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Preliminary thoughts on the Syrian refugee movement

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Translated from the Turkish by John William Day

While forced migration has, in many ways, defined global history, Syria's recent experiences with forced migration will, in time, prove to occupy a unique place. The cruelty of the war and of the Syrian refugee movement, circulated through media images, has exposed the near bankruptcy of not only the national but also the international refugee protection system.

The current migration flows have carried all the tensions and conflicts in the Middle East into Turkey, at a time when responses to demands for more democracy have been met with political repression in the west of the country and military repression in the east. The preliminary significance of this conjuncture for Turkey is clear: the state must rethink and reconfigure its relations with the groups that were once part of Ottoman geographies, as well as those ignored since the foundation of the Republic of Turkey. The various groups arriving from Syria—Kurds, Assyrians, Turkmens, Armenians, and Yezidis—carry with them varied contentious political histories. Thus, refugees may be initially classified as Syrian, but may then subsequently be grouped as either "friend" or "enemy" along lines of ethnicity and/or religion.[1] This calls for a more textured analysis of Syrian refugee flows to Turkey, which is currently missing.

This commentary aims to offer some preliminary reflections on the Syrian refugee crisis. First of all, we have to note that the tragedies of the Syrian refugee flow and its aftermath have exposed the limits of organizations both international, such as the United Nations High Commissioner for Refugees

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1 On the importance of forced migration for the constitution of modern Middle Eastern societies in the late Ottoman period, see Dawn Chatty, *Displacement and Dispossession in the Modern Middle East* (New York: Cambridge University Press, 2010). On the social consequences of late Ottoman and early republican settlement policies, see Sema Erder, *Zorla Yerleştirmeden Yerinden Etmeye: Türkiye'de Değişen İskan Politikaları*, unpublished report (publication forthcoming, İstanbul: Can Yayınları). Syria's complex human geography is made up not only of Arabs and other local populations but also various groups exiled at the end of Ottoman rule from Anatolia and the Caucasus, including Armenians, Kurds, Circassians, and Turkmens, all of whom had different relations to the Ottoman Empire.

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(UNHCR), as well as national in formulating solutions capable of addressing mass forced migration. The violent reconfiguration of global power relations constitutes the backdrop of this migration, and its predicaments cannot be addressed by existing organizations, which were founded on an understanding of refugees that emerged in the wake of World War II. Syrian migration also demonstrates to the leadership in Turkey that such mass forced migration cannot be addressed by "closed" domestic policies alone. It further highlights the need for stronger and more "open" international collaboration. In short, Syrian forced migration requires that we do away with accepted truths and begin to rethink and rebuild how we address contemporary refugee crises and migration.

International law, in the development of which the United Nations (UN) played a leading role in the aftermath of World War II, established the legal bases for refugee status; the UN also sought to secure the international protection of refugees. Since the adoption of the Geneva Convention in 1951, the UNHCR has worked globally to protect groups defined as refugees and asylum seekers. Until the end of the Cold War, this refugee system operated with minor deficits, and the vast majority of refugees continued to live in the Global South. As Zolberg, Suhrke, and Aguayo's early study had already shown, during the Cold War refugees tended to settle in geographies close to home, based on such reasons as "sociocultural familiarity, political activism, and hope for quick repatriation."[2] But at the same time, their study predicted that, as means of communication and transportation became cheaper, more and more refugees would choose to settle in northern countries, which according to the authors underscored the need to formulate a "better international refugee regime."[3]

Generally, until the end of the Cold War, the UNHCR was able to manage the movement of refugees in a manner consistent with its principles, protecting groups fleeing war or political unrest by establishing security zones and refugee camps close to areas of conflict. Northern countries, meanwhile, selectively admitted only a small share of refugees, according to their own labor market needs or political calculations, and aided by the slow functioning of the UNHCR's bureaucratic mechanisms. In this way, the UNHCR was able to intervene in the administration of refugee movements without violating the national sovereignty of northern liberal democracies. Such slow and selective practices continued until contemporary mass refugee crises such as that in Syria, having thereby prepared the legal grounds for a form of refugee status more or less supportive of human rights. Unfortunately, though, such practices

2 Aristide R. Zolberg, Astri Suhrke, and Sergio Aguayo, *Escape From Violence: Conflict and Refugee Crisis in the Developing World* (New York: Oxford University Press, 1989), 282.

3 Ibid., 258–282.

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have had limited meaning in a country like Turkey, which struggles to secure even its own citizens' basic human rights. Such is the case, as well, in many of the countries producing refugees. We can thus argue that the current state of international refugee law and the scholarship on migration reflects the experiences of liberal democratic states.

Due to the consequences of globalization and the breaking up of the Eastern Bloc, human mobility has, in recent years, increased in ways previously unseen, as well as undergoing important qualitative changes. At the same time, September 11 and similar violent events have led to an increase in xenophobia in northern countries. In such a context, the UNHCR's outmoded bureaucracy has little effect, and the number of refugees taken under international protection has not increased at an adequate pace. The UN Secretary General's Special Representative, Peter Sutherland, has accordingly recently written that, of more than 20 million refugees, the UNHCR has been able to settle only some 75,000.[4] Similarly, in its semi-annual report in the first half of 2015, the UNHCR made clear that it had only been able to settle 33,400 people across its 76 member countries, with 3,800 in Turkey.[5]

Globalization has also led to other forms of mass migration beyond refugees. In recent times, not only refugees but millions of people have begun to migrate, many regardless of national and international regulations. These new forms of human mobility, often termed "irregular migration," are the subject of a growing literature by such international organizations as the UN, the International Labour Organization (ILO), the International Organization for Migration (IOM), and the World Trade Organization (WTO), as well as by politicians, researchers, human rights advocates, and civil society organizations. Much of this literature focuses on those who find themselves without access to basic rights in the countries to which they migrate, or, as the recently popularized term would have it, the new "precariat." One key feature that distinguishes emergent studies of new forms of migration and mobility from previous work is the effort to comprehend and to study the circumstances in the southern countries.[6]

Recent meetings, research and reports, and debates held by leading global institutions make clear that this new conjuncture of migration cannot be

4 Peter Sutherland, "Will 2016 Be a Better Year For Migrants?" *Social Europe*, January 8, 2016, www.socialeurope.eu/2016/01/will-2016-be-a-better-year-for-migrants/.

5 United Nations High Commissioner for Refugees, "UNHCR Mid-Year Trends 2015," https://s3.amazonaws.com/unhcrsharedmedia/2015/2015-midyear-trends-report/2015-12-18_MYT_web.pdf, 14–15.

6 See, e.g., Carl-Ulrik Schierup, Ronaldo Munck, Branka Likić-Brborić, and Anders Neergard, eds., *Migration, Precarity, and Global Governance: Challenges and Opportunities for Labour* (Oxford: Oxford University Press, 2015); Guy Standing, *The Precariat: The New Dangerous Class* (London and New York: Bloomsbury, 2011); and Guy Standing, *A Precariat Charter: From Denizens to Citizens* (London and New York: Bloomsbury, 2014).

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resolved by outdated rules and institutions; in other words, the general opinion is that there is a clear need for new models and policies on a global scale.[7] One instance of the concrete steps being taken toward this end is the conference Peoples' Global Action for Migration, Development, and Human Rights (PGA), held in Mexico City in 2010. Attended by civil society organizations from five continents, one result of the conference was the following declaration in the name of migrants worldwide: "We are human beings with rights to mobility, freedom of speech, decent work and social protection—not a commodity."[8] After this conference, the UN added such concepts as "civil society," "human rights," and "governance" to the agenda of the Global Forum on Migration and Development, held annually to search for ways to address global migration.

Rather than covering the entirety of the emerging literature on the new faces of migration, I will instead touch here on the work of Schierup, Ålund, and Likić-Brborić on the "democratic deficit in global governance."[9] They define new migration movements as a form of "alter-globalization."[10] Criticizing prevailing approaches to the management of migration based on such categorizations as "inclusion/exclusion," they debate whether a democratic form of managing migration through prioritizing "human rights" and including "civil society" is a "realizable utopia."[11]

The recent refugee crisis has exposed contemporary forms of global migration and popularized the perception worldwide that anyone, at any time, could become a migrant. Moreover, the new wave of migration has shocked a European public opinion that is accustomed to protecting its borders. At the same time, these events have compelled the European public opinion to begin to more clearly perceive and question the consequences of irresponsible interventions carried out by their own governments in other parts of the world.

Thus Zygmunt Bauman, who has described Europe's reactions to the arrival of Syrians as a "migration panic," defines Syrian migration as essentially stemming from the "seemingly prospectless destabilization of the Middle-Eastern area in the aftermath of miscalculated, foolishly myopic and admittedly

7 Alexander Betts, ed., *Global Migration Governance* (Oxford: Oxford University Press, 2011); Stephen Castles, "Understanding Global Migration: A Social Transformation Perspective," *Journal of Ethnic and Migration Studies* 36, no. 10 (2010): 1565–1586; Andrew Mitchell and Elizabeth Sheargold, "Global Governance: The World Trade Organization's Contribution," *Georgetown Law Faculty Publications and Other Works*, Paper 386 (2009), http://scholarship.law.georgetown.edu/facpub/386/.

8 Peoples' Global Action for Migration, Development, and Human Rights (PGA), "Statement of the People's Global Action on Migration, Development and Human Rights," Mexico City, 2010.

9 Carl-Ulrik Schierup, Aleksandra Ålund, and Branka Likić-Brborić, "Migration, Precarization and the Democratic Deficit in Global Governance," *International Migration* 53, no. 3 (2015): 50–63.

10 Ibid., 51.

11 Ibid., 54.

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abortive policies and military ventures of Western powers."[12] Similarly, in a critical piece on the same reactions, UN Special Representative Peter Sutherland stressed the need for fundamental changes to the European Union's (EU) migration policies. Sutherland furthermore emphasized that, similar to the search for solutions to global climate change, the international community must find a solution for the protection of migrants, stressing the critical importance of this matter for world democracy.[13]

As Turkey's geographical position changed from the edge of the Iron Curtain to that of the EU's Schengen border, Turkey has hosted not only asylum seekers but also the flow of shuttle and transit migrants from neighboring countries. Turkey has, for some, become a temporary migrant workplace, and, for others, a center of informal trade, a space of refuge, or a waiting point en route to Europe. For both shuttle migrants from ex-Soviet countries and asylum seekers fleeing regional conflict, Turkey has provided a space where the security of life is not threatened. The UNHCR, meanwhile, has only resettled to third countries a small proportion of refugees arriving in the wake of the Islamic Revolution in Iran or the wars in the Persian Gulf, Afghanistan, Bosnia, and Kosovo. What is more, countless refugees living outside the bureaucratic surveillance of the UNHCR have either returned to their home countries with the return of peace or have secretly fled to the EU with the facilitation of human smugglers.

Since the foundation of the republic, Turkey has pursued a "closed" migration and border policy. Turkey's regulations related to obtaining citizenship, in particular, carry the traces of the War of Independence and the 1930s nationalist zeitgeist. These policies only accept as refugees those groups coming from the West, specifically groups from the Balkans loyal to the Ottomans. And even for those coming from the Balkans, as Kirişçi reminds us, special care was taken to keep out "non-Muslim Turks and non-Turkish Muslims."[14]

Turkey's "closed" border policy changed in the 1960s with the rise of a developmentalist perspective. In order to increase foreign currency earnings, the state began to incentivize tourism and to send laborers to Europe. This policy began to open borders, if ever so slightly, inviting into the country,

12 Zygmunt Bauman, "The Migration Panic and Its (Mis)uses," *Social Europe*, December 17, 2015, www.socialeurope.eu/2015/migration-panic-misuses/.

13 As Sutherland notes, the "international community proved that it could subordinate national self-interest to a greater global goal: confronting climate change … The same thing must happen to forge a better system for protecting migrants. It is a matter of life and death … and a profound test of the civic health of democratic societies worldwide." Sutherland, "Will 2016 Be a Better Year For Migrants?"

14 Kemal Kirişci, "Is Turkey Lifting the 'Geographical Limitation'? The November 1994 Regulation on Asylum in Turkey," *International Journal of Refugee Law* 8, no. 3 (1996): 293–318.

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particularly in the 1990s, not only tourists but also foreigners (*yabancı*) and guests (*misafir*).[15]

Until the recent influx of Syrians, migrants to Turkey have managed, if with difficulty, to find a way to get by, often through the country's widespread and dynamic informal economy. Some find work in sectors where informal labor is common, such as construction, textiles, agriculture, entertainment, home care, or informal trading activities. Some live on the savings they arrived with until they find a way to reach the dirty market of the human smugglers. Consequently, a majority of those who arrive lead lives beyond public scrutiny. The only exception to this was perhaps the petty traders from the Eastern Bloc, labelled "Natashas," a derogatory term suggesting that they were involved in the sex trade.[16]

The fact that so many foreigners arriving in Turkey hold expectations of continuing on into Europe has led the EU and international NGOs working on migrant rights to have an interest in them. However, until the onset of the Syrian refugee flow, the problems that migrants face were discussed only within a narrow bureaucratic/academic circle composed of researchers, public authorities, and some EU officials. The influx of Syrian refugees has forced the debate about migration out beyond this limited circle.

Syrian refugees are made up not only of a heterogeneous ethnic and religious background, but also of a range of class and economic positions. Some are urban residents with "passports," while some lack even Syrian citizenship. Media accounts demonstrate that businessmen, professionals, artists, shopkeepers, villagers, and nomads are among those arriving to Turkey. Yet here, ethnic and religious differences are of particular political importance. Politicians as well as informal supporters of particular stances, for example, express more concern for Turkmen and Sunni migrants, while others are more supportive of Yezidis and Kurds.

It is important to stress that the state has allowed the arrival of all groups and accepted all as guests. This effectively turned on its head Turkey's

15 Here, the distinction between foreigner and guest refers less to a legal distinction than to various forms of recognition of non-citizens commonly employed by the state and in everyday life. Affected by cultural and historical precedents, those who arrive are separately identified, even if their legal status is the same, as guests and foreigners. For example, while German tourists or Russians involved in informal trade markets (*bavul tüccarları*) are labeled as foreigners, those who arrived from Bosnia after the war were greeted as guests.

16 See, e.g., Aylan Arı, ed., *Türkiye'de Yabancı İşçiler: Uluslararası Göç, İşgücü ve Nüfus Hareketleri* (İstanbul: Derin Yayınları, 2007); Gülay Toksöz, Seyhan Erdoğdu, and Selmin Kaşka, *Türkiye'de Düzensiz Emek Göçü ve Göçmenlerin İşgücü Piyasasındaki Durumları* (Ankara: IOM and SIDA, 2012), http://www.turkey.iom.int/documents/Labour/IOM_irregular_labour_migration_tr_06062013.pdf; and Deniz Yükseker, "Shuttling Goods, Weaving Consumer Tastes: Informal Trade between Turkey and Russia," *International Journal of Urban and Regional Research* 31, no. 1 (2007): 60–72.

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traditional refugee policy, along with the geographical limitation on the Geneva Convention. Syrian refugees were first designated with the legally ambiguous title of "guest," and since the passing of a regulation in 2014 have been designated as being under temporary protection. Such a change in their status clearly has had concrete effects in the lives of Syrians, reducing fears of immediate deportation and facilitating the meeting of everyday needs, specifically in terms of access to educational and health services. To date, we simply lack detailed information on how access to the benefits of this shift in status may or may not break down along lines of class, ethnicity, and religion. We do know, however, that this shift in status is not sufficient to grant Syrians formal rights to residence and work. According to 2014 data, among the 380,000 foreigners who held residence permits, only 32,000 were Syrian, while for those who hold work permits, the numbers were 52,000 and 2,500 respectively.[17] Recent government decisions, such as the new regulation on working permits for foreigners under temporary protection, further suggest that this number will rise in the coming years.[18] A more comprehensive look at these recent practices and legal transformations may help us to understand whether there have been lasting changes to Turkey's traditional migration policies.

Another important matter that calls for more attention is the fact that public authorities have kept the UNHCR at bay since the outset of the Syrian forced migration to Turkey. This points to a widespread perception among authorities, at the beginning, that this migration would be temporary, and that the refugee camps created along the Syrian border would be enough to meet migrants' needs. The fact that these camps were closed to the media, to domestic and foreign NGOs, and even to opposition deputies triggered sharp public criticism. The UNHCR, meanwhile, confined its actions to camp inspections. Today, most operations concerning Syrian refugees are overseen by the newly established General Directorate of Migration Management (*Göç İdaresi Genel Müdürlüğü*) within the Ministry of the Interior and the Disaster and Emergency Management Authority (*Afet ve Acil Durum Yönetimi Başkanlığı*, AFAD). The contemporary function of the UNHCR in Turkey is largely limited to meeting the bureaucratic needs of some asylum seekers who come from countries other than Syria. Along with this curious condition, critical analysis of the UNHCR's actions in Turkey may help us to better appreciate the functioning (or non-functioning) of the international system for the protection of migrants.

17 See http://www.goc.gov.tr/icerik6/ikamet-izinleri_363_378_4709_icerik.

18 "Geçici Koruma Sağlanan Yabancıların Çalışma İzinlerine Dair Yönetmelik," 2016/8375.

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We may claim that Syrians living under temporary protection in Turkey have not experienced significant problems in terms of the security of life or the meeting of urgent needs. One might even say that, due to the political attention they have received, Syrians have enjoyed advantages not afforded to other irregular migrants in Turkey. A recent World Bank report defines Turkey's hosting experience as a unique and successful "development response" to the forced displacement crisis.[19] Hence the collective surprise when, in the summer of 2015, Syrian refugees who had been living in Turkey for some three years began seeking to move on to EU countries in large numbers.

Precisely why this unexpected flight of Syrians from Turkey to the EU was initiated remains an open question. One explanation may lie in the inefficient functioning of the initial policy of accepting them as guests and subsequently granting them temporary protection, as well as the ways in which such policies clashed with refugees' expectations. At the same time, public reactions to Syrians have been far from positive, and there has been little support for their permanent presence in Turkey. Xenophobia can also have negative effects on refugees. Forms of discrimination may also emerge along ethnic and religious lines within the heterogeneity of this group. Moreover, Turkey's turbulent and tense political environment may be a factor leading refugees to question their future in the country. We will learn the answers to these questions in time, probably from studies on migration carried out in those European countries that receive Syrian migrants. What I wish to stress here, though, are the following points: (a) Turkey does not have the legal arrangements, institutions, and resources that would cater to the needs of such a large and diverse refugee group with differing expectations; and (b) Syrians trust and more highly regard the EU's refugee policy as compared to that of the UNHCR, despite growing trends of xenophobia across Europe.

The increasing flight of Syrians to Europe primarily exposes the need to rethink not only the EU's but also Turkey's migration policy. Perhaps the most important consequence of this flight has been its role in encouraging the media and the public to appreciate, for the first time, the significance and scale of the refugee problem. As a result, migration, once the concern of a limited few in Turkey, is increasingly the subject of widespread discussion and debate. We may be witnessing the first steps toward a new conversation on questions of foreigners and migrants in Turkey. Standing before true progress, however, are a number of important obstacles. In what follows, I will try to reflect on this issue in terms of its relationship to civil society, politics, and academia.

19 World Bank, "Turkey's Response to the Syrian Refugee Crisis and the Road Ahead," 2015, http://www.worldbank.org/en/country/turkey/publication/turkeys-response-to-the-syrian-refugee-crisis-and-the-road-ahead.

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The state's acceptance and legitimation of Syrian refugees as guests has rendered them more visible in ways different from previous migrants to Turkey. Syrians are able to appear in streets, public squares, and parks without fear of the police. The same visibility, meanwhile, has yielded complex reactions from a broader public, ranging from surprise and fear to a humanitarian impulse to help. Syrian refugees have, to a degree exceeding any other migrant group, become objects of interest in the wider society, informal networks, municipalities, NGOs, trade associations, and the media. Even if many NGOs appear to be quite inexperienced in terms of how to effectively help migrants, and even if much of their work to date has approached help more in terms of poverty relief or charity, their close attention appears to have removed some of the fear of refugees. When crafting new migration policies, then, what is of clear importance is further research on the dimensions, depth, and consequences of the public's and civil society's response to the refugees.

Here, it is helpful to recall the Global Forum on Migration and its search for new migration policies on a global scale. Though it received limited media and public attention, the eighth such forum took place in İstanbul in October 2015. It is important to look more closely at which NGOs participated and which did not, and to ask what perspectives were voiced and what decisions were made. In general—and independently of questions of migration—governance and the participation of NGOs in decision-making processes is a matter of much debate in the context of democratization in Turkey. Political scientists, urban scholars, and public administration scholars are debating issues such as localization, local politics, and local democracy on matters ranging from urban transformation projects to the Kurdish problem.[20] The grounded work of migration researchers may be of critical importance to such emergent debates. At the same time, this sort of detailed analysis, when carried out from the perspective of such countries as Turkey—where democracy and civil society always exist in a precarious state—may help us to better assess the prospects of democratic global migration management.

This brings us inevitably to Turkey's current tense and turbulent political atmosphere. The consequences of the division of NGOs in Turkey so often along lines of secularism and religiosity, the lack of cooperation and compromise, and the tendency of the government to work only with a number of politically affiliated NGOs are reflected in the research on migration, as in other fields. Such a situation—in a country where civil, political, and social rights are always fragile—only adds difficulty to the open discussion of migrant rights as human rights. The situation of migrants and refugees has clearly

20 See, e.g., Pınar Uyan, ed., *Yerel Demokrasi Sorunsalı: Büyükşehir Belediye Meclisleri Yapısı ve İşleyişi* (İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2015).

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demonstrated the importance of peace and citizenship rights. However, the ongoing debates, similar to those that surround poverty alleviation, are bogged down in unproductive conversations on whether to approach the problem through the lens of charity or human rights. Generally, political polarization, conflict, xenophobia, and nationalist ideologies have, in Turkey as in other countries, inhibited a rights-based approach to migration.

I want to also touch upon the academic discussion and research related to the Syrian refugee flows. Syrian migration has recently attracted the attention of social scientists both within Turkey and beyond, especially in the EU. A potential danger of this heightened concern by the EU is the distinct possibility of the continuation of a Eurocentric research perspective, supported by grants from the EU and other sources, with discussions proceeding in an instrumentalist, policy-oriented framework bent on preventing further migration—a problem that has been observed and critiqued in previous work.[21]

In this sense, there is no shortage of obstacles before researchers in Turkey working on irregular migration in general and Syrian migration in particular. Such longstanding prohibitions and taboos as the lack of transparency throughout the process of management of the Syrian refugee flow, the failure of public authorities to share any data with researchers, and the growing polarization in public opinion are among the most important obstacles. The recent attempt by the government to tie the possibility for such research to official approval is particularly revealing of the environment within which researchers operate.

All these obstacles further introduce methodological problems for conducting research. In a situation where we lack even credible data sets on the number of Syrian refugees, researchers often use intuition to design research projects and formulate research questions, as they have no choice but to draw on information and limited and mostly biased observations obtained from the media and NGOs. As it has been nearly impossible to employ quantitative research methods in the study of Syrian migration, qualitative research methods have been widely employed, and often in less than credible ways.

Another obstacle before researchers is the theoretical frameworks within which migration research has been carried out, as a highly specialized field within the social sciences. This field is of special importance to the configuration of state-society relations in northern countries. The dominant theoretical

21 Sema Erder and Deniz Yükseker, "Challenges for Migration Research in Turkey: Moving Beyond Political, Theoretical and Data Constraints," in *Critical Reflections in Migration Research: Views from the North and the South*, ed. Ahmet İçduygu and Ayşem Biriz Karaçay (İstanbul: Koç University Press, 2015): 35–56.

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framework in a field developed through the incentives of public and international grants is evident in the predominance of policy-oriented concepts developed by structural functionalists—such as assimilation, integration, and adaptation—or in such legal and administrative concepts as the refugee, the asylum seeker, trafficking, and smuggling. These concepts have been widely criticized on the grounds of their inadequacy for thinking more carefully about recent global patterns of human mobility and for developing more humane conditions for those affected by migration. Through the greater participation of scholars in various fields such as political science, anthropology, legal scholarship, and even philosophy, such a situation may ultimately lead to a conceptual enrichment and a rethinking of migration studies. Aware of the importance of an understanding and thoughtful observation of the local, and with an eye to the production of knowledge able to add to ongoing global discussions, I wish to stress the need for open debate among those who specialize in migration studies. As this field is so suffused by problems of methodology, scientific ethics and conceptualization, creative work, and the development of new research techniques is essential.

Syrian migration lays bare the mercilessness and pain entailed in the unholy trinity of war, death, and migration. Each boat departing from Turkey's Aegean coast exposes the limits, if not the meaninglessness, of so much of what we have written, so many of the beliefs and truths we hold dear, so many of the debates and discussions we have had, the rules we have developed, the decisions we have made. There is still hope, though, that a newly galvanized and more meticulous way of thinking about these matters may result from this human disaster, and that all the tragedies we now see may lead to new forms of political life, new legal practices, and a new academic dynamism.

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