
BOOK REVIEWS

Maurizio Albahari, *Crimes of Peace: Mediterranean Migrations at the World's Deadliest Border* (Philadelphia: University of Pennsylvania Press, 2015), ISBN 9780812247473, 272 pages.

"The Mediterranean Sea should not be a tomb." Thus pronounced Bartholomew I, Archbishop of Constantinople and leader of the Eastern Orthodox Church, as he met on the Greek island of Lesbos with his Roman Catholic counterpart, Pope Francis, in a symbol of ecumenical solidarity with the plight of refugees.¹ More than seven months had passed since international public opinion was riveted by the photo of Aylan Kurdi, a Syrian toddler, whose body had washed ashore on a Turkish beach after the capsizing of the smuggler's boat in which members of his family sought to flee, wearing their fake life vests. In the previous fourteen years, some 25,500 (undoubtedly a low estimate) had perished under similar circumstances, trying to cross what Maurizio Albahari, in his extraordinary and prescient book, calls "the world's deadliest border."

The author sets out his ambitious task with characteristic clarity:

[W]hat do democracy, rule of law, sovereignty, and human rights look like in the encounter between those chasing the

other side of their horizon and those who have the duty to deter, rescue, welcome, categorize, and potentially deport them? How does the task of managing maritime borders and saving lives take shape in actuality, beyond the abstract vocabulary of sovereignty and human rights?²

The book defies easy summary. It should be read. The author makes generalizations, but they are built on detailed assessments of particular events, and are subject to qualification and nuance, and sometimes even contradiction by the details of other events. He calls his approach "artisanal ethnography."³ As the author puts it, "[S]ituations and contexts *are* the story here, not colorful supplements."⁴

Albahari, an anthropologist at the University of Notre Dame, conducted a decade of research on migration by spending extended periods in Apulia and other southern Italian coastal regions, on the island of Lampedusa, and visiting other sites of debarkation, transit, and destination around the Mediterranean, including Malta, Libya, Tunisia, Greece, Montenegro, and Serbia. Long before he embarked on his research project, Albahari was drawn to the subject, when, as a high school student in Gallipoli, a seaside town on the heel of the Italian boot, he witnessed the arrival, in July 1990, of Albanian *profughi*—political refugees from the tottering communist regime.

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1. Jim Yardley, *Pope Francis Takes 12 Refugees Back to Vatican After Trip to Greece*, N.Y. Times, 16 Apr. 2016.
 2. MAURIZIO ALBAHARI, *CRIMES OF PEACE: MEDITERRANEAN MIGRATIONS AT THE WORLD'S DEADLIEST BORDER* 11 (2015).
 3. *Id.* at 30–31.
 4. *Id.* at 16.

As a result of negotiations between the Italian and Albanian governments, the dissidents arrive by ferry, everyone on board “greeted as a hero of anticommunism” and offered generous hospitality by the local residents.

With the fall of communism, Albanians continue fleeing economic and political collapse, more haphazardly, and at risk to their lives. The facilities that house the arrivals, often run by the Catholic Church and staffed by volunteers (of which Albahari the researcher later became one), are eventually transformed into centers that work with the government to identify the migrants and ascertain their status, but also to detain them for possible expulsion. Despite their new designation as *centri di accoglienza*—centers of reception or welcome—the welcome begins to wear thin. The locals no longer consider the Albanians, for example, victims but rather *products* of a communist regime. “They did not value individual labor and private enterprise,” in the author’s summary of some local views, and “were failing to make a positive return on the Italians’ gift of compassion and reception.”⁵

As the light irony of that passage hints, Albahari has an eye for the contradictions and paradoxes inherent in his subject—and a real talent for conveying them in vivid prose and with a controlled passion. Through his narrative we come to admire the humanity and generosity of spirit of the Catholic officials, such as Don Cesare of the Regina Pacis Foundation. The priest chafes at the dual role he must play, offering charity, but also—under contract with the state—serving as a “bureaucrat of exclusion.” Later we learn that Don Cesare has been charged with embezzlement and convicted of abuse of

his wards when he “quietly assisted the brutal violence inflicted on a group of migrants of North African origin.”⁶

The author himself later participates in a process characterized by ambivalence and injustice, as he volunteers to serve as an interpreter—speaking Serbian to a group of Bulgarians who have been arrested by the Italian police and put under detention at the Center for the Identification of Asylum Seekers in Otranto. In a chapter worthy of Kafka, the author explains that Bulgarians are allowed visa-free travel to Italy, so it is not clear—and never really becomes clear—why they were arrested in the first place and what is keeping them confined for so long. There is some suspicion that they are “gypsies” (they are actually ethnic Turks) and that their real intention was not tourism, as they claimed, but illegal immigration. Following hunger strikes and bureaucratic delays, they are eventually sent under police escort to Austria, their point of entry into the European Union, for eventual return home. Just a bizarre, one-off story? The author demurs. “What is seemingly ephemeral might not be just a short-lived event or accident.” Rather, it “is deeply related to structured improvisations, injustice, and permanent states of emergency.”⁷

Despite his ethnographic focus on particular locales, Albahari manages to cover a wide range of political developments in the European Union’s policy towards migrants, from the *Mare Nostrum* rescue campaign of the Italian Navy to the more militarized EU projects of Frontex and Eurusur, poorly funded and intended mainly to protect the borders. He provides deft summaries of the external political events that exacerbated the refugee crisis—in-

5. *Id.* at 36, 42, 54–55.

6. *Id.* at 52.

7. *Id.* at 137.

cluding the failed Arab Spring and the NATO air war against Muammar Gaddafi's regime in Libya (an erstwhile collaborator with the Italian government in sending refugees back to their countries of origin). The Libya intervention, justified on humanitarian grounds, entailed an extensive naval presence in the area, but a neglect of the refugees' plight. As one Italian officer complained, "[w]e want to save them in Libya by bombing Tripoli, but once hundreds manage to leave they are abandoned...we want to save them in Libya and we let them die in the sea?"⁸

Albahari offers a valuable overview of the legal and customary norms governing rescue at sea and the tensions between anti-smuggling efforts and the basic humanitarian goal of saving lives. Sailors and fishermen who would otherwise feel obliged to rescue drowning refugees and bring them to a "safe port" now risk being arrested as complicit in a human-trafficking operation. The author also covers the legal regime within the European Union—the so-called Dublin Regulation that requires the first European state where refugees arrive to process their applications for asylum, putting an undue burden on coastal states such as Italy and Greece, and leading refugees to attempt escapes from their centers of confinement rather than risk being "pushed back."

Spoiler alert on the title: It comes from the concept *crimini di pace*, coined by the Italian psychologists Franco Basaglia and Franca Basaglia Ongaro to understand "all forms of institutionalized violence that serve as strategies of

conservation for our social system."⁹ For the European Union, defending its values entails policing its borders, even if the European project was intended to erase borders—the internal ones, anyhow. As the author writes,

Borders, whether in the form of concrete-and-steel walls or biometrical checkpoints, have cultural and geopolitical meaning only insofar as they are understood as marking something worth safeguarding in the first place—the EU as an "area of freedom, security, and justice without internal frontiers, and with full respect for fundamental rights"; order and security; the nation and its sovereignty; Western values, Christendom, and so forth.¹⁰

Yet, for the EU, "manufacturing legitimation and consecration, producing and reproducing the 'essential' values it defends" lead in turn to a "call for more border reinforcement."¹¹ And that reinforcement contributes to the deaths of tens of thousands of migrants, even if many more are saved. For "who, in actuality, protects the human rights—to life, to physical integrity, to relational dignity—of those who fall through the expansive cracks between legal systems, spheres of jurisdiction, and sociopolitical and bureaucratic membership? Having built situational gates around those cracks, instead of safe and protected exit routes, sovereign actors also claim their role as saviors for those who, against all odds, manage to climb out. They do so by deploying a conveniently narrow understanding of what human rights, and a safe port, mean and entail."¹²

8. *Id.* at 161.

9. *Id.* at 21.

10. *Id.* at 19.

11. *Id.*

12. *Id.* at 108.

Faced with the increasing influx of refugees, European states have recently begun to install internal borders to supplement the external ones characterized by what Albahari calls the “policing-humanitarian nexus” of an already inadequate refugee policy. The new internal fences and border controls threaten Europe’s self-image and call into question its legal obligations to refugees and asylum seekers.

The author offers no straightforward policy prescriptions. Much of his account highlights ambiguous trade-offs, paradoxes, and moral and legal dilemmas. Yet he concludes on a somewhat hopeful note, by suggesting that—in the case of Italy, at least—the country’s economy and society would benefit considerably from an influx of young immigrants to bring new vitality to an aging population. This prospect, however politically dubious at present, would offer a winning combination of humanitarian and pragmatic goals.

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Alicia Ely Yamin, *Power, Suffering, and the Struggle for Dignity: Human Rights Frameworks for Health and Why They Matter*, (Philadelphia: University of Pennsylvania Press, 2016), 336 Pages, ISBN 978-0-8122-4774-9

In Greek mythology, the Hydra is a monster with regenerative power. Chop off its head and it grows one or more new ones. Toiling to establish economic, social, and cultural rights over the last twenty-five years has felt like confronting the Hydra. Dispose of one objection to economic, social, and cultural rights and others spring up in its place.

During the Cold War, it was difficult to have a rational, informed discussion about economic, social, and cultural rights. With the fall of the Berlin Wall, these human rights were back on the agenda, as they had been in the years immediately following the Second World War. But proponents of economic, social, and cultural rights found they had emerged from one inhospitable environment, the Cold War, and stepped into another, economic neo-liberalism.

In the 1990s and thereafter, objections to economic, social, and cultural rights came thick and fast. Address one objection and another appeared. For example, they are not *real* human rights. If they are human rights, they are non-justiciable. They are vague and costly. They are not operational, but aspirational. What does progressive realization mean? Can it be measured by using existing indicators or do we need new ones? What is the “value-added” of economic, social,