America.
- Maine H.S. (1888), *International Law*, London, John Murray.
- Majorana A. (1894), *Teoria Sociologica della Costituzione Politica*, Torino, Bocca.
- Majorana D. (1914), *Navigazione in Orlando V.E. (ed.), Primo Trattato di Diritto Amministrativo Italiano*, vol. VII, pt. II, Torino, Società Editrice Italiana, 1-285.
- Malnate N. (1899), *Il progetto di legge della Commissione parlamentare sull'emigrazione*, Pistoia, G. Flori.
- Mana D. (2018), *Cesare Poma. Il primo console italiano in Cina*, "Rivista Savej", <https://rivistasavej.it/cesare-poma-il-primo-console-italiano-in-cina-146f25f78ec9>.
- Mancini C.M. (1987), *Appunti per una storia delle relazioni commerciali e finanziarie tra Italia e Cina: dal 1814 al 1900* (p. II), "Rivista di diritto valutario e di Economia internazionale", 32-33, 659-705.
- Mancini C.M. (1991), *Banche Italiane nella prima metà del Novecento*, "Rivista di diritto valutario ed economia internazionale", 47 (2), 285-322; and 48 (3-4), 477-507.
- Mancini P.S. (1873), *Della Nazionalità come fondamento del Diritto delle Genti. Prelazione al corso di diritto internazionale e marittimo pronunciata nella R. Università di Torino, nel dì 22 gennaio 1851*, in Mancini P.S., *Diritto internazionale. Prelazioni con un saggio sul Machiavelli di P. S. Mancini*, Napoli, Marghieri.
- Mangoni L. (1985), *Una crisi fine secolo. La cultura italiana e la Francia fra Otto e Novecento*, Torino, Einaudi.
- Mangoni L. (2000), *Eziologia di una nazione*, in Frigessi D., Giacanelli F., Mangoni L.

- (eds.), *Cesare Lombroso. Delitto, genio, follia. Scritti scelti*, II ed., Torino, Bollati Boringhieri, 685-709.
- Manning P., Trimmer T. (2020), *Migration in World History*, 3rd ed, London, Routledge.
- Manouvrier L. (1889), *Second International Congress of Criminal Anthropology*, Paris.
- Manzotti F. (1962), *La polemica sull'emigrazione nell'Italia unita (fino alla prima guerra mondiale)*, Milano, Società editrice Dante Alighieri.
- Marchetti P. (2012), voce *Lombroso, Cesare* in *Enciclopedia italiana Treccani, Il Contributo italiano alla storia del Pensiero – Diritto*, [https://www.treccani.it/enciclopedia/cesare-lombroso_\(Il-Contributo-italiano-alla-storia-del-Pensiero:-Diritto\)/](https://www.treccani.it/enciclopedia/cesare-lombroso_(Il-Contributo-italiano-alla-storia-del-Pensiero:-Diritto)/).
- Marghieri A. (1898), *Sindacati di difesa nazionale. Necessità di un ordinamento legislativo*, "La Riforma Sociale", 8, 305-325.
- Marinari M. (2020), *Unwanted: Italian and Jewish Mobilization against Restrictive Immigration Laws, 1882-1965*, Chapel Hill, University of North Carolina Press.
- Marinelli M. (2009), *Making Concession in Tianjin: Heterotopia and Italian Colonialism in Mainland China*, "Urban History", 36 (3), 399-425.
- Marinelli M. (2010), *The Genesis of The Italian Concession in Tianjin: A Combination of Wishful Thinking and Realpolitik*, "Journal of Modern Italian Studies", 15 (4), 536-556.
- Marquer B. (ed.) (2005), *Cesare Lombroso e la fine del secolo: la verità dei corpi. Atti del convegno di Genova, 24-25 Settembre 2004*, Publifarum, <http://www.publifarum.farum.it/n01.php>.
- Marquès P. (1993), *Les enfants espagnols réfugiés en France (1936-1939)*, Paris, P. Marquès.
- Marrus M.R. (2013), *Three Jewish Émigrés at Nuremberg: Jacob Robinson, Hersch Lauterpacht, and Raphael Lemkin*, in Mendelsohn E., Hoffman S., Cohen R.I. (eds.), *Against the Grain: Jewish Intellectuals in Hard Times*, New York, Berghahn Book, 240-254.
- Martín P., Carvajal J. (2002), *El exilio español*, Barcelona, Planeta.
- Martín-Martín S. (2016), *Modelos de circunstancias del delito en la codificación penal española, 1822-1944*, in Bartoli R., Pifferi M. (eds.), *Attualità e storia delle circostanze del reato. Un istituto al bivio tra legalità e discrezionalità*, Milano, Giuffrè, 109-164.
- Martone L. (1974-1975), *Le prime leggi sociali*, in VV.AA., *Il "Socialismo giuridico". Ipotesi e letture*, vol. I, Milano, Giuffrè, 103-144.
- Martone L. (2008), *Diritto d'Oltremare, Legge e Ordine per le colonie del Regno d'Italia*, Milano, Giuffrè.
- Marucco D. (2001), *Le statistiche dell'emigrazione italiana*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, Partenze, Roma, Donzelli, 61-75.
- Masini P.C. (1969), *Storia degli anarchici italiani da Bakunin a Malatesta*, Milano, Rizzoli.
- Mattei U. (1994), *Why the Wind Changed: Intellectual Leadership in Western Law*, "The American Journal of Comparative Law", 42, 195-217.
- Mattos M.B. (2017), *Laborers and Enslaved Workers. Experiences in Common in the Making of Rio de Janeiro's Working Class, 1850-1920*, New York, Berghahn Books.
- Mavroudi E., Nagel C. (2016), *Global Migration. Patterns, Processes, and Politics*, London-New York, Routledge.
- Mazzacane A. (1986), Introduzione, in Id. (ed.), *I giuristi e la crisi dello Stato liberale in Italia tra Otto e Novecento*, Napoli, Liguori, 15-23.
- Mazzacane A. (ed.) (1986), *I giuristi e la crisi dello Stato liberale in Italia fra Otto e Novecento*, Napoli, Liguori.
- Mazzacane A. (1994), *Pratica e insegnamento: l'istruzione giuridica a Napoli nel primo*

- Ottocento, in Id., Vano C. (eds.), *Università e professioni giuridiche in Europa nell'età liberale*, Napoli, Jovene, 77-113.
- Mazzacane A., Schiera P. (eds.) (1990), *Enciclopedia e sapere scientifico. Il diritto e le scienze sociali nell'Enciclopedia giuridica italiana*, Bologna, Il Mulino.
- McCall-Smith K., Wouters J., Gómez Isa F. (eds.) (2019), *The Faces of Human Rights*, Oxford, Hart Publishing.
- McGill C.S. (2002), *El Juan Moreira De Eduardo Gutierrez: Entre El Discurso Hegemónico Y Lo Performativo, Y la Construcción del Imaginario Popular Argentino*, "MACLAS. Latin American Essays", XVI, 166-186.
- McGirr L. (2016), *The War on Alcohol: Prohibition and the Rise of the American State*, New York, W.W. Norton & Company, Inc.
- McGuire O.R. (1939), *Administrative Law and American Democracy*, "A.B.A. Journal", 25 393-435.
- Meccarelli M. (2009), *La nuova dimensione geopolitica e gli strumenti giuridici della tradizione: approcci al tema del ius belli e del ius communicationis nella Seconda Scolastica*, in Lacché L. (ed.), "Ius gentium ius communicationis ius belli". Alberico Gentili e gli orizzonti della modernità. Atti del Convegno di Macerata in occasione delle celebrazioni del quarto centenario della morte di Alberico Gentili (1552-1608), Macerata, 6-7 Dicembre 2007, Milano, Giuffrè, 53-72.
- Meccarelli M. (2015), *The Assumed Space: Pre-reflective Spatiality and Doctrinal Configurations in Juridical Experience*, "Rechtsgeschichte Legal History", 23, 241-252.
- Meccarelli M., Palchetti P., Sotis C. (eds.) (2012), *Ius Peregrinandi. Il fenomeno migratorio tra diritti fondamentali, esercizio della sovranità e dinamiche di esclusione*, Macerata, EUM.
- Meccarelli M., Solla Sastre M.L. (eds.) (2016), *Spatial and Temporal Dimensions for Legal History. Research Experiences and Itineraries*, Frankfurt am Main, Max Planck Institute for European Legal History.
- Meierhenrich J. (2018), *The Remnants of the Rechtsstaat. An Ethnography of Nazi Law*, Oxford-New York, Oxford University Press.
- Meléndez J.J.P. (2014), *Reconsiderando a política de colonização no Brasil Imperial: os anos da Regência e o mundo externo*, "Revista Brasileira de História", 34 (68), 35-60.
- Meléndez J.J.P. (2016), *The business of peopling: colonization and politics in Imperial Brazil, 1822-1860*, PhD diss., Chicago, University of Chicago.
- Meléndez L., Coni E. (1880), *Consideraciones sobre la estadística de la enajenación mental en la Provincia de Buenos Aires*, Buenos Aires, Imprenta di Pablo E. Coni.
- Mendenhall A. (2013), *Justice Holmes and Conservatism*, "Texas Review of Law & Politics", 17 (2), 305-314.
- Mendonça J.M.N. (2009), *Os juizes de paz e o mercado de trabalho – Brasil, século XIX*, in Ribeiro G.S., Neves E.A., Ferreira M.F.M. (eds.), *Diálogos entre Direito e História: cidadania e justiça*, Niterói, Editora da Universidade Federal Fluminense, 237-255.
- Mendonça J.M.N. (2011), *Livres e obrigados: experiências de trabalho no Centro-Sul do Brasil*, Paper apresentado em 5º Encontro Escravidão e Liberdade no Brasil Meridional, Porto Alegre, Universidade Federal do Rio Grande do Sul, 1-17.
- Mendonça J.M.N. (2012), *Leis para "os que se irão buscar" – imigrantes e relações de trabalho no século XIX brasileiro*, "História: Questões & Debates", 56, 63-85.
- Mendonça J.M.N. (2012), *On chains and coercion: labor experiences in south-central Brazil in the nineteenth century*, "Revista Brasileira de História", 32 (64), 33-47.
- Meriggi M. (2001), *Le istituzioni del mare in età liberale*, in Frascani P. (ed.), *A vela e a vapore. Economie, culture e istituzioni del mare nell'Italia dello Ottocento*, Roma, Donzelli Editore, 247-266.
- Mesquida E. (2008), *La Nueve, Los españoles que liberaron París*, Barcelona, Ediciones B.

- Mezzadra S. (2008), *La condizione postcoloniale. Storia e politica nel presente globale*, Verona, ombre corte.
- Mezzadra S., Neilson B. (eds.) (2013), *Border as Method, or the Multiplication of Labor*, Durham, Duke University Press.
- Miceli V. (1890), *Il trattato italo-etiopeo e il diritto pubblico italiano*, Perugia, Tipografia di Vincenzo Santucci.
- Miele G., Cotzi G., Falconi D. (1954), *Italian Administrative Law*, "The International and Comparative Law Quarterly", 3 (3), 421-453.
- Milicia M.T. (2014), *Lombroso e il brigante. Storia di un cranio conteso*, Roma, Salerno Editore.
- Minesso M. (ed.) (2015), *Welfare, donne e giovani in Italia e in Europa nei secoli XIX e XX*, Milano, FrancoAngeli.
- Ministero degli Affari Esteri (1972), *I Documenti diplomatici italiani*, Terza serie, 1896-1907, vol. IV, Roma, Istituto poligrafico dello Stato e della Zecca di Stato.
- Ministero degli Affari Esteri (1979), *I Documenti diplomatici italiani*, Terza serie, 1896-1907, vol. V, Roma, Istituto poligrafico dello Stato e della Zecca di Stato.
- Ministero degli Affari Esteri (1985), *I Documenti diplomatici italiani*, Terza serie, 1896-1906, vol. VI, Roma, Istituto Poligrafico dello Stato e Zecca di Stato.
- Mitgang H. (2000), *Once Upon a Time in New York: Jimmy Walker, Franklin Roosevelt, and the Last Great Battle of the Jazz Age*, New York, The Free Press.
- Moch, L.P. (2003), *Moving Europeans. Migration in Western Europe since 1650*, Bloomington, Indiana University Press.
- Molinari A. (1983), *Il Migrante Alienato: appunti per un'indagine sul rapporto emigrazione/malattia*, "Miscellanea storica ligure", XV (2), 379-391.
- Molinari A. (2001), *La salute*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. II, *Arrivi*, Roma, Donzelli.
- Molinari A. (2001), *Porti, trasporti e compagnie*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, *Partenze*, Roma, Donzelli, 237-255.
- Molinari A. (2010), *Emigrazione e follia nel primo Novecento. Una storia poco nota dell'emigrazione transoceanica italiana*, in "Rivista Sperimentale di Freniatria. La rivista della salute mentale", CXXXIV, 47-65.
- Mondaini G. (1927), *Manuale di storia e legislazione coloniale del Regno d'Italia*, pt. I, Roma, Attilio Sampaolesi Editore, 5-40.
- Monteleone G. (1974), *La legislazione sociale al Parlamento italiano. La legge del 1886 sul lavoro dei fanciulli*, "Movimento operaio e socialista", 4, 229-284.
- Moore J. (2001), *Very Special Agents: The Inside Story of America's Most Controversial Law Enforcement Agency—the Bureau of Alcohol, Tobacco, and Firearms*, Champaign, University of Illinois Press.
- Morin E. (1900), *Atti parlamentari, Camera dei deputati, XXI Legislatura 1900, I sessione, Discussioni, tornata del 1° dicembre, 1900*, 783-834.
- Morone A.M. (2016), *La fine del colonialismo italiano tra storia e memoria*, "Storicamente", 12 (7), 1-31.
- Mortali G., Truffelli Corrado (2005), *"Per procacciarsi il vitto": l'emigrazione dalle valli del Taro e del Ceno dall'Ancien Règime al Regno d'Italia*, Reggio Emilia, Diabasis.
- Moses P. (2015), *An Unlikely Union: The Love-Hate Story of New York's Irish and Italians*, New York, New York University Press.
- Mouffe C. (2015), *Il conflitto democratico* [2005], Milano-Udine, Mimesis.
- Moyano Gacitúa C. (1905), *La delincuencia argentina ante algunas cifras y teorías*, Córdoba, Casa editora F. Domenici.
- Murchinson K.M. (1994), *Federal Law Criminal Doctrines: The Forgotten Influence of National Prohibition*, London-Durham, Duke University Press.
- Mussolini B. (1926), *Prefazione*, in De Michelis G. (ed.), *L'emigrazione italiana negli*

- anni 1924 e 1925 *Relazione sui servizi dell'emigrazione presentata dal Commissario generale*, Roma, Stabilimento cromo-tipografico ditta C. Colombo.
- Mussolini B. (1932), *Camera dei deputati: Presentazione del dis. di legge (primo min. Mussolini) 26 marzo 1932 (doc. 1279)*, in *Le leggi e i decreti reali secondo l'ordine della inserzione nella Gazzetta Ufficiale. Raccolta completa ed annotata della legislazione italiana*, 753-756.
- Mussolini B. (1956), *Opera Omnia*, Susmel D., Susmel E. (eds.), t. XIX, Firenze, La Fenice.
- Musto D.F. (1999), *The American Disease: Origin of Narcotic Control*, New York-Oxford, Oxford University Press.
- Nabuco J. (1897), *Um Estadista do Império: Nabuco de Araujo, sua vida, suas opiniões, sua época*, Rio de Janeiro, H. Garnier.
- Nafziger J.A.R. (1983), *The General Admission of Aliens under International Law*, "American Journal of International Law", 77 (4), 804-810.
- Nafziger J.A.R. (2006), *The Development of International Cultural Law, Proceedings of the Annual Meeting (American Society of International Law), March 29-April 1, 2006*, vol. 100, 317-323.
- Nani M. (2009), *Lombroso e le razze*, in Montaldo S., Tappero P. (eds.), *Cesare Lombroso cento anni dopo*, Torino, UTET, 165-174.
- Nathanson N.L. (1956), *Law and the Future: Administrative Law*, "Northwestern University Law Review", 51 (2), 174-186.
- National Commission on Law Observance and Enforcement (1931), *The Enforcement of Deportation Laws*, in *Report on the Enforcement of the Deportation Laws in the United States*, Washington, US Government Printing Office, 1-8.
- Nelli H.S. (1964), *The Italian Padrone System in the United States*, "Labor History", V (2), 153-167.
- Nelli H.S. (1976), *The Business of Crime: Italians and Syndicate Crime in the United States*, Chicago, University of Chicago Press.
- Neuman G.L. (1996), *Strangers to the Constitution. Immigrants, Borers, and Fundamental Law*, Princeton, Princeton University Press.
- Newton B.P. (2018), *Mr. Justice Hobbes? On the Jurisprudence of Oliver Wendell Holmes Jr.*, "American Political Thought: A Journal of Ideas, Institutions, and Culture", 7, 464-479.
- Ngai M.M. (2004), *Impossible Subjects: Illegal Aliens and the Making of Modern America*, Princeton-Oxford, Princeton University Press.
- Niceforo A. (1898), *L'Italia barbara contemporanea*, Milano-Palermo, Sandron.
- Nickel C. (2019), *Los exiliados republicanos en los campos de internamiento franceses*, Sevilla, Editorial Renacimiento.
- Nitti F.S. (1898), *Italian anarchists*, "North American Review", November, 598-608.
- Nitti F.S. (1958), *I contratti agrari [1893]*, in Id., *Scritti sulla questione meridionale*, ed. by Saitta A., Bari, Laterza, 496-499.
- Nitti F.S. (1958), *L'emigrazione italiana e i suoi avversari [1888]*, in Id., *Scritti sulla questione meridionale*, I, ed. by Saitta A., Bari, Laterza, 303-377.
- Nitti F.S. (1958), *La Nuova fase dell'emigrazione d'Italia [1896]*, in Id., *Scritti sulla questione meridionale*, I, ed. by Saitta A., Bari, Laterza, 378-407.
- Nitti F.S. (1978), *Il porto di Napoli [1910]*, in Id., *Scritti sulla questione meridionale*, II, ed. by Rossi Doria M., Bari, Laterza, 187-226.
- Nourse V.F. (2009), *A Tale of Two Lochners: The Untold History of Substantive Due Process and the Idea of Fundamental Rights*, "California Law Review", 97 (3), 751-799.
- Novais F.A., Sevcenko N. (eds.) (2001), *História da vida privada no Brasil*, vol. III, São Paulo, Companhia das Letras.

- Nunes R.B. (2000), *Portuguese Migration to Rio de Janeiro*, "The Americas", 57 (1), 37-61.
- Núñez J.A. (2010), *Algunos comentarios en torno a la sanción de la libertad condicional en la República Argentina (1922-1927)*, "Naveg@merica. Revista electrónica de la Asociación Española de Americanistas", II, <http://revistas.um.es/navegamerica/article/view/111461>.
- Nuzzo L. (2002), *Italiani in Cina. La concessione di Tientsin*, in Mazzacane A. (ed.), *Diritto, economia e istituzioni nell'Italia fascista*, Baden-Baden, Nomos, 255-280.
- Nuzzo L. (2004-2005), *Dal colonialismo al post-colonialismo, tempi e avventure del soggetto indigeno*, "Quaderni fiorentini", 33-34, 463-508.
- Nuzzo L. (2007), *Da Mazzini a Mancini: il principio di nazionalità tra politica e diritto*, "Giornale di Storia Costituzionale", 14, 161-186.
- Nuzzo L. (2008), *Dall'Italia alle Indie: un viaggio del diritto comune*, "Rechtsgeschichte", 12, 102-125.
- Nuzzo L. (2009), *Un mondo senza nemici. La costruzione del diritto internazionale e il controllo delle differenze*, "Quaderni Fiorentini", 38, 1311-1381.
- Nuzzo L. (2011), *A Dark Side of the Western Legal Modernity: Colonial Law and its Subject*, "Zeitschrift für Neuere Rechtsgeschichte", 33 (3/4), 205-222.
- Nuzzo L. (2011), *Disordine politico e ordine giuridico. Iniziative e utopie del diritto internazionale di fine Ottocento*, "Materiali per una storia della cultura giuridica", 2, 319-337.
- Nuzzo L. (2012), *Origini di una scienza. Diritto internazionale e Colonialismo nel XIX secolo*, Frankfurt am Main, V. Klostermann.
- Nuzzo L. (2013), *Memoria, identità e uso pubblico della storia: l'invenzione del derecho indiano*, "Forum Historiae Juris", <https://forhistiur.net/2013-04-nuzzo/?l=it>.
- Nuzzo L. (2021), *The Birth of a Colonial City: Tianjin 1860-1895*, in Dauchy S., Pihlajamäki H., Cordes A., De Ruyscher D. (eds.) (2021), *Colonial Adventures: Commercial Law and Practice in the Making*, Leiden, Brill, 344-396.
- Nuzzo L. (2021), *The Birth of an Imperial Location. Comparative Perspectives on Western Colonialism in China*, "Leiden Journal of International Law", 31 (3), 1-28.
- Nuzzo L. (2022), *Law and Colonialism in China: A German Perspective*, Max Planck Institute for Legal History and Legal Theory Research Paper Series no. 2022-06, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4052598.
- Nye J.S., Keohane R.O. (1971), *Transnational Relations and World Politics: An Introduction*, "International Organization", 25 (3), 329-349.
- Okrent D. (2010), *Last Call: The Rise and Fall of Prohibition*, New York, Scribne.
- Omi M., Winant H. (1994), *Racial formation in the United States. From the 1960s to the 1990s*, 2nd ed., New York-London, Routledge.
- Oppenheim L. (1912), *International Law: a Treatise*, London, Longmans, Green & Co.
- Oppenheimer R. (1931), *The Administration of the Deportation Laws of the United States. Report to the National Commission on Law Observance and Enforcement*, in National Commission on Law Observance and Enforcement, *Report on the Enforcement of the Deportation Laws*, Washington, United States Government Printing Office.
- Orford A. (2012), *The Past as Law or History? The Relevance of Imperialism for Modern International Law*, "NYU Institute for International Law and Justice Working Paper Series", 2, 1-19.
- Osgood J. (2014), *Turia: A Roman Woman's Civil War*, Oxford, Oxford University Press.
- Ossipow W. (2008), *Kant's Perpetual Peace and Its Hidden Sources: A Textual Approach*, "Swiss Political Science Review", 14 (2), 357-389.
- Ostuni M.R. (1983), *Momenti della contrastata vita del Commissariato Generale*

- dell'Emigrazione (1901-1927), in Bezza B. (ed.), *Gli italiani fuori d'Italia. Gli emigrati d'adozione (1880-1940)*, Milano, FrancoAngeli, 101-118.
- Ostuni M.R. (1985), *Inmigración política italiana y movimiento obrero argentino*, in Devoto F., Rosoli G. (eds.), *La inmigración italiana en la Argentina*, Buenos Aires, Bibles, 105-126.
- Ostuni M.R. (1990), voce *De Michelis, Giuseppe*, in *Dizionario Biografico degli Italiani*, vol. 38, Roma, Istituto dell'Enciclopedia Italiana.
- Ostuni M.R. (2001), *Leggi e politiche di governo nell'Italia liberale e fascista*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. 1, *Partenze*, Roma, Donzelli, 309-319.
- Ostuni M.R., Stella G.A. (2005), *Da emigranti a razzisti? Quando a partire eravamo noi, "L'Europeo"*, IV (1).
- Oved I. (1976), *El trasfondo histórico de la ley 4.144, de Residencia*, "Desarrollo Económico", 61 (Apr.-Jun.), 123-150.
- Oved I. (1978), *El anarquismo y el movimiento obrero en Argentina*, San Ángel-Mexico City, Siglo Veintiuno.
- Owen W.D. (1891), *Select Committee on Immigration and Naturalization, and testimony taken by the Committee on Immigration of the Senate and the select Committee on Immigration and Naturalization of the House of Representatives under concurrent resolution of March 12, 1890*, Washington, Government printing office, 956-959.
- Pagden A. (2000), *El ideal cosmopolita, la aristocracia y el triste sino del universalismo europeo*, "Revista internacional de Filosofía Política", 15, 21-41.
- Pagden A. (2002), *La ilustración y sus enemigos*, Madrid, Península.
- Palladini F. (2008), *Pufendorf Disciple of Hobbes: The Nature of Man and the State of Nature: The Doctrine of Socialitas*, "History of European Ideas", 34, 26-60.
- Palma L. (1882), *L'odierno regime parlamentare nelle colonie inglesi*, "Nuova Antologia", second series, 34 (13), July, 39-75.
- Palma R.M.R. (2000), *Da Autonomia Dogmática do Direito do Trabalho*, Lisboa, Almedina.
- Panayi P. (2010), *An Immigration History of Britain. Multicultural Racism Since 1800*, Harlow, Pearson Education Limited.
- Panebianco M. (2005), *Ius communicationis totius orbis: il riproporsi dello ius gentium fra continuità e novità*, "Roma e America. Diritto romano comune", 19-20, 403-429.
- Panofsky E. (1954), *Three Decades of Art History in the United States: Impressions of a Transplanted European*, "College Art Journal", 14 (1), 7-27.
- Pantaleoni M. (1900), *Atti parlamentari, Camera dei deputati, XXI Legislatura 1900, I sessione, Discussioni, tornata del 23 novembre 1900*, 391-422.
- Pantano E. (1900), *Atti parlamentari, Camera dei deputati, Legislatura XXI 1900, I sessione, Discussioni, 2° tornata del 28 novembre 1900*, 647-690.
- Pantano E. (1901), *Atti parlamentari, Camera dei deputati, XXI Legislatura 1900, I sessione, Discussioni, tornata del 15 marzo, 1901*, 2503-2540.
- Pantano E. (1904), *Relazione della Commissione parlamentare di vigilanza sul Fondo per l'emigrazione, presentata dal Ministro degli affari esteri alla Camera dei deputati il 25 giugno 1904 (Relatore l'on. Edoardo Pantano)*, "Bollettino dell'Emigrazione", 11, 3-135.
- Papale A. (1874), *Della emigrazione italiana: errori incorsi dal sig. Jacopo Virgili*, Napoli, De Angelis.
- Park J.S.W. (2008), *On Being Here and Not Here. Noncitizen Status in American Immigration Law*, in Buff R.I. (ed.), *Immigrants Rights in the Shadous of Citizenship*, New York-London, New York University Press, 26-39.
- Parker E.M. (1906), *Executive judgements and executive legislation*, "Harvard Law Review", 20 (2), 116-126.

- Passaniti P. (2014), *Diritto e questione minorile tra Otto e Novecento*, in Lacché L., Stronati M. (eds.), *Questione criminale e identità nazionale in Italia tra Otto e Novecento*, Macerata, EUM.
- Passaniti P. (2015), *La legislazione sul lavoro delle donne e dei minori. L'Italia e l'Europa*, in Minesso M. (ed.), *Welfare, donne e giovani in Italia e in Europa nei secoli XIX e XX*, Milano, FrancoAngeli.
- Passero L. (2010), *Dioniso Anzilotti e la dottrina internazionalistica tra Otto e Novecento*, Milano, Giuffré.
- Passione R. (2023), *Lombroso, la Calabria, il Sud: le contraddizioni di un antropologo positivista*, in De Ceglia F.P., De Cristofaro E., Montaldo S. (eds.), *Lombroso e il Sud*, Roma, Donzelli, 99-112.
- Patti M. (2018), *Un ponte ancora aperto? Alcune note sull'emigrazione siciliana verso gli Stati Uniti durante il fascismo*, "Rivista quadrimestrale dell'Istituto meridionale di storia e scienze sociali. Migrazioni e fascismo", 92, 25-50.
- Paulucci di Calboli R. (1893), *I girovaghi italiani in Inghilterra ed i suonatori ambulanti*, Città di Castello, Lapi.
- Paulucci di Calboli R. (1902), *La tratta delle ragazze italiane*, "La Nuova Antologia", 1° aprile, 421-425.
- Paulucci di Calboli R. (1996), *Lacrime e sorrisi dell'emigrazione italiana*, ed. by Milza P., Rizzoni G., Tassani G., Milano, Mondadori.
- Pegram T.R. (1998), *Battling Demon Rum: The Struggle for a Dry America, 1800-1933*, Chicago, Ivan R. Dee.
- Pellegrini A. (1901), *Atti parlamentari, Camera dei deputati, XXI Legislatura 1900, I sessione, Discussioni, tornata del 15 marzo, 1901, 2503-2540*.
- Pepe A., Del Biondo I. (2001), *Le politiche sindacali dell'emigrazione*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, Partenze, Roma, Donzelli.
- Perassi T. (1921), *I lineamenti del diritto italiano dell'emigrazione*, "Bollettino della emigrazione", 3, 137.
- Perassi T. (1921), *I lineamenti del diritto italiano dell'emigrazione*, Roma, Commissariato Generale dell'emigrazione.
- Pérez Rodríguez J. (2018), *El estatus jurídico del exilio republicano en Francia (1939-1945)*, in Gómez Bravo G., Martín Nájera A. (eds.), *A vida o muerte. Persecución a los republicanos españoles*, Madrid, Fondo de Cultura Económica de España, 73-98.
- Pescosolido G. (2011), *La costruzione dell'economia unitaria*, in Sabbatucci G., Vidotto V. (eds.), *L'unificazione italiana*, Roma, Istituto della Enciclopedia Italiana, [https://www.treccani.it/enciclopedia/la-costruzione-dell-economia-unitaria_\(L'Unificazione\)](https://www.treccani.it/enciclopedia/la-costruzione-dell-economia-unitaria_(L'Unificazione)).
- Petacco A. (1983), *Joe Petrosino*, Novara, De Agostini.
- Petit C. (2006), *Il modello coloniale dello Stato di diritto. La Costituzione africana in Guinea*, in Costa P., Zolo D. (eds.), *Lo Stato di diritto. Storia, teoria, critica*, Milano, Feltrinelli, 566-613.
- Petrone Schorer M.T. (1987), *L'immigrante italiano nella fazenda di caffè di San Paolo*, in VV.AA., *Euroamericani. La popolazione di origine italiana in Brasile*, Torino, Fondazione Agnelli, 381-399.
- Petrone Schorer M.T. (1987), *O imigrante e a pequena proprietade*, São Paulo, Brasiliense.
- Phillimore R. (1854), *Commentaries upon International Law*, vol. I, Philadelphia, T. & J.W. Johnson.
- Phillimore R. (1879), *Commentaries upon International Law*, 3rd ed., London, Butterworths.
- Piastra S. (2017), *Gli esordi e gli sviluppi dell'emigrazione italiana a Shanghai. I nessi tra*

- settore serico, origine lombarda, reti relazionali e famigliari a Shanghai, "Bollettino della Società geografica italiana", 10 (3-4), 281-284.
- Piastra S. (2020), *The Italian Community in 'Old Shanghai' (1842-1941)*, in Schalz M., De Giorgi L., Ludes P. (eds.), *Contact Zones in China. Multidisciplinary Perspectives*, Oldendorp, De Gruyter, 34-47.
- Pickering S., Bosworth M., Franko Aas K. (2015), *The criminology of mobility*, in Pickering S., Ham J. (eds.), *The Routledge Handbook on Crime and International Migration*, London-New York, Routledge.
- Pifferi M. (2009), *L'illusione della libertà. Alle origini del diritto "negato" di emigrare*, in Desanti L., Ferretti P., Manfredini A.R. (eds.), *Per il 70° compleanno di Pierpaolo Zamorani. Scritti offerti dagli amici e dai colleghi di Facoltà*, Milano, Giuffrè, 321-338.
- Pifferi M. (2009), *La doppia negazione dello Ius Migrandi tra Otto e Novecento*, in Giolo O., Pifferi M. (eds.), *Diritto contro. Meccanismi giuridici di esclusione dello straniero*, Torino, Giappichelli, 47-78.
- Pifferi M. (2012), *Ius peregrinandi e contraddizioni dell'età liberale. Qualche riflessione sulla 'falsa' libertà di migrare in Italia e negli Stati Uniti*, in Meccarelli M., Palchetti P., Sotis C. (eds.), *Ius peregrinandi: il fenomeno migratorio tra diritti fondamentali, esercizio della sovranità e regimi dell'esclusione*, Macerata, EUM, 263-273.
- Pifferi M. (2016), *L'espulsione e la detenzione dello straniero tra Otto e Novecento*, "Quaderni Costituzionali", 36 (4), 839-859.
- Pifferi M. (2016), *Respingere, detenere, espellere: la costruzione del diritto dell'immigrazione tra Otto e Novecento*, in Bosworth M., *La "galera amministrativa" degli stranieri in Gran Bretagna. Un'indagine sul campo*, Napoli, Editoriale Scientifica.
- Pifferi M. (2017), *Controllo dei confini e politiche di esclusione tra Otto e Novecento*, in Augusti E., Morone A.M., Pifferi M. (eds.), *Il controllo dello straniero. I "campi" dall'ottocento ad oggi*, Roma, Viella.
- Pifferi M. (2018), *Diritto individuale o pericolo sociale? Scienza giuridica ed emigrazione tra Otto e Novecento*, in Amato Mangiameli A.C., Daniele L., Di Simone M.R., Turco Bulgherini E. (eds.), *Immigrazione Marginalizzazione Integrazione*, Torino, Giappichelli, 36-56.
- Pifferi M. (2019), *Antinomie e caratteri costanti dello ius migrandi tra Otto e Novecento*, "Rivista trimestrale di diritto pubblico", 2, 395-407.
- Pifferi M. (2019), *Paure dello straniero e controllo dei confini. Una prospettiva storico-giuridica*, "Quaderno di storia del penale e della giustizia", 1, 179-197.
- Pitts J. (2005), *A Turn to Empire. The Rise of Imperial Liberalism in Britain and France*, Princeton-Oxford, Princeton University Press.
- Pizzorni R. (1988), *Lo "ius gentium" nel pensiero del Vitoria*, in VV.AA., *I diritti dell'uomo e la pace nel pensiero di Francisco De Vitoria e Bartolomé de las Casas*, Congresso Internazionale Pontificia Università S. Tommaso, Roma 4-6 marzo 1985, Milano, Massimo.
- Pizzorusso G. (2001), *Le radici d'Ancien Règime delle migrazioni contemporanee: un quadro regionale*, "Giornale di storia contemporanea", IV (1), 162-183.
- Pliley J.R. (2014), *Policing Sexuality: The Mann Act and the Making of the FBI*, Cambridge, Harvard University Press.
- Pohlman H.L. (1984), *Justice Oliver Wendell Holmes & Utilitarian Jurisprudence*, Cambridge, Harvard University Press.
- Ponce A. (1948), *José Ingenieros. Su vida y su obra*, Buenos Aires, Higiencia y Materia.
- Porcella M. (1998), *Con arte e con inganno. L'emigrazione girovaga nell'Appennino ligure-emiliano*, Genova, Sagep.
- Porcella M. (2001), *Premesse dell'emigrazione di massa in età prestatistica (1800-1850)*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, *Partenze*, Roma, Donzelli.

- Portelli M.B. (2017), "Asionado por ese movimiento científico": Cornelio Moyano Gacitúa y el estudio empírico de la delincuencia argentina a comienzos del siglo XX, "Revista Historia y Justicia", 8, 166-194.
- Post L.F. (1916), *Administrative Decision in Connection with Immigration*, "The American Political Science Review", 10, 251-261.
- Pound R. (1912), *The Scope and Purpose of Sociological Jurisprudence*, "Harvard Law Review", 25 (6), 489-516.
- Pound R. (1931), *The Call for a Realist Jurisprudence*, "Harvard Law Review", 44 (5), 697-711.
- Pound R. (1946), *Administrative Agencies and the Law*, "American Affairs Pamphlet".
- Powell T.R. (1908), *The Judicial Review of Administrative Action in Immigration Proceedings*, "Harvard Law Review", 22 (5), 360-366.
- Pozzetta G., Ramirez B. (eds.) (1992), *The Italian Diaspora: Migration Across the Globe*, Toronto, Multicultural History Society of Ontario.
- Preston P. (2022), *Franco: caudillo de España*, Barcelona, Debate.
- Pretelli M. (2011), *L'emigrazione italiana negli Stati Uniti*, Bologna, Il Mulino.
- Pufendorf S. (1749), *De iure naturae et gentium libri octo* [1672], London, T. Longman et al.
- Pufendorf S. (1934) *De iure naturae et gentium libri octo* [1688], ed. by Carnegie Institution of Washington, Oxford, Clarendon Press.
- Pugliese E. (2016), *L'Italia tra migrazioni internazionali e migrazioni interne*, Bologna, Il Mulino.
- Punzo M. (1983), *La Società umanitaria e l'emigrazione. Dagli inizi del secolo alla prima guerra mondiale*, in Bezza B. (ed.), *Gli italiani fuori d'Italia. Gli emigrati italiani nei movimenti operai dei paesi d'adozione 1880-1940*, Milano, FrancoAngeli, 119-144.
- Quartararo R. (1997), *L'affare di San-Mun. Un episodio dell'imperialismo coloniale italiano alla fine del XIX secolo*, "Clio", 33 (3), 453-498.
- Rafaneu-Boj M. (1993), *Los campos de concentración de los refugiados españoles en Francia*, Barcelona, Omega.
- Raggi L. (1903), *L'emigrazione italiana nei suoi rapporti con il diritto*, Città di Castello, Lapi.
- Ranelletti O. (1904), *La polizia di sicurezza*, in Orlando V.E. (ed.), *Primo trattato completo di Diritto amministrativo*, vol. IV, pt. I, Milano, Società Editrice Libreria.
- Ravenstein E.G. (1885), *The Laws of Migration*, "Journal of the Statistical Society of London", 48, 167-235.
- Regazzoni S. (2007), *Riflessioni sulla presenza italiana nella letteratura argentina*, "Oltreoceano", I, 103-116.
- Report of the Special Committee on Administrative Law* (1938), "A.B.A. Annual Report", 63, 331-368.
- Reports of the United States Immigration Commission* (1907-1910), vol. 36, *Immigration and Crime*, (Senate Document no. 750, 61st Cong., 3rd sess.), Washington, Government Printing Office, 1911.
- Repetto T. (2018), *American Detective: Behind the Scenes of Famous Criminal Investigations*, Lincoln, Potomac Books.
- Rinaldi C. (1980), *Ideologia dell'emigrazione nell'Italia di fine '800*, "Affari sociali internazionali", VIII (1-2), 11-136.
- Riosa A. (1986), *Presentazione*, in Santoni P. (ed.), *Inventario del fondo "Commissione centrale arbitrale per l'emigrazione" (1915-1929)*, Roma, Istituto Poligrafico e Zecca dello Stato, 15-16.
- Ripoli M. (2000), *Pinocchio e l'obbligo scolastico*, "Materiali per una storia della cultura giuridica", XXX (2), pp. 511-524.

- Roberts M. (1991), *Looking Back and Seeing the Future: The United States Secret Service, 1865-1990*, Dallas, Association of Former Agents of the United States Secret Service.
- Röder K.D.A. (1876), *Las doctrinas fundamentales reinantes sobre el delito y la pena en sus interiores contradicciones*, translated by Giner de los Ríos F., Madrid, Librería de Victoriano Suárez.
- Rodler L. (2012), *L'Uomo delinquente di Cesare Lombroso: tra scienza e letteratura*, "Criminocorpus. Archives d'anthropologie criminelle and related subjects", 4.
- Rodotà S. (2012), *Il diritto di avere diritti*, Roma-Bari, Laterza.
- Rodotà S. (2014), *Solidarietà. Un'utopia necessaria*, Roma-Bari, Laterza.
- Rodrigo S.J. (2008), *Hasta la raíz. Violencia durante la guerra civil y la dictadura franquista*, Madrid, Alianza Editorial.
- Rodríguez Kauth A. (1996), *José Ingenieros*, Buenos Aires, Almagesto.
- Rodríguez Molas R. (1964), *Gaucho, Inmigrante y Aristocracia Argentina de la Segunda Mitad del Siglo XIX (Análisis Documental de Testimonios Contemporáneos)*, "Revista de Historia de América", 57/58, 121-136.
- Rogari S. (2017), *Agricoltura e contratti agrari nell'Italia liberale*, in Manica G. (ed.), *Le inchieste agrarie in età liberale. Atti del convegno*, I Georgofili, Quaderni, I, Firenze, Edizioni Polistampa, 11-21.
- Roldán Cañizares E. (2019), *Luis Jiménez de Asúa. Derecho penal, República, exilio*, Madrid, Carlos III University of Madrid.
- Roldán Cañizares E. (2020), *Luis Jiménez de Asúa. Una vida por la República*, in Jiménez de Asúa L., *No basta ser solo republicano. Antología de textos*, Sevilla, Athenaica Ediciones Universitarias.
- Romano A.T. (2010), *Italian Americans in Law Enforcement*, Bloomington, Xlibris.
- Rondini A. (2001), *Cose da pazzi. Cesare Lombroso e la letteratura*, Pisa-Roma, Iepi.
- Rorabaugh W.J. (1979), *The Alcoholic Republic: An American Tradition*, New York-Oxford, Oxford University Press.
- Rösch F. (2014), *Émigré Scholars and the Genesis of International Relations. A European Discipline in America?*, London, Palgrave Macmillan.
- Rosenwaike I. (1972), *Population History of New York City*, Syracuse, Syracuse University Press.
- Rosmini C. (1888), *Il nuovo progetto sull'emigrazione*, "Giornale degli Economisti", 3 (2/3), 121-174.
- Rosoni I. (2004-2005), *L'organizzazione politico-amministrativa della prima colonia eritrea (1880-1908)*, "Quaderni Fiorentini", 33-34, 1039-1127.
- Rosoni I. (2006), *La colonia Eritrea. La prima amministrazione coloniale italiana*, Macerata, EUM.
- Rosoni I. (2011), *Legislazione coloniale e mobilità degli individui. Il caso della Colonia Eritrea*, in Chelati Dirar U., Palma S., Triulzi A., Volterra A. (eds.), *Colonia e postcolonia come spazi diasporici. Attraversamenti di memorie, identità e confini nel Corno d'Africa*, Rome, Carocci Editore, 151-162.
- Ross E.A. (1901), *The Causes of Race Superiority*, "The Annals of the American Academy of Political and Social Science", 18, 67-89.
- Ross E.A. (1914), *The Old World in the New. The Significance of Past and Present Immigration to the American People*, New York, The Century Co.
- Rossi F. (2019), *'Depurare' e 'selezionare' le correnti migratorie. Il progetto argentino di Ley Nacional del trabajo (1904) e i lavoratori stranieri*, "Historia et ius", 15, paper 16, http://www.historiaetius.eu/uploads/5/9/4/8/5948821/rossi_15.pdf.
- Rossi L. (2017), *L'inchiesta Faina sui contadini meridionali*, in Manica G. (ed.), *Le inchieste agrarie in età liberale. Atti del convegno*, I Georgofili, Quaderni, I, Firenze, Edizioni Polistampa, 117-152.

- Rossi V. (1888), *Il diritto penale moderno e la nuova scuola positiva a Buenos Ayres*, “Archivio di psichiatria e antropologia criminale per servire allo studio dell’uomo alienato e delinquente”, IX, 335.
- Rota L. (2018), *Un dialogo tra irriducibili: Tolstoj e lombrosismo a confronto*, “ACME – Annali della Facoltà di Studi Umanistici dell’Università degli Studi di Milano”, 71 (1), 79-96, <https://riviste.unimi.it/index.php/ACME/article/view/10518/9915>.
- Rotondo F. (2014), *Itinerari alla periferia di Lombroso. Pietro Gori e la “Criminalogia moderna in Argentina”*, Napoli, Editoriale scientifica.
- Rotondo F. (2017), *Italiani d’Argentina. Dall’accoglienza alla “difesa sociale” (1853-1910)*, “Historia et Ius”, 12, paper 13, 1-40, http://www.historiaetius.eu/uploads/5/9/4/8/5948821/rotondo_12.pdf.
- Rotondo F. (2018), *La novela lombrosiana in Argentina: criminalizzazione dell’immigrato italiano tra medicina e diritto*, in Nuzzo L. (ed.), *Differenza e diritto. Saggi di filosofia, storia e sociologia giuridica*, Lecce, Congedo, 79-106.
- Rotondo F. (2019), *Penalística positivista italiana e America Latina: linee di tendenza e interpretazioni storiografiche*, “Diritto e giustizia minorile”, 1/2, 84-105.
- Rotondo F. (2019), *Reading a Travel Journal. The Melancholia of Gina Lombroso in Latin America*, in Amorosi V., Minale V.M. (eds.), *History of Law and other Humanities*, Madrid, Editorial Dykinson, 419-430.
- Royot D. (1986), *Stéréotypes et xénophobie: l’immigrant italien de 1880 à la Première Guerre Mondiale*, in Cazemajou J. (ed.), *L’immigration européenne aux États-Unis: 1880-1910*, Bordeaux, Presses Universitaires.
- Rubenstein D.S., Gulasekaram P. (2017), *Immigration exceptionalism*, “Northwestern University Law Review”, 111 (3), 583-654.
- Rubio J. (1977), *La emigración de la guerra civil de 1936-1939*, vol. 1, Madrid, Editorial San Martín.
- Rumble. W.E. Jr (1965), *Legal Realism, Sociological Jurisprudence and Mr. Justice Holmes*, “Journal of the History of Ideas”, 26 (4), 547-566.
- Rusich L.G. (1983), *El inmigrante italiano en la novela argentina del 80*, “Chasqui: revista de literatura latinoamericana”, XII, 42-49.
- Rygiel P. (2021), *L’ordre des circulations? L’Institut de Droit international et la régulation des migrations (1870-1920)*, Paris, Éditions de la Sorbonne.
- Sagù M.L. (1988), *Alle origini della scienza del diritto coloniale in Italia*, “Clio”, 24 (4), 557-593.
- Salessi J. (1995), *Médicos maleantes y maricas. Higiene, criminología y homosexualidad en la construcción de la nación Argentina. (Buenos Aires: 1871-1914)*, Rosario, Biblioteca Estudios Culturales.
- Salvatore R.D. (1992), *Prison Reform, and the Buenos Aires Working Class*, “Journal of Interdisciplinäre History”, XXXIII, 279-299.
- Salvatore R.D., Aguirre C. (1996), *The birth of the penitentiary in Latin America: essays on criminology, prison reform, and social control, 1830-1940*, Austin, University of Texas Press.
- Salyer L.E. (1991), *‘Laws Hars as Tigers’: Enforcement of the Chinese Exclusion Laws, 1891-1924*, in Chan S. (ed.), *Entry Denied. Exclusions and the Chinese Community in America, 1882-1943*, Philadelphia, Temple University Press, 57-93.
- Sánchez Cervelló J. (2011), *La Segunda República en el exilio*, Barcelona, Editorial Planeta.
- Sanchez J.R. (2008). *Hasta la raíz. Violencia durante la Guerra Civil y la dictadura franquista*, Madrid, Alianza Editorial.
- Sands P. (2016), *East West Street: On the Origins of “Genocide” and “Crimes Against Humanity”*, New York, Knopf Doubleday Publishing Group.

- Sanfilippo M. (1992), *The Debate on the Political and Economic Motivations of Italian Mass Migration*, in Pozzetta G., Ramirez B. (eds.), *The Italian Diaspora: Migration Across the Globe*, Toronto, Multicultural History Society of Ontario.
- Sanfilippo M. (1995), *Nuovi studi sul popolamento delle colonie nordamericane nei secoli XVII-XIX e qualche riflessione sulle migrazioni in età moderna*, "Studi Emigrazione", XXXII (119), 505-517.
- Sanfilippo M. (2001), *Tipologie dell'emigrazione di massa*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. I, Partenze, Roma, Donzelli, 77-94.
- Sanhueza M. T. (2003), *Immigrants in Argentina: Some Representations on Stage*, "Italian Americana", 21 (1), 5-21.
- Sanhueza M. T. (2010), "(No) Hacerse la América: la realidad de los inmigrantes en el teatro de Armando Discépolo", "Revista de Humanidades", XXII, 117-139.
- Sansone L. (2022), *La Galassia Lombroso*, Bari-Roma, Laterza.
- Santoni P. (ed.), *Inventario del fondo "Commissione centrale arbitrale per l'emigrazione" (1915-1929)*, Roma, Istituto Poligrafico e Zecca dello Stato.
- Santoro E. (2006), *Dalla cittadinanza inclusiva alla cittadinanza escludente: il ruolo del carcere nel governo delle migrazioni*, "Diritto e questioni pubbliche", 6, 39-79.
- Santoro E. (2012), *Diritti umani, lavoro, soggetti migranti: procedure e forme del "neoschiavismo"*, in Casadei T. (ed.), *Diritti umani e soggetti vulnerabili. Violazioni, trasformazioni, aporie*, Torino, Giappichelli, 227-248.
- Sarti R. (1985), *Long Live the Strong. A History of Rural Society in the Appennine Mountains*, Amherst, University of Massachusetts Press.
- Sassen S. (1999), *Migranti, coloni, rifugiati: dall'emigrazione di massa alla fortezza Europa*, Milano, Feltrinelli.
- Savino M. (2012), *Le libertà degli altri. La regolazione amministrativa dei flussi migratori*, Milano, Giuffrè.
- Savolainen U. (2017), *Tellability, frame and solence: The emergence of internment memory*, "Narrative Inquiry", 27, 24-46.
- Sayad A. (2002), *La doppia assenza* [1999], Milano, R. Cortina.
- Sbriccoli M. (1973), *Dissenso politico e diritto penale in Italia tra Otto e Novecento: il problema dei reati politici dal programma di Carrara al trattato di Manzini*, in "Quaderni fiorentini per la storia del pensiero giuridico moderno", vol. II, 1973, 607-702, now in Id., *Storia del diritto penale e della giustizia. Scritti editi ed inediti (1972-2007)*, VV.AA., (2009), Giuffrè, Milano, t. II, 725-817.
- Sbriccoli M. (1990), *La penalistica civile. Teorie e ideologie del diritto penale nell'Italia unita*, in Schiavone A. (ed.), *Stato e cultura giuridica in Italia dall'Unità alla Repubblica*, Roma-Bari, G. Laterza, 147-232.
- Scarzanella E. (1983), *Italiani d'Argentina, 1850-1912*, Venezia, Marsilio.
- Scarzanella E. (1999), *Italiani malagente. Immigrazione, criminalità, razzismo in Argentina, 1890-1940*, Milano, FrancoAngeli.
- Scavia G. (1869), *Delle migrazioni e delle colonie*, Turin, Tipografia Foa.
- Scavino M. (2009), *L'interesse per la politica e l'adesione al socialismo*, in Montaldo S., Tappero P. (eds.), *Cesare Lombroso cento anni dopo*, Torino, UTET, 117-126.
- Scelsi L. (1900), *I minorenni italiani e le vetrerie francesi*, "Bollettino dell'Emigrazione", 9.
- Schiera P. (1999), *Specchi della politica. Disciplina, melancolia, socialità nell'Occidente moderno*, Bologna, Il Mulino.
- Schiller Reuel E. (2015), *Forging Rivals: Race, Class, Law, and the Collapse of Postwar Liberalism*, New York, Cambridge University Press.
- Schiller Reuel E. (2017), *Administrative Law: Historical Origins of America's Administrative Exceptionalism*, "The Judges' Book", 1, article 4, 5-10.

- Schirò P. (2022), *Medicina e diritto nell'Ottocento attraverso l'opera di Lorenzo Tenchini (1852-1906). La Scuola medica positiva*, "Historia et ius", 21, paper 6, http://www.historiaetius.eu/uploads/5/9/4/8/5948821/schiro_21.pdf.
- Schmeckebier L.F. (1929), *The Bureau of Prohibition: Its History, Activities and Organization*, Washington, The Brookings Institution.
- Schmitt C. (1991), *Il nomos della terra nel diritto internazionale dello "jus publicum europaeum"* [1974], Milano, Adelphi.
- Schuck P.H. (1984), *The Transformation of Immigration Law*, "Columbia Law Review", 84 (1), 1-90.
- Schulz F. (1946), *Roman Legal Science*, Oxford, At the clarendon Press.
- Schweber H. (2014), *Lochner v. New York and the Challenge of Legal Historiography*, "Law & Social Inquiry", 39 (1), 242-274.
- Scott J.B. (1934), *The Spanish Origins of International Law: Francisco de Vitoria and his Law of Nations*, Oxford, Oxford University Press.
- Scovazzi T. (1996), *Assab, Massaua, Uccialli, Adua. Gli Strumenti giuridici del primo colonialismo italiano*, Torino, Giappichelli.
- Scuccimarra L. (2006), *I confini del mondo: storia del cosmopolitismo dall'antichità al Settecento*, Bologna, Il Mulino.
- Seelaender A.C.L. (2017), *A longa sombra da casa. Poder doméstico, conceitos tradicionais e imaginário jurídico na transição brasileiro do Antigo Regime à Modernidade*, "Revista IHGB", 473, 327-424.
- Seixas M. (2021), *História do Direito do Trabalho em Portugal: Um Direito em Construção*, Lisboa, AAFDL.
- Serra I. (2013), *On Men and Bears: a Forgotten Migration in Nineteenth-Century Italy*, "History Workshop Journal", 76 (1), 57-84.
- Sibley N.W., Elias A. (1906), *The Aliens Act and the Right of Asylum*, London, William Clowes & Sons.
- Sighele S. (1892), *Il nuovo progetto di Codice penale per la Repubblica Argentina*, "Archivio di psichiatria, scienze penali ed antropologia criminale", XIII, 268-274.
- Silvagni U. (1880), *Le colonie e l'avvenire dell'Italia*, part V, "Rivista Europea-Rivista Internazionale", 21 (4), October, 632-659.
- Silvestrelli G. (1903), *L'emigrazione e le colonie italiane in Svizzera*, "Bollettino dell'emigrazione", 11, 3-18.
- Singaravéλου P. (2017), *Tianjin Cosmopolis. Une autre histoire de la mondialisation*, Paris, Seuil.
- Sivo R. (1990), *Nota introduttiva a Indici dell'Enciclopedia giuridica italiana*, "Annali dell'Istituto storico italo-germanico in Trento", 16, 431-635.
- Smeltzer J. (2018), *On the use and abuse of Francisco de Vitoria: James Brown Scott and Carl Schmitt*, "Journal of the History of International Law", 20, 345-372.
- Solari H. (2001-2002), *El pensamiento de Miguel Cané en torno de la inmigración*, in "CUYO. Anuario de Filosofía Argentina y Americana", XVIII/XIX, 77-95.
- Solberg C. (1969), *Immigration and Urban Social Problems in Argentina and Chile, 1890-1914*, "The Hispanic American Historical Review", 49 (2), 215-232.
- Soler S. (1961), *Cornelio Moyano Gacitúa*, Córdoba, Academia Nacional de Derecho y Ciencias Sociales.
- Solimbergo G. (1877), *Della navigazione e del commercio alle Indie Orientali*, Rome, Tipografia Eredi Botta.
- Söllner A. (2018), *Political Scholar: Zur Intellektuellengeschichte des 20. Jahrhunderts*, Hamburg, Europäische Verlagsanstalt.
- Söllner A. (eds.) (1996), *Forced Migration and Scientific Change: Émigré German-Speaking Scientists and Scholars after 1933*, Cambridge, Cambridge University Press.

- Soo S. (2013), *The routes to exile: France and the Spanish Civil War refugees, 1939-2009*, Manchester, Manchester University Press.
- Sordi B. (1985), *Giustizia e amministrazione nell'Italia liberale. La formazione della nozione di interesse legittimo*, Milano, Giuffrè.
- Sori E. (1979), *L'emigrazione italiana dall'Unità alla seconda guerra mondiale*, Bologna, Il Mulino.
- Sori E. (1983), *Il dibattito politico sull'emigrazione italiana dall'Unità alla crisi dello Stato liberale*, in Bezza B. (ed.), *Gli italiani fuori d'Italia. Gli emigrati italiani nei movimenti operai dei paesi d'adozione, 1880-1940*, Milano, FrancoAngeli, 19-44.
- Soriano A. (1989), *Éxodos. Historia oral del exilio republicano en Francia*, Barcelona, Crítica.
- Sozzo M. (2002), "Traduttore traditore". *Traducción, importación cultural e historia del presente de la criminología en América latina*, "Cuadernos de Doctrina y Jurisprudencia Penal", 7 (13), 353-431.
- Sozzo M. (2011), "Los exóticos del crimen". *Inmigración, delito y criminología positivista en la Argentina (1887-1914)*, "Delito y sociedad: revista de ciencias sociales", 32, 19-51.
- Stanziani A., Campbell G. (2013), *Introduction*, in Stanziani A., Campbell G. (eds.), *Debt and Slavery in the Mediterranean and Atlantic Worlds*, London, Pickering & Chatto, 1-28.
- Stefanoni L. (1885), *La colonizzazione dell'Africa*, "Corriere della Sera", Milano, January, 17-18.
- Stella A., *Effetti della congestione urbana sulle donne e sui fanciulli italiani*, "Bollettino dell'Emigrazione", 17, 1934.
- Stella G.A., Franzina E. (2001), *Brutta gente. Il razzismo anti-italiano*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. II, *Arrivi*, Roma, Donzelli.
- Stiaccini C. (2007), *Orsanti: I quaderni di famiglia dei girovaghi dell'appennino toscano-emiliano*, in Castillo-Gomez A., Sierra-Blas V. (eds.), *El legado de Mnemosyne: las escrituras del yo a través del tiempo*, Gijón, Ediciones Trea, 95-112.
- Stolcke V., Hall M.M. (1983), *The Introduction of Free Labour on São Paulo Coffee Plantations, 1850-90*, "The Journal of Peasant Studies", 10 (2-3), 170-200.
- Stolzi I. (2015), *Le inchieste parlamentari. Un profilo storico-giuridico (Italia 1861-1900)*, Milano, Giuffrè.
- Storli E., Nybø A. (2016), *Publish or be damned? Early cartel legislation in USA, Germany, and Norway, 1890-1940*, in Felleman M., Shanahan S. (eds.), *Regulating Competition. Cartel registers in the twentieth-century world*, New York-London, Routledge, 17-29.
- Strote N.B. (2011), *Emigration and the Foundation of West Germany, 1933-1963*, PhD diss., Berkeley, University of California, <https://escholarship.org/uc/item/4pp6r8kw>.
- Strote N.B. (2017), *Lions and Lambs: Conflict in Weimar and the Creation of Post-Nazi Germany*, New Haven-London, Yale University Press.
- Stumpf J. (2006), *The crimmigration crisis: immigrants, crime & sovereign power*, "American University Law Review", 56 (2), 367-419.
- Sunstein Cass R. (1987), *Lochner's Legacy*, "Columbia Law Review", 87 (5), 873-919.
- Suriano J. (1990), *Niños trabajadores. Una aproximación al trabajo infantil en la industria porteña de comienzos del siglo*, in Armus D. (ed.), *Mundo urbano y cultura popular. Estudios de Historia Social Argentina*, Buenos Aires, CLACSO, 253-279.
- Tabellini M. (2020), *Gifts of the Immigrants, Woes of the Natives: Lessons from the Age of Mass Migration*, "The Review of Economic Studies", 87 (1), 454-486.
- Tagliabue C. (1892), *Gli inglesi nell'India*, "Nuova Antologia", third series, 39 (7), January, 532-552.

- Tamm M. (ed.) (2015), *Afterlife of Events*, Basingstoke, Palgrave Macmillan.
- Tammeo G. (1890), *La prostituzione. Saggio di statistica morale*, Torino, L. Roux & C.
- Tammeo G. (1906), voce *Emigrazione*, in *Enciclopedia giuridica italiana*, V, 2, Milano, Società Editrice Libreria, 1-160.
- Terragni G. (2015), *L'opera di Scalabrini a favore dell'emigrazione*, in Baggio F. (ed.), *Bonomelli e Scalabrini. Due vescovi al cui cuore non bastò una diocesi, Atti del seminario omonimo, Venerdì 15 maggio 2015 Università Cattolica del Sacro Cuore – Sede di Piacenza*, Roma, Centro Studi Emigrazione, 13-26.
- Teti V. (1993), *La razza maledetta. Origini del pregiudizio antimeridionale*, Roma, Manifestolibri.
- Teti V. (2022), *Restanza*, Torino, Einaudi.
- Thomas N. (1994), *Colonialism's Culture. Anthropology, Travel and Government*, Princeton, Princeton University Press.
- Thompson C., Raymond A. (1940), *Gang Rule in New York: The Story of a Lawless Era*, New York, The Dial Press.
- Thompson W.N. (2001), *Gambling in America: An Encyclopedia of History, Issues, and Society*, Santa Barbara, Abc-Clio.
- Thompson W.S. (1917), *Race Suicide in the United States*, "The Scientific Monthly", 5, 22-35; 154-165; 258-269.
- Thumfart J. (2017), *Francisco de Vitoria and the Nomos of the Code: The Digital Commons and Natural Law, Digital Communication as a Human Right, Just Cyber-Warfare*, in Beneyto J., Corti Varela J. (eds.), *At the Origins of Modernity. Studies in the History of Law and Justice*, vol. 10, Cham, Springer, 197-217.
- Tichenor D.J. (2002), *Dividing Lines. The politics of immigration control in America*, Princeton, Princeton University Press.
- Tolone G. (1908), *Emigrazione e pazzia*, "Il Manicomio Moderno", XX, 29-66.
- Tomasoni G. (1873), *Le emigrazioni italiane: memoria letta alla R. Accademia di scienze, lettere ed arti in Padova nella tornata del giorno 11 maggio 1873*, Padova, Tipografia Randi.
- Tomasoni G. (1873), *Le emigrazioni italiane: note*, Padova, Tipografia Prosperini.
- Torpey J. (2000), *The Invention of the Passport. Surveillance, Citizenship and the State*, Cambridge, Cambridge University Press.
- Torres Lacroze F. A. (1969), *Influencia del positivismo en la historia del derecho*, "Revista del Instituto de Historia del Derecho", 11, 175-185.
- Tosi G. (2006), *La teoria della guerra giusta in Francisco de Vitoria e il dibattito sulla conquista*, "Jura Gentium. Rivista di filosofia del diritto internazionale e della politica globale", <https://www.juragentium.org/topics/wlgo/it/tosi.htm#25>.
- Toyoda T. (2011), *Theory and Politics of the Law of Nations. Political Bias in International Law Discourse of Seven German Court Councilors in the Seventeenth and Eighteenth Centuries*, "Studies in the History of International Law", 5 (2), 30-39.
- Trento A. (1984), *Là dov'è la raccolta del caffè, L'emigrazione italiana in Brasile, 1875-1940*, Padova, Antenore.
- Trento A. (1998), *L'immagine di São Paulo come città italiana (1890-1920)*, in Giorcelli G., Cattarulla C., Scacchi A. (eds.), *Città reali e immaginarie nel continente americano*, Roma, Edizioni associate.
- Trento A. (2001), *In Brasile*, in Bevilacqua P., De Clementi A., Franzina E. (eds.), *Storia dell'emigrazione italiana*, vol. II, *Arrivi*, Roma, Donzelli.
- Treves G. (1959), *Judicial review in Italian administrative law*, "The University of Chicago Law Review", 26, 419-435.
- Triarhou L.C., del Cerro M. (2006), *The Biological Psychology of José Ingenieros, some biographical points, and Wilhelm Ostwald's (Nobel Prize Chemistry, 1909) introduction to the 1922 German edition*, "Electroneurobiología", 14 (3), 115-195.

- Trujillo Pérez I.A. (1997), *Francisco de Vitoria. Il diritto alla comunicazione e i confini della socialità umana*, Torino, Giappichelli.
- Trujillo Pérez I.A. (2006), *Ius gentium e ius communicationis. Attualità di una formula cosmopolita*, "Materiali per una storia della cultura giuridica", 2, 305-326.
- Tundo Ferente L. (1998), *Kant: utopia e senso della storia: progresso, cosmopoli, pace*, Bari, Ed. Dedalo.
- Tuori K. (2019), *Exiled Romanists between Traditions: Pringsheim, Schulz and Daube*, in Tuori K., Björklund H. (eds.), *Roman Law and the Idea of Europe: Europe's Legacy in the Modern World*, London-New York, Bloomsbury Publishing, 35-51.
- Tuori K. (2019), *Introduction*, in Tuori K., Björklund H. (eds.), *Roman Law and the Idea of Europe: Europe's Legacy in the Modern World*, London-New York Bloomsbury Publishing, 1-13.
- Tuori K. (2020), *Empire of Law, Exile Scholars and the Battle for the Future of Europe*, Cambridge, Cambridge University Press.
- Tuori K. (2020), *Reply to a Review on Empire of Law*, "Forum Prawnicze", 6(62), 87-90.
- Tuori K. (2022), *The silenced majority: Academic refugees and the vicissitudes of Readaptation*, in Kmak M., Björklund H. (eds.), *Refugees and Knowledge Production: Europe's Past and Present*, New York, Routledge, 165-181.
- Tuori K. (2022), *The Transformation of Roman law in America during the 1930s*, in Buongiorno P., Gallo A., Mecella L. (eds.), *Segmenti della ricerca antichistica e giuridichistica negli anni Trenta*, Napoli, Editoriale scientifica, 797-822.
- Tuori K., Björklund H. (eds.) (2019), *Roman Law and the Idea of Europe: Europe's Legacy in the Modern World*, London-New York, Bloomsbury Publishing.
- Ufficio d'Emigrazione della Società Umanitaria (1909), *Guida dell'emigrante italiano in Austria*, Milano, Tipografia degli Operai.
- Ufficio d'Emigrazione della Società Umanitaria (1909), *Guida dell'emigrante italiano in Svizzera*, Varese, Premiata Tipografia Cooperativa Varesina.
- Ufficio d'Emigrazione della Società Umanitaria (1910), *L'assistenza laica dell'emigrazione temporanea in Italia e all'estero. Relazioni al III convegno degli Uffici e Segretariati dell'Emigrazione. Milano 15 Novembre 1909*, Udine, Tipografia sociale.
- Ufficio d'Emigrazione della Società Umanitaria (1911), *Calendario per gli emigranti 1912*, Milano, Tipografia degli Operai.
- Ufficio d'Emigrazione della Società Umanitaria (1911), *IV Convegno annuale dei Segretariati Laici di Emigrazione. Milano 24 febbraio 1911. Verbali del Convegno e Relazioni annuali dei Segretariati aderenti per l'anno 1910*, Milano, Cooperativa tip. Operai.
- Ufficio d'Emigrazione della Società Umanitaria (1912), *Calendario per gli emigranti 1913*, Varese, Legatoria Verga.
- Ufficio d'Emigrazione della Società Umanitaria (1912), *V Convegno annuale dei Segretariati Laici di Emigrazione. Milano 3-4 dicembre 1911. Verbali del Convegno e Relazioni annuali dei Segretariati aderenti*, Milano, Cooperativa tip. Operai.
- Ufficio del Lavoro della Società Umanitaria (1904), *Consorzio per la tutela dell'emigrazione temporanea nell'Europa Continentale. Relazione, Statuto, Nove mesi di attività*, Milano, Tipografia degli Operai.
- Urofsky M.I. (2015), *Dissent and the Supreme Court: Its Role in the Court's History and the Nation's Constitutional Dialogue*, New York, Pantheon Books.
- Van Vree F. (2013), *Absent memories*, "Cultural Analysis", 12, 1-12.
- Vangelista C. (1982), *Le braccia per la fazenda. Immigrati e "capiras" nella formazione del mercato del lavoro paulista (1850-1930)*, Milano, FrancoAngeli.
- Vano C. (1990), *Edifizio della scienza giuridica nazionale. La nascita dell'Enciclopedia giu-*

- ridica italiana*, in Mazzacane A., Schiera P. (eds.), *Enciclopedia e sapere scientifico. Il diritto e le scienze sociali nell'Enciclopedia giuridica italiana*, Bologna, Il Mulino, 15-66.
- Vano C. (2016), *Vom Beruf unserer ... Orte. Umsetzungen und Übersetzungen in der internationalen Verbreitung von Savignys Werken*, in Meder S., Mecke C.E. (eds.), *Savigny global 1814–2014. ›Vom Beruf unsrer Zeit‹ zum transnationalen Recht des 21. Jahrhunderts*, Göttingen, V&R unipress, 239-256.
- Vano C., Pihlajamäki H., Sontag R. (eds.) (2019), *Legal history beyond borders: international circulation of law in modernity* [Special Issue], “Revista da Faculdade de Direito da Universidade Federal de Minas Gerais”, 74.
- Vano C. (2023), *Migrating Legal Texts. Notes on Interpretative Categories and Juridical Translations in the Nineteenth Century*, “Revista História do Direito”, 4 (7).
- Vattel E. de (1835), *Le droit des gens ou principes de la loi naturelle appliqués à la conduite et aux affaires des nations et des souverains*, [1758], Paris, Aillaud.
- Vecoli R.J. (1987), *Immigration, Naturalization and the Constitution*, “Etudes Migrations”, 85, 77-100.
- Vecoli R.J. (1996), *The Significance of Immigration in the Formation of an American Identity*, “The History Teacher”, 30 (1), 9-27.
- Vegliante J.C. (ed.) (1990), *Gli italiani all'estero, autres passages*, Paris, Sorbonne Nouvelle.
- Veronelli J.C. (1975), *Medicina, gobierno y sociedad. Evolución de las instituciones de atención de la salud en Argentina*, Buenos Aires, El Coloquio.
- Vetter J. (1984), *The Evolution of Holmes, Holmes and Evolution*, “California Law Review”, 72 (3), 343-368.
- Vezzetti H. (1985), *El discurso psiquiátrico*, in Biagini H. (ed.), *El movimiento positivista argentino*, Buenos Aires, Editorial del Belgrano, 362-373.
- Vezzetti H. (1985), *La locura en la Argentina*, Buenos Aires, Paidós.
- Vilar J.B. (2006), *La España del exilio. Emigraciones políticas españolas en los siglos XIX y XX*, Madrid, Editorial Síntesis.
- Villa R. (1981), *Sullo studio della devianza: note su alcuni aspetti storiografici e metodologici*, “Società e storia”, 13, 639-670.
- Villa R. (1985), *Il deviante e i suoi segni. Lombroso e la nascita dell'Antropologia criminale*, Milano, FrancoAngeli.
- Villa R. (2009), *Il “metodo sperimentale clinico”: Cesare Lombroso scienziato e romanziere*, in Montaldo S., Tappero P. (eds.), *Cesare Lombroso cento anni dopo*, Torino, Utet, 127-140.
- Viñas Á. (2007), *El escudo de la República*, Barcelona, Crítica.
- Vinci S. (2022), *La tutela giurisdizionale degli emigranti nelle sentenze della Commissione centrale arbitrale per l'emigrazione*, “Iurisdictio. Storia e prospettive della Giustizia”, 3, 127-173.
- Viola F. (1999), *Identità e comunità: il senso morale della politica*, Milano, Vita e Pensiero.
- Vitale E. (2004), *Ius Migrandi. Figure erranti al di qua della cosmopoli*, Torino, Bollati Boringhieri.
- Vitale E. (2020), *Politiche migratorie, tra distruzione e eclissi della ragione*, “Teoria politica. Nuova serie Annali”, 10, 277-293.
- Vitorino A.J.R. (2002), *Operários livres e cativos nas manufaturas: Rio de Janeiro, segunda metade do século XIX*, Paper presented at Jornadas de História do Trabalho, Pelotas, 1-14.
- Vlugt W. van der (1925), *L'œuvre de Grotius et son influence sur le développement du droit international*, “Recueil des cours de l'Académie de droit international de La Haye”, 7, 395-510.
- VV.AA. (2021), *Il pluralismo giuridico: paradigmi ed esperienze*, “Quaderni fiorentini per la storia del pensiero giuridico moderno”, 50, 2 voll.

- Warne F.J. (1913), *The Immigrant Invasion*, New York, Dodd, Mead & Co.
- Weissman Joselit J. (1983), *Our Gang: Jewish Crime and the Jewish Community, 1900-1940*, New York, Midland Book Edition.
- Welch R.F. (2010), *King of the Bowery: Big Tim Sullivan, Tammany Hall, and New York City from the Gilded Age to the Progressive Era*, Albany, Excelsior Edition.
- Werner W., Gordon G. (2016), *Kant, Cosmopolitanism, and International Law*, in Hoffmann F., Orford A. (eds.), *The Oxford Handbook of the Theory of International Law*, Oxford, Oxford University Press, 505-525.
- Westlake J. (1894), *Chapters on the Principles of International Law*, Cambridge, Cambridge University Press.
- Wheaton H. (1836), *Elements of International Law*, Philadelphia, Care, Lea and Blanchard.
- White A. (1888), *The Invasion of Pauper Foreigners*, "The Nineteenth Century", 23, 414-422.
- White G.E. (1971), *The Rise and Fall of Justice Holmes*, "University of Chicago Law Review", 39 (1), 51-77.
- White G.E. (1991), *Justice Oliver Wendell Holmes. Law and Inner Self*, New York, Oxford University Press.
- White G.E. (1997), *Revisiting Substantive Due Process and Holmes's Lochner Dissent*, "Brooklyn Law Review", 63 (1), 87-129.
- White M. (1976), *Social Thought in America. The Revolt Against Formalism* (1st ed. 1947), New York, Oxford University Press.
- Wiegandt M.H. (2004), *Gerhard Leibholz (1901-1982)*, in Beatson J., Zimmermann R. (eds.) (2004), *Jurists Uprooted: German-speaking Émigré Lawyers in Twentieth-century Britain*, Oxford, Oxford University Press, 535- 581.
- Wilkins W.H. (1892), *The Alien Invasion*, London, Methuen & Co.
- Wilsher D. (2012), *Immigration Detention: Law, History, Politics*, Cambridge, Cambridge University Press.
- Wolfers A. (1962), *The Actors in International Politics*, in Id., *Discord and Collaboration: Essays on International Politics*, Baltimore, J. Hopkins.
- Wolff C. (1934), *Jus Gentium Methodo Scientifica Pertractatum* [1749], Oxford, Clarendon Press.
- Woolf S. (1988), *Porca miseria. Poveri e assistenza nell'età moderna*, Bari, Laterza.
- Wray H. (2006), *The Aliens Act 1905 and the Immigration Dilemma*, "Journal of Law and Society", 33, 302-323.
- Young R. (2005), *Introduzione al postcolonialismo*, Rome, Meltemi.
- Zaffaroni E.R. (2007), *Prólogo*, in Creazzo G., *El positivismo criminológico italiano en la Argentina*, Buenos Aires, Edae, 13-17.
- Zahedieh N. (2010), *The Capital and the Colonies. London and the Atlantic Economy 1660-1700*, Cambridge, Cambridge University Press.
- Zaida Lobato M. (ed.) (1996), *Política, médicos y enfermedades. Lecturas de historia de la salud en la Argentina*, Buenos Aires, Biblos.
- Zapatero P.M. (2009), *Legal Imagination in Vitoria. The Power of Ideas*, "Journal of the History of International Law", 11, 221-271.
- Zapatero P.M. (2015), *Dreaming up a "res publica" of all the world*, in Beneyto J.M., Román Vaca C., (eds.), *New Perspectives on Francisco de Vitoria. Does International Law lie at the heart of the origin of the modern worlds?*, Madrid, Fundación Universitaria San Pablo CEU, 173-192.
- Zaragoza Ruvira G. (1972), *Errico Malatesta y el anarquismo argentino*, "Historiografía y bibliografía americanista", 16 (3), 401-424.

- Zaragoza Ruvira G. (1978), *Anarchisme et mouvement ouvrier en Argentine à la fin du XIXe siècle*, "Le mouvement social", 103, April-June, 7-30.
- Zedner L. (2013), *Is the Criminal Law Only for Citizens? A Problem at the Borders of Punishment*, in Franko Aas K., Bowsorth M. (eds.), *The Borders of Punishment*, Oxford, Oxford University Press, 40-57.
- Zeidel R.F. (2004), *Immigrants, Progressives, and Exclusion Politics. The Dillingham Commission, 1900-1927*, DeKalb, Northern Illinois University Press.
- Zimmermann R. (2022), "Hero auf dem Felsenturme": Kaius Tuori, *Empire of Law – Nazi Germany, Exile Scholars and the Battle for the Future of Europe*, "Rechtsgeschichte", 30, 294-300, <https://hdl.handle.net/21.11116/0000-000B-6250-C>
- Zucchi J.E. (1986), *Precursors of the "new immigration": Italian street musicians, 1815-1885*, London-New York, McGill University Press.
- Zucchi J.E. (1992), *The Little Slaves of the Harp: Italian Child Street Musicians in Nineteenth-Century Paris, London and New York*, Montreal-Kingston, McGill-Queen's University Press.